



**VILLAGE OF PENINSULA
AGENDA
REGULAR VILLAGE COUNCIL MEETING**

Tuesday September 22, 2026, 7:00 p.m.

Peninsula Village Hall

1582 Main Street

Peninsula, Ohio 44264

CALL TO ORDER/ROLL CALL

PRESENTATION OF AGENDA AND AMENDMENT OF THE AGENDA

SPECIAL PRESENTATIONS

PRESENTATION AND CONSIDERATION OF RECORD OF PROCEEDINGS

September 8, 2026 Council Meeting Minutes

CITIZEN PARTICIPATION

REPORTS

Mayor, Daniel Schneider, Jr.

Meeting with CVNP, Conservancy for the CVNP, Cuyahoga Valley Scenic Railroad, Summit County, Engineer, and Village of Peninsula for the purpose of coordinating addressing safety issues along West Mill St. and the Rt. 303 Bridge, the Conservancy's plans for Oxbow Meadows, projects of joint interest, and what the CVNP and other entities can do for Peninsula is scheduled during the October 27 Council Meeting

Motion to Authorize the Mayor to Execute a Road Salt Agreement with Boston Township for the Period of November 1, 2026 through October 31, 2027 at the Rate of \$68.05 Per Ton with a Loader Fee of \$62.50 and a Per Hour Fee of \$51.17 for a Maintenance Worker (with a One-Hour Minimum Requirement).

Fiscal Officer, Mr. Nogalo

Street Commissioner, Mr. Anderson

Finance Liaison, Mr. Krachinsky

Police Department

Roads and Public Works

Planning Commission, Ms. Frank-Hensley

Zoning Officer, Mr. Collins

Board of Zoning Appeals

Buildings and Grounds, Ms. Frank-Hensley

Policies & Procedures Liaison, Mr. Slocum
Cybersecurity Program

Fire Board, Mr. Krachinsky

Cemetery Board, Ms. Padrutt

JEDD Board, Ms. Riggins

Wastewater/Stormwater/Water

CVNP and Conservancy, Ms. Padrutt and Ms. Riggins

Rt. 303 Safety Project, Mr. Slocum

Solicitor, Mr. Bryan

LEGISLATION

Ordinance No. 13-2026 (Version 4) (Tabled)

Requested by: Councilperson Padrutt

An Ordinance Establishing Section 311.02 of the Village Code Regarding Outdoor Public Events Policies and Permits (Third Reading)

Ordinance No. 19-2026

Requested by: Mayor Schneider

An Ordinance Amending Section 125.08 of the Administrative Code Regarding Meeting Video with Audio Recordings and Meeting Minutes (Third Reading)

Ordinance No. 20-2026

Requested by: Ms. Padrutt

An Ordinance Amending the Rules of Council (First Reading)

UNFINISHED BUSINESS/NEW BUSINESS

Solicitor Search Committee

Short-Term Rental Regulations Discussion

Proposed Advisory Ballot Resident Letter

EXECUTIVE SESSION (IF NECESSARY)

ADJOURNMENT

**Record of Proceedings
Regular Council Meeting**

Held: Tuesday, September 8, 2026

CALL TO ORDER: The Mayor called the meeting to order at 7:00 p.m.

ROLL CALL:

Mayor Daniel Schneider, Jr.	Present	Amy Fank-Hensley	Present
Richard Slocum	Present	Daniel Krachinsky	Present
Jodi Padrutt	Present	Eliud Rosales	Present
Mo Riggins	Present		

OTHERS PRESENT: OHM Advisors Representative Tony Burgoyne, Administrative Assistant Faith Dorton, Fiscal Officer Vic Nogalo, Attorney Eric Moore (filling in for Mr. Bryan)

SPECIAL PRESENTATIONS: Mr. Burgoyne provided an update on the Village's Rt. 303 Safety Improvement Project, which includes pedestrian upgrades, lane reassignments, two new signals, landscaping, lighting, and other improvements. The project has reached the ODOT Stage Two milestone, with right-of-way clearance documents submitted. Construction is now not anticipated to begin until April 2028, largely due to the State-led ODOT process and the need to coordinate with underground infrastructure work and other improvement projects. Because of the revised schedule, OHM will reapply for \$1.5 million in OPWC funding. That funding, combined with the \$2 million ODOT grant and Summit County's \$50,000 commitment, would leave the Village's estimated share of the \$3.6 million project at approximately \$59,350, or less than 3%, if OPWC funding is awarded. Mr. Burgoyne stated the Village may also consider a State Infrastructure Bank loan to cover interim right-of-way acquisition and environmental consulting costs, with OPWC funds being used to repay the loan. The Village may be responsible for interest payments. Stage Three plans are expected to be completed by the end of the year, followed by right-of-way acquisition. The OPWC funding decision is anticipated in approximately two months. Preliminary plans can be made available for placement on the Village website, and the project will include a public engagement process. Mr. Burgoyne confirmed a separate OPWC application is being submitted for up to \$2.8 million in grant funding to replace the storm sewer system on Rt. 303 from Riverview Road to Dell. The request is for 100% grant funding, and that work would be incorporated into the broader project if the grant is awarded.

PRESENTATION AND CONSIDERATION OF RECORD OF PROCEEDINGS

August 25, 2026 Council Meeting Minutes

Mr. Slocum requested that the minutes be amended to change the reference to the August 20, 2026 Cemetery Board Meeting from future tense to past tense and correct the number 70 to 60 on page six in the language referencing Ordinance 19-2026. Mr. Slocum then made a motion that was seconded by Ms. Padrutt to approve the minutes as amended. Roll call vote: Mr. Rosales, yes; Mr. Krachinsky, yes; Mr. Slocum, yes; Ms. Padrutt, yes; Ms. Riggins, yes; Ms. Frank-Hensley, abstain. The minutes were approved as amended.

CITIZEN PARTICIPATION: Liz Biddick asked whether Council plans to send residents a factual informational letter before the November vote explaining the short-term rental (STR) ballot issue. Ms. Frank-Hensley stated that is being discussed.

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Held: Tuesday, September 8, 2026

REPORTS

Mayor, Daniel Schneider, Jr.

Status of Meeting with CVNP, Conservancy for the CVNP, Cuyahoga Valley Scenic Railroad, Summit County, Engineer, and Village of Peninsula for the Purpose of Coordinating Addressing Safety Issues Along West Mill St. and the Rt. 303 Bridge, the Conservancy's Plans for Oxbow Meadows, and What the CVNP and Other Entities Can Do for Peninsula

The Mayor reported he contacted representatives from CVNP, the Conservancy, Cuyahoga Valley Scenic Railroad, and the Summit County Engineer, with all four entities agreeing to send representatives to the October 27 Council Meeting. Mr. Slocum encouraged identifying additional projects that cross jurisdictional boundaries, noting the difficulty of addressing issues that do not fall under a single entity's responsibility.

Updated Short-Term Rental (STR) Inspection Sheet

The Mayor referenced the updated, more detailed STR inspection sheet contained in the meeting packet that is intended to be utilized for future inspections. Council discussed hiring an independent inspector or home inspection company rather than placing the workload on Village staff. It was noted that owners are generally given 10 days to correct violations before further action is taken. Council discussed using a web-scraping service to identify unregistered STRs and discrepancies between approved property information and online listings. Ms. Frank-Hensley stated she contacted several services and would return with cost estimates, potentially exploring a shared arrangement with neighboring communities.

Ms. Padrutt advised Council that a bicycle race with approximately 80 registered participants is scheduled for September 19 from 8:00 a.m. to noon, the same day as Music on the Porches and an event at Blossom. Council expressed concern that the Village had not been adequately notified or included in safety planning for this event and that the trail closures involved could push cyclists onto local roads. The Mayor stated the Village would contact National Park representatives to request improved communication and coordination regarding future events and safety plans.

Fiscal Officer, Mr. Nogalo: The Mayor introduced the new Fiscal Officer, Vic Nogalo.

Street Commissioner, Mr. Anderson: Mr. Anderson announced that fallen tree branches were picked up.

Finance Liaison, Mr. Krachinsky

Motion to Authorize Up to An Additional \$5,000 for the Charles E. Harris & Assoc., Inc. Bank Reconciliation Engagement Agreement

Mr. Krachinsky reported Charles Harris has reviewed much of the 2022–2023 financial records but needs additional credit card statements and supporting documentation. The initial \$5,000 authorization has been exhausted. He requested an additional \$5,000 to complete the review, noting that Anne Spicer, who has approximately 40 years of experience, believes that amount should be sufficient as patterns in the records become clearer.

The discussion then pivoted to the lack of a resignation document from Katie Iaconis. Ms. Padrutt made a motion that was seconded by Mr. Krachinsky to formally terminate Ms. Iaconis' employment with the Village, effective immediately. Roll call vote: Mr. Rosales, yes;

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Mr. Krachinsky, yes; Mr. Slocum, yes; Ms. Padrutt, yes; Ms. Riggins, yes; Ms. Frank-Hensley, yes. The motion was approved. Mr. Krachinsky then made a motion that was seconded by Ms. Riggins to authorize an additional \$5,000 for the bank reconciliation agreement. Roll call vote: Mr. Rosales, yes; Mr. Krachinsky, yes; Mr. Slocum, yes; Ms. Padrutt, yes; Ms. Riggins, yes; Ms. Frank-Hensley, yes. The motion was approved.

Police Department: Chief Rucker reported Officers issued 407 handheld-camera tickets in August. That number is below the 600 tickets per month that are usually issued this time of year. The decrease was due partly to the weather. Chief Rucker stated discussions are underway to maintain access to a location along St. Rt. 303 for enforcement. She agreed to share monthly reports with Council.

Roads and Public Works: The Mayor reported that updated traffic sign data should be available by the next meeting. The Service Department recently cleaned the Village road signs, completed limb pickup, and is working with the Police Department on signage near the Post Office to prevent vehicles from blocking entrances and exits. School pickup and drop-off improved after issues with a new app were addressed. The Mayor thanked Village Engineer McCabe for his continued coordination with ODOT and other agencies to ensure projects are completed efficiently and avoid unnecessary repeated work.

Planning Commission, Ms. Frank-Hensley: Ms. Frank-Hensley reported the Planning Commission is completing final edits to the Mixed-Use zoning package, including landscaping changes, with Council review expected in October. The Village Planner continues investigate the feasibility of an interactive GIS zoning map. Accessory dwelling units are expected to be addressed next. The Commission tabled discussion of rezoning the Players Barn property, favoring retaining it for potential event parking until a longer-term plan is developed. The Commission was advised that a County Stormwater District representative will make a presentation to Council in October, and that the Commission Members were encouraged to attend that meeting. Ms. Frank-Hensley stated she also plans to draft a neutral, factual letter explaining the upcoming short-term rental vote and its implications for residents, with Council reviewing and approving the letter before it is mailed.

