



CITY COUNCIL REGULAR MEETING AGENDA **Monday, September 22, 2025 at 7:00 PM**

15 East Franklin Street Bellbrook, Ohio 45305
T (937) 848-4666 | www.cityofbellbrook.org

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF THE MINUTES**
 - [A.](#) Approval of the September 8, 2025 Regular meeting.
- 5. MAYOR'S ANNOUNCEMENTS AND SPECIAL GUEST**
- 6. CITIZEN COMMENTS**
- 7. CITIZENS REGISTERED TO SPEAK ON AGENDA ITEMS**
- 8. PUBLIC HEARING OF PROPOSED ORDINANCES**
- 9. INTRODUCTIONS OF ORDINANCES**
- 10. ADOPTION OF RESOLUTIONS**
 - [A.](#) Resolution 2025-R-17 AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR FEDERAL IJIA FUNDS THROUGH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION (Greenwood)
- 11. OLD BUSINESS**
 - [A.](#) Continued discussion on amendments to Chapter 618 - Animals
 - [B.](#) Continued discussion on short term rental ordinance
- 12. NEW BUSINESS**
- 13. CITY MANAGER'S REPORT**
- 14. COMMITTEE REPORTS**
 - A. Safety Committee
 - B. Service Committee
 - C. Finance/Audit Committee
 - D. Community Affairs Committee
- 15. CITY OFFICIAL COMMENTS**
- 16. EXECUTIVE SESSION**
- 17. ADJOURNMENT**

File Attachments for Item:

A. Approval of the September 8, 2025 Regular meeting.

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
September 8, 2025

Item A. Section 4, Item

1. CALL TO ORDER:

Mayor Schweller called the Regular Meeting of the Bellbrook City Council to order at 7:00pm

2. PLEDGE OF ALLEGIANCE:

Mayor Schweller led the Council in the Pledge of Allegiance.

3. ROLL CALL

PRESENT

Mr. Logan Ashley

Mrs. Katherine Cyphers

Mr. Forrest Greenwood

Mr. Brady Harding

Deputy Mayor Ernie Havens

Mr. T.J. Hoke

Mayor Mike Schweller

4. APPROVAL OF THE MINUTES

A. Approval of the August 25, 2025 Regular Meeting minutes.

Mrs. Cyphers asked for clarification on a question about fencing. The clarification was added and minutes were approved as amended.

5. MAYOR'S ANNOUNCEMENTS AND SPECIAL GUEST

Mayor Schweller thanked all who attended or watched the August 25 Council meeting and said he received a lot of positive feedback on the explanations given related to the upcoming levy.

6. CITIZEN COMMENTS

Jenn LeClaire 3408 Pavillion spoke about a new event A Taste of the Town hosted by the Chamber of Commerce in partnership with For Bellbrook By Bellbrook at Bellbrook Park on September 20 from 11-2. She noted the event will also include the annual Bellbrook Funny Fest.

7. CITIZENS REGISTERED TO SPEAK ON AGENDA ITEMS

8. PUBLIC HEARING OF PROPOSED ORDINANCES

A. Ordinance 2024-O-14 ESTABLISHING CHAPTER 441 OF PART FOUR, TITLE SIX OF THE BELLBROOK MUNICIPAL CODE TO SET FORTH OPERATION OF UNDER-SPEED, LOW SPEED OR UTILITY VEHICLES OR MINI TRUCKS ON CERTAIN CITY STREETS (Hoke)

Mr. Hoke read the Ordinance.

Mayor Schweller opened the public hearing at 7:10pm

Mr. Schommer reviewed the ordinance explaining it allows the use of underspeed vehicles on certain City streets. He noted there are several golf carts and mini trucks using the streets currently and should an ordinance not be passed, the vehicles will be prohibited. He noted the

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
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Item A. Section 4, Item

State law allows for underspeed vehicles so long as the local jurisdiction passes an ordinance allowing them.

Mike Hall, 3424 Clearview Drive, asked if an underspeed vehicle is inspected, licensed and insured, would it be legal to drive on Bellbrook streets. The answer is yes under this ordinance.

Motion to adopt Ordinance 2025-O-12.

Motion made by Mr. Hoke, Seconded by Deputy Mayor Havens.

Voting Yea: Mr. Ashley, Mrs. Cyphers, Mr. Greenwood, Mr. Harding, Deputy Mayor Havens, Mr. Hoke, Mayor Schweller.

9. INTRODUCTIONS OF ORDINANCES

10. ADOPTION OF RESOLUTIONS

11. OLD BUSINESS

A. Continued discussion on amendments to Chapter 618 – Animals

Changes were made to Section 618 to address nuisance animal noises and conditions and define which animals are allowed.

Mayor Schweller asked what are the next steps in the process. After discussion, if any changes are needed then they would be made and bring to Council at the next meeting.

Mayor Schweller talked about a resident who used to have a “domesticated” fox and asked if there could be any confusion regarding domesticated wildlife in the Ordinance language. We would defer to the Ohio Revised Code for those definitions.

Mr. Harding said we include “game birds” now under poultry and asked if our intent is for all game birds to be legal. Mr. Schommer said they would be allowed.