Zoning Officer, Mr. Collins: Mr. Collins reported a shed was recently approved.

Board of Zoning Appeals: Matthew Pradutt shared that the Board of Zoning Appeals will hold a meeting on September 15 at 6:00 p.m., followed by its next Regular Meeting on October 27 at 6:00 p.m. as part of its recurring bi-monthly schedule.

Buildings and Grounds, Ms. Frank-Hensley: Ms. Frank-Hensley stated she had nothing to report.

Policies & Procedures Liaison, Mr. Slocum:
Cybersecurity Program

Mr. Slocum reported he received one vendor proposal and expects additional proposals soon, with the goal of discussing a selection within the next one or two meetings. He explained

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portions of the cybersecurity program are already in place, but the Village plans to first migrate to Office 365 to address security issues before completing a formal risk assessment. He acknowledged the Village may not currently meet all compliance requirements, with full compliance dependent on selecting a vendor and completing the migration.

Ms. Padrutt proposed updating the Rules of Council to require the Fiscal Officer to attend all Council meetings and clarify that, if the Fiscal Officer is absent, Council must appoint one of its members to perform the Clerk's duties in accordance with the cited Ohio Revised Code provision. Discussion clarified that staff may still assist with preparing minutes, as long as the Fiscal Officer reviews and assumes responsibility for the official record. Legal counsel will further research the duties of a Council member appointed during the Fiscal Officer's absence. Ms. Padrutt made the motion and Ms. Riggins seconded. Roll call vote: Mr. Rosales, yes; Mr. Krachinsky, yes; Mr. Slocum, yes; Ms. Padrutt, yes; Ms. Riggins, yes; Ms. Frank-Hensley, yes. The motion was approved.

Fire Board, Mr. Krachinsky: Mr. Krachinsky stated he had nothing to report.

Cemetery Board, Ms. Padrutt: Ms. Padrutt stated she had nothing to report.

JEDD Board, Ms. Riggins: Ms. Riggins stated she had nothing to report.

Wastewater/Stormwater/Water: No report.

CVNP and Conservancy, Ms. Padrutt and Ms. Riggins: No report.

Rt. 303 Safety Project, Mr. Slocum: Mr. Slocum stated the issues related to this Project were discussed earlier in the meeting.

Solicitor, Mr. Bryan: Mr. Moore stated he had nothing to report on behalf of Mr. Bryan.

LEGISLATION

Ordinance No. 13-2026 (Version 1)

Requested by: Councilperson Padrutt

An Ordinance Establishing Section 311.02 of the Village Code Regarding Outdoor Public Events Policies and Permits (Third Reading)

Ordinance No. 13-2026 (Version 2)

Amendments Requested by: Councilperson Slocum

An Ordinance Establishing Section 311.02 of the Village Code Regarding Outdoor Public Events Policies and Permits (Third Reading)

Ordinance No. 13-2026 (Version 3)

Amendments Requested by: Councilperson Padrutt

An Ordinance Establishing Section 311.02 of the Village Code Regarding Outdoor Public Events Policies and Permits (Third Reading)

**Record of Proceedings
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Held: Tuesday, September 8, 2026

Ordinance No. 13-2026 (Version 4)

Amendments Requested by: Councilperson Padrutt

An Ordinance Establishing Section 311.02 of the Village Code Regarding Outdoor Public Events Policies and Permits (Third Reading)

Mr. Moore read the legislation by title. Council reviewed the multiple versions of the revisions to Ordinance 13-2026. Because significant changes had been made since the original version, Council decided to rescind Versions 1, 2, and 3, leaving Version 4 as the version to work off. Members then began reviewing Version 4, including its purpose, definition of an outdoor public event, exclusions, and when an event should require a Village permit. The discussion focused on distinguishing events that require extraordinary Village resources or create significant community disruption from ordinary business activities and smaller gatherings. Examples discussed included Peninsula Flea, Music on the Porches, Peddler's Day, Memorial Day events, and Village-sponsored activities. Members raised questions about traffic control, Police, Fire and EMS services, street or sidewalk use, parking, event size, and whether businesses holding special events on their own property should be subject to permitting.

Council also reviewed proposed exclusions for funerals, weddings, school activities, government-sponsored activities, spontaneous gatherings, small sidewalk gatherings, and private events. Questions were raised about constitutional protections for gatherings and protests, the meaning of government activities conducted within the scope of their functions, and whether Village-sponsored events should be exempt from permits. Members expressed concern that insurance requirements, including \$1 million in liability coverage for certain events involving vendors, food, beverages, or vehicles, could unintentionally burden traditional community events. Several members emphasized the policy should primarily ensure the Village receives advance notice of events that may require additional services or create traffic and safety concerns, while remaining flexible enough to avoid unnecessary regulation of routine activities. It was suggested that organizers meeting certain criteria should be required to contact the Village, after which the Mayor, Police Chief, and other officials could determine what permits or services are necessary.

Council ultimately agreed that Version 4 requires additional work and input from the Police Chief and Fire Chief regarding safety, emergency services, traffic, and Village resources. Council expressed a desire to table Ordinance 13-2026, Version 4, for further discussion and revision rather than abandoning the proposed public events policy. Mr. Rosales made that motion to table the Ordinance that was seconded by Mr. Krachinsky. Roll call vote: Mr. Rosales, yes; Mr. Krachinsky, yes; Mr. Slocum, yes; Ms. Padrutt, yes; Ms. Riggins, yes; Ms. Frank-Hensley, yes. The motion was adopted.

Ordinance No. 19-2026

Requested by: Mayor Schneider

An Ordinance Amending Section 125.08 of the Administrative Code Regarding Meeting Video with Audio Recordings and Meeting Minutes (Second Reading)

Mr. Moore read the legislation by title. Ms. Frank-Hensley made a motion that was seconded by Mr. Slocum to amend the body of the legislation to reflect the change to 75 days, remove from the text of the Ordinance "as soon as the Village obtains technology to do so", and have the amended Ordinance advance to a third reading at the next meeting. Roll call vote: Mr.

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Held: Tuesday, September 8, 2026

Rosales, yes; Mr. Krachinsky, yes; Mr. Slocum, yes; Ms. Padrutt, yes; Ms. Riggins, yes; Ms. Frank-Hensley, yes. The motion was adopted.

ADJOURNMENT: Mr. Rosales made a motion that was seconded by Mr. Krachinsky to adjourn the meeting. Roll call vote: Mr. Rosales, yes; Mr. Krachinsky, yes; Mr. Slocum, yes; Ms. Padrutt, yes; Ms. Riggins, yes. The meeting was adjourned at 8:54 p.m.

Respectfully submitted:

Daniel Schneider Jr., Mayor

Date

Vic Nogalo, Fiscal Officer

Date

AGREEMENT

Road Salt

THIS AGREEMENT made and entered into on the 9 day of September 2026 by and between the BOARD OF TOWNSHIP TRUSTEES OF BOSTON TOWNSHIP, County of Summit, Ohio, hereinafter designated as TOWNSHIP and the VILLAGE OF PENINSULA, a political subdivision within the County of Summit, Ohio, hereinafter designated as VILLAGE.

WITNESSETH, THAT the TOWNSHIP and the VILLAGE hereby enter into this cooperative agreement for the VILLAGE to purchase available road salt from the TOWNSHIP, as needed, for a period beginning on 11/1/2026 and ending on 10/31/2027.

The TOWNSHIP shall furnish the salt, if available, as needed to the VILLAGE OF PENINSULA. Salt will be purchased by the Township from the Summit County Engineer's Office at the rate of \$68.05 per ton with a loader fee of \$62.50 with a one-hour minimum and a fee of \$51.17 for a maintenance worker with a one-hour minimum. The parties agree that as learned from the parties experiences last year, it is to the advantage of both parties to haul as much as possible in a one-day period to fill the salt bin. It will be necessary to have a minimum of two trucks from both communities working together to haul the salt while one employee fills the salt bin with the backhoe. Boston Township and the Village agree to cooperate to reach for an agreed upon time to perform those tasks.

The Township shall invoice the Village at the end of the snow season in 2027 when it receives an invoice from the County. The invoice shall be paid within 15 days.

It is mutually agreed that this agreement is limited to the terms of this agreement.

BOSTON TOWNSHIP TRUSTEES



Amy Anderson – President
Board of Trustees

Date: 9/9/2026

VILLAGE OF PENINSULA

Mayor Daniel Schneider, Jr.

Date: _____

Approved as to Legal Form:



Alfred E. Schrader – Legal Counsel
Boston Township

Approved as to Legal Form:

Bradric T. Bryan – Solicitor
Village of Peninsula



Boston Township Trustees

P.O. Box 123

Peninsula, OH 44264

September 10, 2026

Mayor Dan Schneider
Village of Peninsula

Earlier this year I spoke with you regarding the salt contract and working together on shared projects. You said you would get back to me. Seeing that minimal instances of working together has happened we are assuming that was a no. The village had extra paving material and we were asked if we could use it. Our workers used this on the Valley Fire Department driveway; a shared service.

In the past there was some confusion as to what was expected of our department when your employees were on vacation. This year your department head informed one of our workers when he would be off. In the future, this information should be conveyed to one of the trustees not our employees.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy Z. Anderson".

Amy Z. Anderson, Chair, Boston Township Trustees

VILLAGE OF PENINSULA, OHIO
ORDINANCE NO.: 13-2026
INTRODUCED BY: _____
DATE PASSED: _____

VERSION 4

**AN ORDINANCE ESTABLISHING SECTION 311.02 OF THE VILLAGE CODE
REGARDING OUTDOOR PUBLIC EVENTS POLICIES AND PERMITS**

WHEREAS, Village Council recognizes that outdoor public events enhance the quality of life and economic vitality of the historic Village community; and

WHEREAS, due to the unique geography of the Village within the Cuyahoga Valley National Park and the Village's infrastructure, Council desires to ensure that outdoor public events are conducted safely, disruption to residents is minimized, and Village resources are protected; and

WHEREAS, Council desires to establish Section 311.02 of the Village Code to accomplish the above goals.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Peninsula, Summit County, Ohio, to wit:

SECTION 1. Council hereby enacts Section 311.02 of the Village Code, as set forth in the attachment hereto that is incorporated herein by reference.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public and/or in compliance with all legal requirements.

SECTION 3. This Ordinance shall be effective as of the earliest date provided for by law.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2026.

Passed:

Daniel Schneider, Jr., Mayor

Attest:

Vic Nogalo, Fiscal Officer

Approved as to Legal Form.

Bradric T. Bryan, Solicitor

ORDINANCE 13-2026
PAGE TWO

I, Vic Nogalo, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, do hereby certify that the foregoing Ordinance was duly passed by the Council of the Village of Peninsula, at a meeting held on the _____ day of _____, 2026.

Vic Nogalo, Fiscal Officer

Posting Certificate

I, Vic Nogalo, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, hereby certify that there is no newspaper published in the Municipality, and publication of the foregoing Ordinance was made by posting true and accurate copies thereof at five of the most public places in the Village as previously determined by Council, each for a period of at least fifteen days, commencing on the _____ day of _____, 2026, as follows:

1. Terry Lumber & Supply;
2. Valley Fire District;
3. Peninsula Library & Historical Society;
4. Peninsula Village Hall Lobby; and
5. Peninsula Post Office.

Vic Nogalo, Fiscal Officer

311.02 OUTDOOR PUBLIC EVENTS ~~POLICIES AND PERMITS~~ PERMITS.

(a) Purpose and Scope. The Village recognizes that outdoor public events enhance the quality of life and economic vitality of ~~our~~ the Village's historic community. However, due to ~~our~~ the Village's unique geography within the Cuyahoga Valley National Park and ~~our~~ its limited infrastructure, this ~~policy~~ section ensures that outdoor public events are conducted safely, minimize disruption to residents, and protect Village resources. This section applies to every outdoor public event as defined in subsection (b) and is administered without regard to the content of any message conveyed by an event.

(b) Definition of Event. (1) For the purposes of this ~~policy~~ section, an “outdoor public event” ~~is defined as means~~ any outdoor ~~planned~~ gathering, festival, march, procession, parade, race, or assembly ~~that is~~ (A) planned and sponsored by an identifiable person or organization; (B) open or advertised to the general public; and (C) located on public or private property within the Village, and that significantly impacts the normal flow of traffic, requires ~~the use of Village or public personnel or resources, or involves a gathering that exceeds typical occupancy of the site, such as~~ Village personnel, property, or services beyond those routinely provided, including Police, traffic control, Fire/EMS, the closure or exclusive use of streets, or sidewalks, the use of Village property, or Village buildings, street closures and barricades, public service and sanitation assistance, and/or Village utility ~~use~~ service.

(2) Exclusions. This section does not apply to: (A) funeral processions; (B) wedding processions; (C) students going to and from school or participating in school activities under the direction of school authorities; (D) the Village or any other governmental agency acting within the scope of its functions; (E) a spontaneous gathering occasioned by news or affairs coming into public knowledge within three days before the gathering, provided the organizer gives written notice to the Mayor at least twenty-four hours before it; (F) a gathering of fewer than twenty persons on public sidewalks that does not close or obstruct a street, does not obstruct pedestrian passage, and does not require traffic control; and (G) a private gathering that is not open or advertised to the general public.

(c) General Requirements. No person, group of persons, or organization shall conduct ~~or participate in~~ any outdoor public event ~~that is open to the public~~ as defined in subsection (b), or block off any street or highway area, without first obtaining a permit from the Mayor. Where an event requires closure of a state route within the Village, the Village shall coordinate with the Ohio Department of Transportation as required by law before issuing the permit.

(d) Permit Applications. Applications for permits under this section shall be made on such forms prescribed by the Mayor, shall be filed with the office of the Mayor, and shall contain ~~such~~ the information ~~necessary for determining whether a permit should be issued~~ required by this subsection. Applications shall be filed ~~before the time intended for such event and~~ in accordance with the timeframes set forth in Subsection (e) of this ~~ordinance~~ section. The Mayor shall ~~make a determination on~~ approve, approve with conditions under subsection (j), or deny the application in writing within ten days of the date on which the application is filed. A denial shall state the specific ground under subsection (h) on which it is based. An application on which the Mayor has not acted within ten days is deemed approved as filed, subject to the standard conditions in subsection (j) and payment of fees under subsections (g) and (l). The Mayor ~~has the discretion to grant~~ shall accept an application for an event permit related to celebrations or protests of Local, State, Federal, or World Events upon shorter notice than the timeframes in subsection (e), shall act on it within two business days, and shall grant it if it is determined by the

~~Mayor and Chief of Police, or their designees, that the Village is able to provide the required safety resources and services within the timeframe between the filing of the application and the time of the planned gathering, festival, march, procession, parade, race, or assembly~~ if the Mayor and Chief of Police, or their designees, determine that the Village can provide the required safety services in the time available. The required information provided in the application shall include, at a minimum:

- (1) The ~~Person or entity in charge of the event~~ name, address, and contact information of the person or organization sponsoring the event, and of an individual authorized to act for the sponsor before and during the event.
- (2) The estimated number of participants.
- (3) A detailed route map, including assembly and dispersal areas, if applicable.
- (4) A description of equipment, signage, or other event logistics.
- (5) Insurance and Indemnity. ~~For Tier 2 and 3 events, as defined in this subsection (e) of this Ordinance, proof of liability insurance coverage for the event with minimum coverage amounts of \$1,000,000 per occurrence and \$1,000,000 in the aggregate.~~

(A) An event that includes any of the following shall carry commercial general liability insurance of not less than \$1,000,000 per occurrence and \$1,000,000 aggregate, naming the Village as an additional insured, with a certificate of insurance filed with the Mayor not less than ten days before the event: an admission charge; sale of goods, food, or beverages; vendors; vehicles, floats, or animals in a procession; stages, tents, bleachers, inflatables, rides, or other temporary structures; or use of a Village building.

(B) An event at which alcohol is sold or served shall also carry liquor liability coverage of not less than \$1,000,000.

(C) An event that includes none of the items in paragraph (A) is not required to carry insurance, regardless of tier.

(D) Every applicant shall sign an agreement, on a form prescribed by the Solicitor, to indemnify and hold the Village harmless from claims arising out of the event, except claims arising from the Village's own negligence.

(E) The requirements of this paragraph are not subject to waiver or modification.

- (6) Any additional safety and resource requirements, such as Police, traffic control, Fire/EMS, use of streets, sidewalks, Village property, or Village buildings, street closures and barricades, public service and sanitation assistance, and/or utility use.

(e) Event Tiers and Application Filing Timeframes. The tier of an event is determined by the applicant's good-faith estimate of peak attendance. For a recurring event, the Mayor may assign the tier based on documented attendance at the most recent prior occurrence.

- (1) Tier One (Small): ~~Under~~ Fewer than 50 attendees. ~~Block parties or small gatherings with no road closures or commercial vendors, using Village property or requiring a temporary~~

closure of a residential street that is not a through route, with no commercial vendors and no Village personnel on scene. ~~Deadline for application is 14 days~~ The application shall be filed not less than 14 days before the event.

(2) Tier Two (Medium): 50 ~~250~~ to 249 attendees. May require minor police assistance, food vendors, or use of ~~public squares~~ Village property. ~~Deadline for application is 60 days~~ The application shall be filed not less than 60 days before the event.

(3) Tier Three (Large): 250 ~~+~~ or more attendees. Festivals, races, parades, or assemblages requiring closures and multidisciplinary department coordination. ~~Deadline for application is 90 days~~ The application shall be filed not less than 90 days before the event.

(f) Routes, Parking, and Hours. ~~The Village shall establish~~ Council may by resolution designate predetermined event routes ~~that are~~ designed to minimize disruptions to traffic and residential areas. Events ~~should prioritize using~~ shall use the designated routes unless alternate routes are approved by the Mayor and Chief of Police or their designees based upon public safety and logistical needs. Organizers ~~are responsible for submitting~~ shall submit a parking plan for events exceeding 100 attendees. Shuttles are recommended for Tier 3 events. All events ~~must adhere to the hours of the Village of Peninsula's noise ordinance~~ shall comply with Section 509.03 of these Codified Ordinances. Amplified sound shall not be used before [9:00 a.m.] or after [10:00 p.m.], or outside any shorter hours stated in the permit.

(g) Fees and Cost Recovery. Fees for events shall be assessed based upon their size and the Village services anticipated to be required, and without regard to the content of any message conveyed by the event or the anticipated reaction of others to it. Fees shall be in accordance with the specified fees and/or fee ranges set forth in the Event Fee Schedule contained in Subsection (~~m~~) of this ~~ordinance~~ section. The additional costs associated with these permits shall consider the event's anticipated need for Village resources such as police, street closure, public service and sanitation, and utility usage. A cost breakdown related to the issuance of a permit shall be provided to the applicant in connection with the permit application process. If the Village determines that Village personnel, vehicles, and/or services are required in connection with the event, a minimum of four hours shall be charged for each Village employee, Village vehicle, and/or service required, at ~~an~~ the hourly rate ~~determined by the Fiscal Officer, or their designee, set forth in a schedule adopted by Council by resolution~~ that approximates the Village's actual cost for the required employees, vehicles, and services. If the event lasts for more than four hours, and/or the above personnel, vehicles, and/or services are required for more than four hours, the applicant shall be responsible for the actual time the Village employees, vehicles, and other services are on scene in connection with the event. In addition to permit fees, organizers are responsible for the cost of additional Village services required for the event, such as trash removal, restroom facilities, or utility access. No permit shall issue under this section to an applicant with an unpaid balance from a prior event.

(h) Refusal or Cancellation. The permit may be refused or cancelled if:

(1) The time, place, size, or conduct of the event, including the assembly areas and route, would unreasonably interfere with the public convenience or the safe use of the streets and highways, or ~~violate predetermined route guidelines~~ would deviate from a designated route without approval under subsection (f);

- (2) The event requires a diversion of Village resources to the extent that it impairs regular Village functions, including police or public service and sanitation services;
- (3) The event conflicts with, or would strain resources from, a Village sponsored festival, march, procession, parade, race, or assembly scheduled before the application was filed, or another festival, march, procession, parade, race, or assembly ~~parade~~ for which a permit application has been ~~issued~~ filed earlier;
- (4) The application contains false, misleading, or incomplete information in a material respect;
- (5) An emergency such as a fire, storm, or other unforeseen event would prevent the proper conduct of the event; or
- (6) The event as proposed, or as conducted, would violate the noise control and sound management provisions of subsection (k) of this ~~Ordinance are violated~~ section.

Any refusal or cancellation shall be in writing, shall identify the specific ground in this subsection on which it is based, and shall be delivered to the applicant. Where a ground for refusal can be addressed by conditions under subsection (j), the Mayor shall impose conditions rather than refuse the permit.

(i) Security. ~~Event organizers shall be responsible for hiring off-duty Village police officers to provide necessary traffic control and crowd management services during the event, in accordance with the Village's safety standards.~~ Where the Chief of Police or designee determines that police services are required for traffic control or crowd management, the Village shall provide them and the applicant shall pay for them under subsection (g). If Village officers are not available in the number required, the Chief may arrange officers from another law enforcement agency under a mutual aid or similar agreement, at the applicant's cost. The number of officers required will be determined by the Chief of Police or their designee based upon the size, duration, and requirements of the event and its route and/or location, and without regard to the content of any message conveyed by the event or the anticipated reaction of others to it. ~~Applicants shall not be permitted to utilize private or non-Village security for the event without the permission of the Police Chief or their designee.~~ Private security may supplement, but shall not replace, police services required under this subsection.

(j) Conditions. The permit may prescribe reasonable conditions, including:

- (1) Hours of assembly and dispersal;
- (2) Use of predetermined or alternate approved routes;
- (3) Portions of streets that may be used or occupied; ~~or~~ and
- (4) Village and Fire Department resources necessary for the event, such as police, public service and sanitation, utility usage, and off duty Fire/EMS.

(k) Noise Control and Sound Management. Event organizers shall ensure that noise generated by the event ~~does not exceed reasonable levels and does not create a nuisance to surrounding properties~~ complies with Section 509.03 of these Codified Ordinances, the hours in subsection (f), and any hours stated in the permit. ~~Activities that produce loud, disruptive, or repetitive noise may be restricted or prohibited at the discretion of the Village.~~ The Chief of Police or designee may direct the organizer to

reduce or stop amplified sound that violates this subsection or the permit. Organizers must have the ability and authority to adjust noise levels immediately. Violations of this subsection may result in reduced sound privileges, or permit suspension,~~or denial of future permits.~~

~~(1) In addition to permit fees, organizers may be responsible for the costs of additional Village services required for the event, such as trash removal, restroom facilities, or utility access, to ensure minimal disruption to residents and businesses.~~

~~(m)~~ Event Fee Schedule.

- (1) ~~Persons, For-Profit Organizations and Entities, and Non-Profit Organizations and Entities Not Based in the Village.~~ Applicants not described in paragraph (2). \$500 per event, plus a \$1,000 ~~potentially~~ refundable deposit, plus the estimated cost for any necessary Village Police or Service personnel and vehicle charges, as determined and calculated by the Village, will be required to be paid in advance of the issuance of the permit. After the event and additional Village costs from the event are calculated, if any, including any costs for required loose garbage clean-up by the Village Service Department, such additional costs will be billed or taken out of the deposit funds. Any remaining deposit funds will be returned to the applicant within thirty days after the event. If multiple events encompassed by this section are held by the same entity on the same day within a four-hour timeframe, only one permit fee and deposit will be required.
- (2) ~~Village residents or affiliated or based public and private schools or parent-teacher organizations, or non-profit entities based in Peninsula.~~ An individual who resides in the Village; a public or private school located in the Village, or its parent-teacher organization; or a nonprofit organization whose principal place of business, as shown in the records of the Ohio Secretary of State, has been within the Village for at least twelve consecutive months before the application. Fee status under this paragraph is available only where the applicant is the actual sponsor of the event and the event is not sponsored, funded, or controlled by a person or organization described in paragraph (1). ~~No fee-or deposit, but.~~ A Tier Three event under this paragraph requires the \$1,000 refundable deposit described in paragraph (1). The estimated cost for any necessary Village Police or Service personnel and vehicle charges, as determined and calculated by the Village, will be required to be paid in advance of the issuance of the permit. After the event and additional costs from the event are calculated, if any, including any costs for required loose garbage clean-up by the Village Service Department, such additional costs will be billed to the applicant.

~~(n)~~ Appeals. ~~A determination denying an application for a permit under this section may be appealed to the Summit County Common Pleas Court within thirty days of the date the application was denied.~~ An applicant may appeal a denial, cancellation, or condition of a permit by filing a written notice of appeal with the Fiscal Officer within five days after the decision. Council, or a hearing officer designated by Council, shall hold a hearing within seven days after the notice is filed, at which the applicant may appear, be represented, and present evidence, and shall issue a written decision within three days after the hearing. The decision on appeal is a final order appealable to the Summit County Court of Common Pleas under Chapter 2506 of the Ohio Revised Code.

(n) Enforcement and Penalty.

(1) Whoever conducts an outdoor public event without a permit required by this section, or in violation of a condition of a permit, is guilty of a minor misdemeanor. Each subsequent violation within two years is a misdemeanor of the fourth degree. Each day on which an event is conducted in violation of this section is a separate offense.

(2) The Chief of Police or designee may order the immediate cessation of an event conducted without a required permit, or of any activity conducted in violation of a permit condition, and may direct participants to disperse from Village streets and property.

(3) In addition to any fine, the Village may recover from the sponsor, in a civil action, the actual cost of Village personnel, vehicles, and services expended in connection with an event conducted without a required permit or in violation of a permit condition.

VILLAGE OF PENINSULA, OHIO
ORDINANCE NO.: 19-2026
INTRODUCED BY: _____
DATE PASSED: _____

**AN ORDINANCE AMENDING SECTION 125.08 OF THE ADMINISTRATIVE CODE
REGARDING MEETING VIDEO WITH AUDIO RECORDINGS
AND MEETING MINUTES**

WHEREAS, on March 10, 2026, Council adopted Ordinance 05-2026, establishing Section 125.08 of the Village Administrative Code, that in part, imposed a requirement that the minutes for Village public meetings be approved and posted within two months of the date on which the meeting is held; and

WHEREAS, upon further reflection, Council desires to amend the above timeframe from two months to seventy-five days.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Peninsula, Summit County, Ohio, to wit:

SECTION 1. Council hereby amends Section 125.08 of the Administrative Code, as set forth in the attachment hereto that is incorporated herein by reference.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public and/or in compliance with all legal requirements.

SECTION 3. This Ordinance shall be effective as of the earliest date provided for by law.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2026.

Passed:

Daniel Schneider, Jr., Mayor

Attest:

Vic Nolgalo, Fiscal Officer

Approved as to Legal Form.

Bradric T. Bryan, Solicitor

I, Vic Nogalo, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, do hereby certify that the foregoing Ordinance was duly passed by the Council of the Village of Peninsula, at a meeting held on the _____ day of _____, 2026.

Vic Nogalo, Fiscal Officer

Posting Certificate

I, Vic Nogalo, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, hereby certify that there is no newspaper published in the Municipality, and publication of the foregoing Ordinance was made by posting true and accurate copies thereof at five of the most public places in the Village as previously determined by Council, each for a period of at least fifteen days, as follows:

1. Terry Lumber & Supply;
2. Valley Fire District;
3. Peninsula Library & Historical Society;
4. Peninsula Village Hall Lobby; and
5. Peninsula Post Office.

Vic Nogalo, Fiscal Officer

125.08 MEETING VIDEO WITH AUDIO RECORDINGS AND MEETING MINUTES.

(a) ~~As soon as the Village obtains the technology to do so, a~~All Village public meetings shall be video recorded with audio. The unedited, raw, video with audio recordings shall be posted to the Village website, another publicly accessible site, and/or a public media channel within four business days of the meeting.

(b) Minutes for Village public meetings shall be approved and posted within ~~two months~~
seventy-five days of the date on which the meeting is held.

VILLAGE OF PENINSULA, OHIO
RESOLUTION NO.: 20-2026
INTRODUCED BY: _____
DATE PASSED: _____

A RESOLUTION AMENDING THE VILLAGE OF PENINSULA RULES OF COUNCIL

WHEREAS, Section 731.45 of the Ohio Revised Code authorizes Council to determine its own rules; and

WHEREAS, on February 24, 2026, via Resolution No. 01-2026, Council amended the Rules of Council governing the operations of Council and Councilmembers; and

WHEREAS, Council desires to amend Rule 15.3.a of the Rules of Council as specified in the amended version of the Rules attached hereto, to require the attendance of the Fiscal Officer at all Council Meetings and provide for the appointment of a member of Council to perform the Fiscal Officer's duties at the Council Meeting in the absence of the Fiscal Officer.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Peninsula, Summit County, Ohio, to wit:

SECTION 1. That Council hereby amends the Rules of Council as set forth in the attachment hereto that is incorporated herein by reference.

SECTION 2. That all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council, and all deliberations of this Council or any of its committees that resulted in such formal action were taken in meetings open to the public and/or in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Resolution shall take effect and be in force as of the earliest date permitted by law.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2026.

Passed:

Daniel Schneider, Jr., Mayor

Attest:

Vic Nogalo, Fiscal Officer

Approved as to Legal Form.

Bradric T. Bryan, Solicitor

I, Vic Nogalo, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly passed by the Council of the Village of Peninsula, at a meeting held on the _____ day of _____, 2026.

Vic Nogalo, Fiscal Officer

Posting Certificate

I, Vic Nogalo, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, hereby certify that there is no newspaper published in the Municipality, and publication of the foregoing Resolution was made by posting true and accurate copies thereof at five of the most public places in the Village as previously determined by Council, each for a period of at least fifteen days, commencing on the _____ day of _____, 2026, as follows:

1. Terry Lumber & Supply
2. Valley Fire District;
3. Peninsula Library & Historical Society;
4. Peninsula Village Hall Lobby; and
5. Peninsula Post Office.

Vic Nogalo, Fiscal Officer

VILLAGE OF PENINSULA RULES OF COUNCIL
Adopted February 24, 2026; Amended

RULE 1	PUBLIC & OPEN MEETINGS
RULE 2	CORRESPONDENCE AND COMMUNICATIONS
RULE 3	MEETINGS
RULE 4	ORGANIZATONAL MEETING
RULE 5	CONFLICTS OF INTEREST
RULE 6	ORDER OF BUSINESS
RULE 7	MAYOR’S AUTHORITY
RULE 8	EXECUTIVE SESSION
RULE 9	ADJOURNMENT
RULE 10	RECORD OF PROCEEDINGS
RULE 11	MEETING PREPARATION
RULE 12	SPECIAL COMMITTEES
RULE 13	VOTES AND VOTING
RULE 14	SPOKESPERSON FOR COUNCIL MATTERS
RULE 15	MEETING ATTENDANCE
RULE 16	TRAINING & ACCOUNTABILITY

RULE 1 PUBLIC & OPEN MEETINGS

1. All official meetings of Village Council are and shall be open to the public and abide by the Open Meetings Act. (O.R.C. 121.22(C))
2. All action by Village Council shall be taken at an open session. (121.22(A))
3. Notwithstanding Section 1, Council may, from time to time, and under such circumstances allowed by law and as enumerated in Rule 8, adjourn to executive session. (O.R.C. 121.22(G))

RULE 2 CORRESPONDENCE AND COMMUNICATIONS

1. Each Member of Council is to recall that all correspondence and communications sent or received by or on behalf of the Member in the execution of the office shall be considered a PUBLIC RECORD, and a copy shall be preserved by the Member, or the Village, or both. (O.R.C. 149.43(A)(1); 149.011(A))
2. Each Member of Council is to recall that no correspondence or communication may be purged or destroyed except in accordance with the Rules governing the retention and destruction of Public Records. (O.R.C. 149.351)

RULE 3 MEETINGS

1. All meetings of Village Council are open to the public, and Council shall make provision to provide adequate space for the attendance of all persons wishing to attend. (O.R.C. 121.22(C))

2. All actions of Village Council shall be taken in an Open Session (O.R.C. 121.22(A)), and the ayes and nays of each vote shall be taken and included in the Record of Proceedings. (O.R.C. 733.27)
3. Regular meetings of Village Council shall be held in the Peninsula Village Hall on the second and fourth Tuesdays of each month, beginning promptly at 7 p.m. Council may approve an exception to the Peninsula Village Hall, should the building not be available, or to address other issues. (Pen. 121.01)
4. The second Regular Council Meeting (fourth Tuesday) of the month shall:
 - a. Be more informal, and be treated like a work session focused on planning, creating policies, processes, or procedures, discussing current or future projects, etc.
 - b. Not need to be attended by the Fiscal Officer, the Police Chief, or the Street Commissioner unless otherwise planned.
5. Special meetings of Village Council shall be called, as found to be necessary, upon either the request of the Mayor or upon the written demand of three Members of Council. Twenty-four hours' notice of such special meeting shall be given to each Member of Council. Any request for the calling of a Special Meeting shall include the matters to be considered, and the Notice of the calling of the Special Meeting shall include all such matters to be considered. (O.R.C. 731.46, 731.44; Pen. 121.02, 125.03)
6. The Mayor, as President of Council, shall preside at each meeting of Village Council (O.R.C. 733.24) and shall call the meeting to order at the time scheduled. In the absence of the Mayor, the President Pro-Tempore of Council shall perform such duties as are imposed upon the President. (O.R.C. 731.10). In the absence of both the Mayor and the President Pro-Tempore, the Clerk of Council or Solicitor shall call the meeting to order at the scheduled time. In such case, the first order of business shall be the election of a temporary presiding officer selected by the Members of Council present. The person so selected shall conduct the meeting and relinquish those duties upon adjournment.
7. No business shall be conducted at any meeting of Village Council at which there is not a quorum of Members of Council present. In the absence of a quorum, the Members present may, by majority vote, recess and cause the Clerk of Council or Administrative Assistant to procure the attendance of absent Members. (O.R.C. 731.44)
8. The Fiscal Officer of the Village shall serve as Clerk of Council, and shall keep the minutes of the legislative authority, and preserve all of its ordinances and resolutions. (O.R.C. 733.262; Pen. 133.01)
9. The legislative table will include Council Members and the Mayor.
10. The Village Solicitor and all administrative staff may only address the Council as a body when formally recognized by the presiding officer (the Mayor or, if not present, the President Pro-Tempore) for a specific purpose such as a scheduled report, to answer a direct legal or administrative question posed by a member of Council or the Mayor, to correct inaccuracies in information discussed by Council, or to warn of legal issues. General participation or commentary outside of these conditions is not allowed.

RULE 4 ORGANIZATIONAL MEETING

1. Immediately upon the Call to Order at the first Regular Meeting of Village Council in January of each year, the following shall occur:
 - a. New Members of Council shall be sworn in and acknowledge their oath if that has not already taken place.
 - b. Village Council shall select, by majority vote, the Member of Council who shall serve as President Pro-Tempore for that year. (ORC 733.10)
 - c. The Mayor shall nominate a Street Commissioner, and Council shall vote upon the nomination. Upon the consent of Village Council, by majority vote, the Street Commissioner shall immediately serve until a new Street Commissioner is selected, unless earlier removed from office pursuant to O.R.C. 735.31 or other applicable provision of the Ohio Revised Code. (O.R.C. 735.31)
 - d. If appropriate, Village Council shall select, by majority vote, the Member of Council who shall serve as a Member of the Village Planning Commission. The Member so selected shall immediately serve as Member of the Planning Commission as provided by law. (O.R.C. 713.01; Pen. 145.01)
 - e. Council may create such standing and special committees as it sees fit. Such committees will meet in open meetings that follow the same requirements for Council meetings including official notice, quorum, and minute taking. Working and deliberating in committees ensures a more open and transparent organization.
 - f. The President Pro-Tempore shall nominate such Council Liaisons as are appropriate. The Liaisons shall immediately undertake their responsibilities and serve until new Liaisons are selected, or until the role of Liaison is eliminated by majority vote of Village Council. (Village of Peninsula Council Rules and Guidelines for the Establishment, Appointment, and Responsibilities of Council Liaisons)
 - g. The Mayor shall deliver, orally and in writing, a statement of the condition of the Village, along with a statement of any goals or plans for the year then beginning. (O.R.C. 733.41)

RULE 5 CONFLICTS OF INTEREST

1. No Member of Council shall vote, or solicit other Members to vote, on any matter on which the Member of Council has a Conflict of Interest.
2. The Ohio Ethics Law generally prohibits public officials from using their official positions for their own personal benefit or the benefit of their family members or business associates. The Law contains provisions regarding Conflicts of Interest that involve financial interests in public contracts, nepotism, post-employment activities, representation, influence peddling, confidentiality, and supplemental compensation. Among other restrictions, the law provides that Council Members be prohibited from:
 - a. Authorizing or using their position to secure the authorization of any contract or appointment in which they, an immediate family member, or a business associate has a financial interest. An "immediate family member" is defined as a spouse,

parent, grandparent, child, grandchild, sibling, or any other relative residing with the Council Member. A “business associate” is defined as a person or entity with whom or which the Council Member is acting together to pursue a common business purpose;

- b. Accepting any gift, gratuity, favor, or other form of payment from a person or firm who is under contract with the Village, who is proposing to enter into a contract with the Village, or who otherwise provides any service or commodity to the Village at taxpayers’ expense;
- c. Authorizing a contract or regulation that provides a particular and singular benefit to themselves or their personal or real property that is separate and apart from a benefit provided or regulation applicable to a group of persons, entities, or properties;
- d. Disclosing or using information that is deemed confidential by law; or
- e. Representing parties before any public body in a manner in which they were involved as a Council Person both during and for one year after leaving public service.
- f. Reference O.R.C. 102.03, 2921.42, 2921.43; Village of Peninsula Employee Handbook, Freedom from Conflicts of Interest, pp. 8, 9.

RULE 6 ORDER OF BUSINESS

1. A Regular Village Council Meeting shall be transacted in accordance with the following agenda format:
 - a. Call to Order.
 - b. Roll Call.
 - c. Presentation of the Agenda, and Amendment, as appropriate.
 - d. Special Presentations, if any.
 - e. Consideration of the Record of Proceedings of the Prior Regular Meeting or any Prior Special Meeting.
 - f. Citizen Participation.
 - g. Mayor’s Report.
 - h. Fiscal Officer Report (first meeting of the month)
 - i. Liaison and Committee Reports.
 - j. Solicitor’s Report and Reading/Consideration of Pending Legislation.
 - k. Unfinished Business.
 - l. New Business.
 - m. Executive Session, if required.
 - n. Adjournment.
2. Citizen Participation shall be allowed for any person in attendance at the meeting according to the following rules:

- a. Unless otherwise determined by Village Council each speaker shall be allowed up to three minutes to address Council as a whole or the Mayor on any issue of interest in the Village.
- b. Speakers at the second Regular Meeting (fourth Tuesday) will be allotted up to 5 minutes to speak.
- c. In respect to Council, and for purposes of maintaining a proper Record of Proceedings, each speaker shall first identify themselves by name and residence or business address, along with any business or organization affiliation.
- d. Speakers shall observe proper decorum and refrain from using obscenities, engaging in disrespectful conduct, or making personal attacks or insults.
- e. In respect to the speaker, the others in attendance, and the meeting agenda, there should be no debate from Council during or immediately following the speaker's presentation, other than allowing for clarifying questions by Council or the Mayor.
- f. The speaker shall be thanked for their input and participation.
- g. It may be appropriate to return to the statement of the speaker, or the issues raised by the speaker later in the meeting or at a future meeting.

RULE 7 MAYOR'S AUTHORITY

- 1. The Mayor, as President of Council, shall preside at each Meeting and shall conduct the Proceedings as contained in these Rules, the Ordinances of the Village of Peninsula, and the Ohio Revised Code. (O.R.C. 733.24)
- 2. The Mayor shall be responsible for the decorum of the Meeting and ensure all Members of Council have the opportunity to fully participate in the debate and are treated fairly and respectfully by all present.
- 3. The Mayor shall have no vote or veto on any matter decided by Village Council, with the exception that if there is a tie vote, the Mayor shall be invited to cast the determining vote, in which case that vote shall have the same legal vote as a vote by any Member of Council. (O.R.C. 733.24)
- 4. The Mayor shall have no vote and shall not be permitted to cast the determining vote when the question before the Council is on a Nomination made by the Mayor.

RULE 8 EXECUTIVE SESSION

- 1. Council may meet in Executive Session for the consideration of any item permitted under the Ohio Revised Code. No formal action of any kind may be taken in any Executive Session. (O.R.C. 121.22(H))
- 2. The decision to adjourn to Executive Session shall be made by a roll call motion, duly seconded, with the ayes and nays and entry time recorded thereon. The Motion shall include a statement identifying the allowed statutory purpose of the Executive Session. The decision to terminate executive session shall be made by a roll call motion, duly seconded, with the ayes and nays and exit time recorded thereon. (O.R.C. 121.22(G))

3. If the purpose is to discuss “certain personnel matters,” Council must further specify that that is to consider one of the following:
 - a. Appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official; or
 - b. Investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the employee, official, licensee, or regulated individual requests a public hearing.
 - c. Such motion need not include the name of any person to be considered at the meeting.
4. Except as otherwise provided by law, no public body shall hold an executive session for the discipline of an elected official for conduct related to the performance of the elected official’s duties or for the elected official’s removal from office.
5. Village Council may, in its sole discretion, invite one or more persons to remain in the Chamber during the executive session.
6. Council Members and other participants in an Executive Session may not disclose, or use for personal profit, any information gathered as the result of an Executive Session. All information discussed in an Executive Session, except the general topic, shall be considered confidential.
7. An Executive Session shall not be recorded by any means or media.

RULE 9 ADJOURNMENT

1. A Motion to Adjourn shall always be in Order, unless Council is engaged in voting.
2. A Motion to Adjourn shall be decided without debate.

RULE 10 RECORD OF PROCEEDINGS

1. In the event Council, by majority vote, determines to correct errors in the Draft Record of Proceedings, the corrections shall be made accordingly.
2. Minutes shall be considered “full and accurate” only if they contain, at a minimum, the following codified elements:
 - a. Record of Legislative Action: The minutes must include a complete record of every motion, resolution and ordinance proposed, clearly identifying the member who made the motion and the member who seconded the motion.
 - b. Mandatory Roll-Call Votes: For every vote, the minutes shall record a clear, individual roll-call vote indicating the specific vote (Yea, Nay, Abstain, or Absent) for every member present. Summary language such as “all in favor” or “unanimous” without a roll-call record is prohibited.
 - c. Substantive Summary Discussion: The minutes shall provide a detailed, substantive summary of the key legal and policy points raised during any discussion of legislative business. Phrases such as “discussion was held” are prohibited.

- d. Public Comment Record: The minutes shall include an accurate and substantive summary of all comments, questions, or concerns raised during any public comment period.
3. Upon adoption of the Record of Proceedings, the original document shall be signed by the Clerk of Council and Mayor and be placed in the Permanent Public Records of the Village. Promptly after adoption of the Record of Proceedings by Council, the approved Record of Proceedings shall be posted on the Village website with the draft designation removed.
4. All Village Council meetings shall be continuously audio recorded.
5. The unedited, raw audio recordings shall be posted to the official Village website or other publicly access site and/or official public media channel within 3 business days of the meeting.

RULE 11 MEETING PREPARATION

1. No later than 5 business days prior to a Regular Meeting of Village Council, the Clerk shall provide the following information to each member of Council, either electronically, or by hand delivery:
 - a. Meeting agenda
 - b. Legislation
 - c. Draft minutes from the previous meeting or meetings to be considered
 - d. For the first Regular Council meeting of the month, department head written reports (Street Commissioner, Zoning Officer, Police Chief, and Fiscal Officer)
 - e. Any other pertinent documents which may include documents requested by Council Members to be reviewed prior to the meeting.
2. All items enumerated in Paragraph 1 of this Rule shall, at or around the time of tender to Council, be posted on the Village Website and emailed to the list of persons who have requested such public information from the Administrative Assistant, unless an item is determined to be protected or exclusionary by the Village Solicitor per the ORC. In the case of such exclusion, the Clerk shall not email or post the objected to document(s).

RULE 12 COMMITTEES

Council, by majority vote, may appoint any Special or Standing Committee as they deem necessary to investigate, report, and make recommendations on any specifically designated subject. The chair of each Committee shall be a Member of Council, while the remaining committee members may come either from Council or the public at large, allowing only that any member must be qualified as an elector of the Village, as defined by law.

RULE 13 VOTES AND VOTING

1. Each Motion shall be introduced by a Member of Council, who shall clearly state the Motion and/or present to Council a written document stating the Motion. Once introduced by a Member of Council, it shall be determined whether there is a second to the Motion, before which there shall be no further discussion or debate of the Motion.

2. Once a Motion is made and seconded, it shall be stated by the Presiding Officer or Solicitor and shall be immediately open to discussion and debate, unless a Motion is made to withdraw it, amend it, or defer or delay the discussion and/or debate.
3. While a Motion, duly seconded, is before Council, Council shall not move to another matter, or consider another Motion, except that the following Motions shall be considered acceptable (in this order):
 - a. To Adjourn
 - b. To Lay the Motion on the Table
 - c. For the Previous Question
 - d. To Postpone Debate until a Certain further date
 - e. To Recommit, or Refer the matter to a Standing or Special Committee
 - f. To Amend; and
 - g. To Postpone Indefinitely
4. The Presiding Officer shall ensure each Member of Council has the opportunity to be heard upon the Motion. Each Member of Council is treated with respect and treats each Member of Council with respect, and the debate is limited to the question(s) under debate.
5. When, in the opinion of the Presiding Officer, Council has completed its discussion and debate upon the Motion, the Clerk shall call the roll and record the ayes and nays upon the Motion.
6. Each Member of Council present shall cast a vote, either aye or nay, and have that vote recorded by the Clerk, except under such circumstances as the Member of Council feels obligated to abstain.
 - a. In the event a Member of Council abstained from a vote, any Member of Council may challenge the abstention and request that the reasons for abstaining be placed upon the record.
 - b. In the event a majority of the Members of Council present disagree with the decision to abstain, the abstaining Member, after the recording of a majority of Council so stating, shall be required to record a vote of aye or nay.
 - c. In the event the Abstaining Member refuses to vote after a majority of Council so demands, Council may, by majority vote, hold the Abstaining Member in contempt of Council or Censure the Abstaining Member.
7. After the votes are recorded, the Presiding Officer or Solicitor shall announce whether the Motion has failed or succeeded, and such ruling shall be recorded in the Record of Proceedings, along with the ayes and the nays thereon.

RULE 14 SPOKESPERSON FOR COUNCIL MATTERS

No person, other than a duly authorized Member of Council determined by a majority vote of Council, shall serve in the capacity of official spokesperson for Council. This Rule shall specifically apply to, without limitation, administrative staff, employees, Members of any Committee(s) or Board(s) of the Village, the Mayor and Members of Council.

RULE 15 MEETING ATTENDANCE

1. A majority of the elected Members of Council shall be a quorum. (O.R.C. 731.44)
2. A Council Member being unable to attend a Meeting of Council shall notify the Mayor no later than 24 hours prior to the scheduled time of the meeting, except in an emergency. If 24-hour's notice is not given and no emergency exists, the Council Member's attendance will be noted as unexcused.
3. In addition to the Members of Council and the Mayor, the following persons shall attend each meeting of Council, unless excused:
 - a. The Fiscal Officer ~~(except second Village Council meeting of the month)~~. In case of the absence of the Fiscal Officer, Council shall appoint one of its members to perform the Fiscal Officer's duties. (O.R.C. 733.27)
 - b. The Administrative Assistant.
 - c. The Chief of Police ~~(except second Village Council meeting of the month); and,~~
 - d. The Village Solicitor.
4. A Member of Council wishing to resign the balance of the term for which they were elected shall submit a letter of resignation in writing to the Fiscal Officer. If the letter of resignation states the Council Member is not resigning immediately or contains a resignation date that is later than the date the resignation letter was submitted, Council may vote to accept the letter of resignation, and in that instance, the resignation shall be final as of the resignation date provided in the letter.
5. In the event that the current Pro-Tempore should be unable to serve, Council shall select, by majority vote, the Member of Council who shall as the new President Pro-Tempore. (O.R.C. 733.10)

RULE 16 TRAINING & ACCOUNTABILITY

1. All village Council Members, Mayor, Fiscal Officer, Administrative Assistant and all department heads shall take the Ohio Sunshine Law Training within 60 days of their term or employment, as well as filing a certificate of completion with Council.
2. Council Members and the Mayor are highly encouraged to attend in-person training, such as that provided by the Ohio Municipal League.
3. The Administrative Assistant shall provide a current copy the following printed materials to new council members within 30 days of taking office unless the member already has a copy or they choose to receive electronic copies:
 - a. Village Officer's Handbook
 - b. Ohio Sunshine Laws
 - c. Peninsula Village Long Range Plan
 - d. Peninsula Village Zoning Ordinances plus chapters on Short Term Rental fees and regulations
 - e. Peninsula Village Master Plan/Downtown Plan
 - f. Peninsula Village Employee Handbook

CHAPTER 741 SHORT-TERM RENTAL REGULATIONS

741.01 PURPOSE AND INTENT.

(a) This Chapter is intended to protect and promote the health, safety, and general welfare of all the citizens of the Village of Peninsula and preserve the small-town character of the Village by requiring the registration and certification of short-term rentals within the Village. It is also the intent of this Chapter to protect the integrity of the residential neighborhoods while allowing property owners to receive remuneration from renting a dwelling or portions of a dwelling to help maintain the dwelling.

(b) The purpose of this Chapter is to regulate and limit short-term rentals in order to:

- (1) Establish minimum standards and conditions for Short-Term Home Rentals and Owner-Occupied Short-Term Rentals that reflect the goals and policies of the Long Range Plan and the Planning and Zoning Code;
- (2) Reinforce the purpose of the R-1 Rural Residential District by retaining a rural living environment in the district, maintaining suitable neighborhoods for families and children, and discouraging uses that would generate traffic on local streets in excess of normal traffic generated by the neighborhood;
- (3) Acknowledge that the R-2 "Small Town" Residential District is intended to be more eclectic in its design, character, and size of housing, resulting in varied neighborhoods in close proximity to commercial and tourist attractions, while controlling the density of short-term rentals, preventing congestion on public streets, and reducing hazards to life and property; and
- (4) Provide resident owners of property in residential districts the opportunity to generate additional income to support their continued ownership in the Village.

741.02 DEFINITIONS.

Caretaker. A Caretaker is an individual, other than the Certificate holder, who is responsible for the oversight and care of the short-term rental.

Certificate. A short-term rental certificate duly issued by the Village.

Owner-Occupied Short-Term Rental. A rental for less than thirty (30) consecutive days in which the owner is concurrently, personally occupying the premises with one or more renters who occupy a single room or multiple rooms in the same dwelling in which the owner is living; or while the renter is occupying a permitted accessory dwelling on the premises that has separate bathroom facilities. An Owner-Occupied Short-Term Rental property owner who has an additional, approved, accessory dwelling located on the same property may choose which dwelling in which they wish to reside, and which dwelling shall be the short-term rental unit. An Owner-Occupied Short-Term Rental property owner shall at no time be permitted to rent both the main dwelling unit and the accessory dwelling. A Short-Term Rental Certificate shall be issued for only one Owner-Occupied Short-Term Rental dwelling on the property.

Parking Space. For purposes of this Chapter, a parking space shall be a minimum of 9 feet by 18 feet, located off-street, outside of a road right-of-way, and in one of the following locations on the same lot as the short-term rental:

- in a garage or carport;
- within a paved or gravel driveway; or
- within a paved or gravel parking pad.

Renter. As used in this Chapter, a renter is an occupant or renter of a short-term rental pursuant to a rental agreement. The term “renter”, as used herein, does not include guests of the occupant or renters, who are visiting between the hours of 7:00 a.m. and 11:00 p.m., provided the total number of visiting guests does not exceed the total number of renters permitted by the Certificate.

Septic System Operations Permit. As used in this Chapter, septic system operations permit means a valid permit issued by Summit County Public Health for the on-site septic system.

Short-Term Home Rental. For purposes of this Chapter, Short-Term Home Rental means any dwelling that is rented in its entirety for less than 30 consecutive days by persons other than the owner from whom the owner receives monetary compensation, and the owner is not present and personally living on the premises during the time of the rental. Rentals for 30 or more consecutive days to the same rentee(s)/guest(s) do not constitute a Short-Term Home Rental and are not subject to the Short-Term Rental Regulations.

Special Event. In association with a short-term rental, Special Event means a wedding, party, family reunion, or similar gathering that exceeds the maximum number of occupants allowed under the Short-Term Rental Certificate.

741.03 APPLICABILITY.

(a) Short-Term Home Rental Certificates that were issued prior the effective date of this amendment to Chapter 741 and are valid at the time the renewal application is submitted shall be permitted to be renewed provided that a renewal application is submitted prior to the expiration date of the Certificate and the Short-Term Home Rental property owner is in compliance with all other requirements outlined in this Chapter. A Certificate may be revoked for violations outlined in Section 741.09. If a Certificate is revoked, the property shall no longer be eligible to apply for a Certificate until the expiration of the time period set forth in Section 741.09(b)(1)(B) and will only be eligible to receive a Certificate if one is available. Owner-Occupied Short-Term Rentals shall continue to be permitted in all Village zoning districts provided the property owner obtains a Certificate in compliance with all applicable requirements of this Chapter.

(b) This Chapter applies to all residential dwellings and owners of those dwellings, regardless of zoning district, wherein the entire dwelling or portion of a dwelling is rented for a period of less than 30 days.

(1) Certificate Required. A Certificate is required prior to the rental of any dwelling or portion of any dwelling for a period of less than 30 days.

A. A Certificate issued by the Village shall be valid for the calendar year for which it is issued. Certificates shall automatically expire upon transfer of the property, and Certificates are not transferable to succeeding property owners.

- B. A Certificate will be issued within 30 days of receipt of a complete application, provided the information on the application is accurate and is verified by an inspection of the property by the Village.
- C. The Certificate shall indicate the maximum number of guests that can be accommodated at the rental in accordance with the standards listed in 741.04 of this Chapter.
- D. A Certificate and Certificate holder shall be subject to all of the standards and penalties of this Chapter.

(2) Application. An application provided by the Village for a Short-Term Rental Certificate shall, at a minimum, include the following:

- A. Address of property.
- B. Property owner name(s). If the owner does not reside within a 30-minute drive time of the Short-Term Home Rental property, the property owner shall designate a Caretaker that meets the 30-minute drive time requirement.
- C. Signature of property owner(s) and Caretaker, if any.
- D. Number of bedrooms in the dwelling. For Owner-Occupied Short-Term Rentals, the number of available rooms to be rented.
- E. Number of parking spaces as defined under 741.02.
- F. Sketch of the property, indicating location of the dwelling, driveway, or other point of access, and designated parking spaces meeting the definition of a parking space under 741.02.
- G. Contact information including: name, address, and 24-hour contact phone number for the owner of the property and the Caretaker, if any. Throughout the term of the Certificate, it is the Certificate holder's responsibility to inform the Village, in a timely manner, of any change in the Certificate holder or Caretaker's contact information or changes to any other information required in the application.
- H. Proof of insurance as required by 741.04.
- I. Proof of a valid Septic System Operations Permit for the septic system.
- J. The domain addresses for all websites on which the property is being advertised as available for short-term rental and the unique URL for any of those listings.

(3) Renewal of Certificates.

- A. All Certificates for both Owner-Occupied and Short-Term Home Rentals shall be renewed annually. Certificates expire on December 31 of the year in which they were issued. No rental shall occur until the rental Certificate is renewed. The fee for each Certificate shall not be prorated should a partial year permit be requested.
- B. Renewal applications shall contain the same information as required for the initial application and shall be filed no later than November 15 of the year in which the Certificate expires. Renewal applications filed after November 15 will require an additional \$200 late fee above and beyond the applicable application fee. If a complete application is not received by the expiration of the previous year's Certificate, the applicant is not entitled to a renewal. Renewal applications submitted after December 31st shall be placed on a wait list along with any new applications. After all renewal applications filed prior to January 1 are processed, and if any permits are available, the applicants on the wait list will be reviewed in the order in which they were received.
- C. Short-Term Home Rental Certificate holders shall be required to provide evidence that their rental has been occupied for a minimum of 60 days during the previous calendar year to be permitted to renew their Certificate. If the Certificate was issued after January 1 and no Short-Term Rentals occurred in that year prior to the date the Certificate was issued, the total number of occupied days shall be an average of 5 days per month for each month the Certificate was valid.

741.04 STANDARDS.

- (a) Short-Term Home Rental Standards. All Short-Term Home Rentals shall be subject to the following standards, in addition to the requirements set forth in 741.05 and 741.06 of this Chapter.
 - (1) Parking. Parking for guests in a Short-Term Home Rental shall only be in identified parking spaces as defined in this chapter. No on-street parking shall be permitted in association with a short-term rental. A minimum of 1-parking space per bedroom shall be provided, plus 1 additional space. If the Short-Term Home Rental location cannot meet the above requirement, the applicant shall indicate the number of spaces provided and restrict guests to that number of vehicles.
 - (2) Accessory Buildings. No Short-Term Home renters shall be permitted to sleep in any accessory building to the primary building on the site. Nor shall sleeping be permitted outside or in tents, campers, or other similar temporary structures outside of the main dwelling.
 - (3) Trash. Refuse and recyclables shall be stored in appropriate containers with tight-fitting lids and shall be regularly picked up by a licensed waste hauler.
 - (4) Safety Standards. The Short-Term Home Rental owner shall provide an affidavit

stating the short-term rental is in compliance with all applicable local, state, and federal laws and regulations.

- (5) Special Events. Special events, as defined in this Chapter, are not permitted.
- (6) Capacity Limit. The maximum number of renters to be accommodated shall be equal to the number of bedrooms multiplied by a factor of 2, plus 3 additional guests. Children 3 years of age and younger shall not count toward the capacity limit.
 - A. The number of bedrooms shall be as certified by the applicant and verified by inspection of the Village.
 - B. The certificate issued by the Village shall indicate the maximum number of renters that may be accommodated as calculated under these standards.
- (7) Contact. The Certificate holder, or a Caretaker representing the property owner, must be available by telephone at all times and be physically located within a 30-minute drive time of the property in the event of an emergency or an issue that requires immediate attention.
- (8) Certificate Number. The unique Short-Term Home Rental Certificate number included on the Short-Term Rental Certificate issued by the Village shall be:
 - A. Included in any advertisement for the rental; and
 - B. The Certificate shall be posted inside the property in a conspicuous location.
- (9) Quiet Hours. Short-Term Home Rentals shall observe quiet hours between 10:00 p.m. and 7:00 a.m.
- (10) Pets. Pets shall be secured on the premises or on a leash at all times.
- (11) Applicable Rules. Renters shall be made aware of the rules applicable to the renters under this Chapter.
- (12) Signs. Signs shall conform to the requirements of Chapter 1133 of the Village of Peninsula Zoning Ordinance.
- (13) Insurance. A general liability insurance policy or certificate that shall provide minimum liability insurance coverage of not less than three hundred thousand dollars (\$300,000) issued by an insurance company licensed to conduct business in the State of Ohio shall be provided. The policy or certificate shall provide notice of cancellation of insurance to the Village at least 10 days prior to cancellation.
- (14) Short-term Rental Tax. Each Short-Term Home Rental shall charge the Short-Term Rental Tax on every rental and remit same to the Village in compliance with the requirements of Chapter 185 of the Village of Peninsula Codified Ordinances.

- (15) Advertising. No person shall allow a dwelling to be listed or advertised as a Short-Term Home Rental prior to obtaining a permit or if the permit has been revoked, suspended, or denied. All advertisements shall include the Certificate number, occupancy limitations, parking requirements, quiet hours, and special event requirements. Advertisements shall be updated with current information throughout the year.
- (16) Septic System. No Short-term Home Rental shall be permitted unless a valid Septic System Operations Permit from Summit County Public Health is provided.
- (17) Record Keeping. All Short-Term Home Rental property owners shall retain, and upon request, make available to the Mayor or his or her designee, the Zoning Officer, or law enforcement officials, records to demonstrate compliance with this section, including, but not limited to, primary residency, the name of the Short-Term Home Rental guest responsible for the reservation and/or who rented the unit on each night, dates of the rental, price per night, and duration of stay in a Short-Term Home Rental.
- (18) Smoke Detectors. Smoke detectors shall be provided and maintained within each sleeping area within each dwelling unit.
- (19) Carbon Monoxide Detectors. Carbon monoxide detectors shall be provided on each floor of the dwelling unit which has fuel burning appliances for heating or cooking and in a central location outside each sleeping area on every level of the home as provided by Ohio Fire Code Technical Bulletin TB18-001, as updated from time to time. Fuel burning appliances include, but are not limited to, furnaces, fireplaces, ovens, and hot water tanks.
- (b) Owner-Occupied Short-Term Rental Standards. Owner-Occupied Short-Term Rentals shall be permitted in any zoning district. All Owner-Occupied Short-Term Rentals shall comply with the following standards.
- (1)Parking. Parking for guests shall be on the same lot as the dwelling. No on-street parking shall be permitted in association with the rental.
- (2)Accessory buildings. If the rental unit is within an accessory building, it shall provide bathroom facilities within that building.
- (3)Safety Standards. The Owner shall provide an affidavit stating that the rental is in compliance with applicable local, state, and federal laws and regulations.
- (4)Capacity Limit. The maximum number of renters to be accommodated shall be equal to the number of bedrooms available for rent multiplied by a factor of 2, plus 3 additional guests. Children 3 years of age and younger shall not count toward the capacity limit.
- A. The number of bedrooms shall be as certified by the applicant and verified by inspection of the Village, minus the number of bedrooms occupied by the permanent residents.
- B. The Certificate issued by the Village shall indicate the maximum number of

renters that may be accommodated as calculated under these standards.

(5) Certificate Number. The unique Short-Term Rental Certificate number included on the Short-Term Rental Certificate issued by the Village shall be:

A. Included in any advertisement for the rental; and

B. The Certificate shall be posted inside the property in a conspicuous location.

(6) Insurance. A general liability insurance policy or certificate that shall provide minimum liability insurance coverage of not less than three hundred thousand dollars (\$300,000) issued by an insurance company licensed to conduct business in the State of Ohio shall be provided. The policy or certificate shall provide notice of cancellation of insurance to the Village at least 10 days prior to cancellation.

(7) Short-term Rental Tax. Each Owner-Occupied Short-Term Rental shall charge the Short-Term Rental Tax on every rental and remit same to the Village in compliance with the requirements of Chapter 185 of the Village of Peninsula Codified Ordinances.

(8) Advertising. No person shall allow a dwelling to be listed or advertised as a short-term rental prior to obtaining a permit or if the permit has been revoked, suspended, or denied. All advertisements shall include the Certificate number, occupancy limitations, parking requirements, quiet hours, and special event requirements. Advertisements shall be updated with current information throughout the year.

(9) Septic System. No Owner-Occupied Short-Term Rental shall be permitted unless a valid Septic System Operations Permit from Summit County Public Health is provided.

(10) Record Keeping. All Owner-Occupied Short-Term Rental property owners shall retain, and upon request, make available to the Mayor or his or her designee, the Zoning Officer, or law enforcement officials, records to demonstrate compliance with this section, including, but not limited to, primary residency, the name of the short-term rental guest responsible for the reservation and/or who rented the unit on each night, dates of the rental, price per night, and duration of stay in a short-term rental.

(11) Smoke Detectors. Smoke detectors shall be provided and maintained within each sleeping area within each dwelling unit.

(12) Carbon Monoxide Detectors. Carbon monoxide detectors shall be provided on each floor of the dwelling unit which has fuel burning appliances for heating or cooking and in a central location outside each sleeping area on every level of the home as provided by Ohio Fire Code Technical Bulletin TB18-001, as updated from time to time. Fuel burning appliances include, but are not limited to, furnaces, fireplaces, ovens, and hot water tanks.

741.05 SPECIAL REQUIREMENTS IN THE R-2 "SMALL TOWN" RESIDENTIAL, MIXED USE AND COMMERCIAL DISTRICTS FOR SHORT-TERM HOME RENTALS.

Short-Term Home Rentals shall be permitted in the R-2 "Small Town" Residential District, the Mixed Use District, and the Commercial District, provided the total number of Short-

Term Home Rentals within those districts does not exceed 10 units. Owner-Occupied Short-Term Rentals as defined by Section 741.02 and regulated by Section 741.04(b) shall not count toward the total number of Short-Term Home Rentals permitted by this section.

741.06 SPECIAL REQUIREMENTS IN THE R-1 RURAL RESIDENTIAL DISTRICT FOR SHORT-TERM HOME RENTALS.

Short-Term Home Rentals shall be permitted in the R-1 Rural Residential District, provided that the total number of Short-Term Home Rentals in that district does not exceed 5 units. Owner-Occupied Short-Term Rentals, as defined by Section 741.02 and regulated by Section 741.04(2), shall not count toward the total number of short-term rentals permitted by this section.

741.07 SHORT-TERM RENTAL TAX.

(a) The Short-Term Rental Tax shall be 3% of the listing price, including any fees, for reservations 29 nights and shorter.

(b) The tax shall be collected and administered in conformance with Chapter 185 of the Village of Peninsula Codified Ordinances.

741.08 FEES.

(a) Each application for a Short-Term Home Rental Certificate shall be accompanied by an application fee of \$500, plus a \$250 Village inspection fee.

(b) Each application for an Owner-Occupied Short-Term Rental shall be accompanied by an application fee of \$100, plus a \$250 Village inspection fee.

741.09 VIOLATIONS, DENIAL, OR REVOCATION OF CERTIFICATE, AND PENALTY.

(a) Any of the following will be considered a violation of this Chapter:

- (1) Failure to update information required on the application with the Village in a timely manner.
- (2) Advertising either an Owner-Occupied or Short-Term Home Rental for a capacity in excess of that allowed under the Certificate issued by the Village.
- (3) Permitting a number of persons in excess of that allowed under the Certificate issued by the Village to stay at the premises.
- (4) Failure of the Certificate holder or his/her designated Caretaker to be available at any time during the tenure of an active Short-Term Home Rental, or failure of a homeowner to be present during the rental of an Owner-Occupied Short-Term Rental.
- (5) Providing false or misleading information on the application for any Short-Term Rental Certificate or failing to include the information required by this Chapter in advertisements.
- (6) Failure to obtain a Short-Term Rental Certificate when operating either an Owner-Occupied Short-Term Rental or a Short-Term Home Rental.

- (7) Failure to comply with any of the standards listed in 741.04.
- (8) The property taxes for the subject property are in arrears with the Summit County Fiscal Office.
- (9) Short-Term Rental Taxes for the property that are due and owed are in arrears, and/or Short-Term Rental Tax reporting forms for the property have not been timely filed.
- (10) The subject property has outstanding Building, Zoning, or Property Maintenance Code violations or outstanding violations from the Summit County Department of Health.
- (11) The applicant, property owner, or Caretaker has refused, hindered, or prevented any inspection by the Village authorized by Section 741.04.
- (12) Evidence of a violation for the purposes of this section needs to be only a de facto violation; a conviction for such violation is not a prerequisite for denial or revocation of a Certificate.

(b) Penalties.

- (1) When the Village becomes aware of a violation of this Chapter, the Village may send a written notice to the property owner and/or Caretaker of the property that describes the location of the property, the nature of the violation, and the specific provisions of this Chapter being violated, giving the owner and/or Caretaker of the property no less than 10 days to eliminate the violation before action is taken by the Village to cancel the Certificate. The 10-day notice requirement shall not apply when the Village has previously cited the Certificate holder for, or provided notice to the Certificate holder of, the same type of violation within the past 365 days.
 - A. If the property owner and/or Caretaker does not eliminate the violation within 10 days, or an alternate amount of time specifically indicated in the violation notice, and the Village has not granted an extension to remedy the violation, the Mayor, or his or her designee, may revoke the Certificate. If a Certificate is revoked, the property owner and/or Caretaker shall cease renting the property. Property owners and/or Caretakers that continue to rent the property after the Certificate has been revoked are subject to the penalties set forth in Section 741.09(b)(3).
 - B. A property owner who has had their Certificate revoked may appeal the revocation decision by filing a notice of appeal with the Village Administrative Clerk within 10 days of the date of their receipt of the revocation notice. If a timely appeal is filed, Village Council shall hold a hearing on the revocation within 30 days of the notice of appeal filing date. The decision of Village Council on the appeal of the Mayor's, or Mayor's designee's, revocation action may be appealed in accordance with Ohio law. A property owner whose Certificate has been revoked shall be prohibited from re-applying for a

Village Short-Term Rental Certificate for a period of 1 year from the revocation date or final adjudication date of the revocation decision, whichever is later.

- (2) A property owner who has had their Certificate denied may appeal the decision by filing a notice of appeal with the Village Administrative Clerk within 10 days of the date of their receipt of the notice of denial. If a timely appeal is filed, Village Council shall hold a hearing on the denial within 30 days of the notice of appeal filing date. The decision of Village Council on the appeal of the Mayor's, or the Mayor's designee's, denial to issue a permit may be appealed in accordance with Ohio law. A property owner whose Certificate has been denied shall be prohibited from re-applying for a Village Short-Term Rental Certificate for a period of 1 year from the denial date or final adjudication date of the denial decision, whichever is later.
- (3) Any violation of Chapter 741 shall constitute a first-degree misdemeanor. Any person who is convicted of such a violation shall be subject to punishment by a fine not exceeding \$1,000 or imprisonment not exceeding 180 days for each offense, or both, at the discretion of the court. Each day a violation occurs may be considered a separate offense. The imposition of any sentence shall not exempt the offender from having to comply with the requirements of this Chapter. Use of any rights and remedies set forth above shall not preclude the use of other remedies provided by law, including any additional rights of the Village to initiate proceedings in an appropriate court of law to restrain or prevent any non-compliance with any provisions of this Chapter, or to correct, remedy, or abate such non-compliance. Any failure or omission to enforce the provisions of this Chapter, or failure or omission to prosecute any violations of this Chapter, shall not constitute a waiver of any rights and remedies provided by this Chapter, or by law, and shall not constitute a waiver nor prevent any further prosecution of violations of this Chapter.

Dear Resident,

On November XX, residents will have the opportunity to vote on an advisory ballot question related to short-term rentals in the Peninsula. The results of this vote will help Council understand resident preferences and determine whether updates to the existing short-term rental ordinances are needed at this time.

An advisory ballot is non-binding. This means the vote itself does not automatically create, repeal, or change any law. Instead, it provides guidance to Council as it evaluates possible next steps.

The advisory ballot question asks residents whether they support limiting short-term rentals to owner-occupied properties only. Please see the enclosed example of the ballot language for reference.

To help you understand what your vote indicates:

Vote / Response	What It Means	Possible Perspective
YES vote	You support limiting short-term rentals to only properties where the owner resides on the premises during the rental period. In other words, you do not support short-term rentals when the property owner is not living on-site at the time of the rental.	Those voting Yes may believe it helps preserve neighborhood character and allow for more full-time residents They may believe it reduces risks related to absentee ownership and make it easier to address issues that may arise during a rental stay. Those voting Yes may be in favor of banning STRs completely and see this as a step forward in reducing STRs.
NO vote	You do not support limiting short-term rentals to only owner-occupied properties. In other words, you support allowing short-term rentals where the owner is not living on-site at the time of rental. Note: Village regulations require that someone is available within 30 minutes if an issue arises.	Those voting No may believe the existing scope of the short-term rental ordinance is acceptable and can be managed effectively through existing or updated regulations. They may favor STRs where the owner is not living on-site and value the availability of properties for visiting relatives or guests. They may enjoy the experience of having frequent visitors in their neighborhood. They may also support property owners retaining flexibility in how they use their properties.
Not voting	Your preference will not be reflected in the advisory results.	Those Not voting may not care about the outcome OR may be looking for a solution not presented on the ballot.

Background:

Our ordinances currently allow xxxx short-term rentals in which the owner lives on the premises during the rental period, as well as xxx short-term rentals where the owner does not live on-site during the rental period.

We encourage you to review the materials available on the Village website where you can find the notes and presentation from the June 23rd Community STR Meeting.

You are also welcome to contact Village officials with any questions.