Mayor Schweller asked if “game birds” should be removed. He then asked if we should exclude swans.

Deputy Mayor Havens feels that this issue should be on a ballot for a public vote. He doesn’t feel that the majority of Bellbrook residents would be in favor of residential chickens. He proposed to amend 618 to define small livestock as rabbits for now and put the rest up for public vote for an upcoming election.

Council asked Mr. Schommer about the process and cost to put the issue on a ballot. Mr. Schommer will contact the Board of Elections and present any information to Council.

B. Continued discussion on short term rental ordinance.

Vrbo representative rescheduled the meeting that was to take place with Staff. Discussion is postponed until there is more information.

12. NEW BUSINESS

13. CITY MANAGER'S REPORT

Regarding speed limits, Mr. Schommer said the City has ordered a device with flashing lights that can be placed on a speed limit sign. We will also be placing rumble strips coming into town.

Mr. Ashley asked about speed cameras similar to what the City of Dayton uses.

Mr. Harding would be opposed to the cameras.

14. COMMITTEE REPORTS

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
September 8, 2025

Item A. Section 4, Item

- A. Safety Committee – Mr. Ashley said that there were some vehicle break ins and suggested to keep doors locked.
- B. Service Committee – No report
- C. Finance/Audit Committee – No report
- D. Community Affairs Committee – No report

15. CITY OFFICIAL COMMENTS

Ashley - Nothing

Cyphers - Nothing

Greenwood – Thanked Police & Fire for the efforts in locating a missing juvenile.

Harding – Thanked Zoning and Service Departments for enforcing property maintenance standards. Also commented on the appearance Dart Building and said it looks really bad.

Hoke – Nothing

Havens – Seconded everything that Mr. Harding said. Included he would be embarrassed to have his sign on the building. Clarified that he feels there is nothing more our police officers can do about speeders and pointed out he feels we do have a problem. He thinks that the continued efforts of the City will help to resolve the issue.

Mr. Schommer added that if the problem continues, we can create a selective enforcement area for officers to focus on.

Mayor Schweller thanked those in attendance and those viewing, thanked the cameraman.

16. EXECUTIVE SESSION

17. ADJOURNMENT

8:07

Michael Schweller, Mayor

Robert Schommer, Clerk of Council

File Attachments for Item:

A. Resolution 2025-R-17 AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR FEDERAL IJA FUNDS THROUGH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION (Greenwood)

RECORD OF RESOLUTIONS

Item A. Section 10, Item

Resolution No. 2025-R-17

September 22, 2025

City of Bellbrook State of Ohio

Resolution No. 2025-R-17

AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR FEDERAL IIJA FUNDS THROUGH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION

WHEREAS, the Miami Valley Regional Planning Commission (MVRPC) has solicited local government entities to submit new transportation projects for funding consideration in the Transportation Improvement Program (TIP); and

WHEREAS, the City of Bellbrook has committed to a timely project development schedule; and

WHEREAS, the City of Bellbrook will commit the necessary resources to support the estimated local cost portion of the projects and the following list of projects will be submitted to MVRPC, shown in order of the City of Bellbrook's priority as follows:

1. Little Sugarcreek Road Infrastructure Improvement – estimated local share \$600,000
2. Little Sugarcreek Road Transportation and Pedestrian Access Improvement – estimated local share \$500,000

WHEREAS, the City of Bellbrook requests the following exemptions from MVRPC's Complete Streets Policy for the proposed project funding applications:

1. Little Sugarcreek Road Infrastructure Improvement – the project consists of maintenance, repair and resurfacing of an existing cross section only for a cyclist and pedestrian exemption.

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY RESOLVES:

Section 1. The City Manager is authorized to transmit, submit and execute all necessary documents and processes for an application for transportation projects to MVRPC for Little Sugarcreek Road Infrastructure Improvements and Little Sugarcreek Road Transportation and Pedestrian Access Improvements.

Section 2. The City Manager is hereby authorized to take or cause to be taken all other action necessary and proper to secure the funding sought by the application referred to herein, and provide any additional information sought by reviewing agencies during the time the application is under reviewed. The City Manager is further authorized to cause compliance with all reporting requirements required by the Miami Valley Regional Planning Commission (MVRPC) as required as part of the funding process.

Section 3. Upon application approval, the City hereby states its commitment to the local contribution for the project as identified in these applications, including local contribution of costs exceeding the current estimates or subsequent revised estimates as accepted by the MVRPC.

RECORD OF RESOLUTIONS

Item A. Section 10, Item

Resolution No. 2025-R-17

September 22, 2025

Section 4. That it is found and determined that all formal actions of the City Council relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including §121.22 of the Revised Code of the State of Ohio.

Section 5. That this resolution shall take effect and be in force forthwith.

PASSED BY City Council this 22nd day of September, 2025.

___ Yeas; ___ Nays.

AUTHENTICATION:

Michael Schweller, Mayor

Robert Schommer, Clerk of Council

File Attachments for Item:

A. Continued discussion on amendments to Chapter 618 - Animals

CHAPTER 618. ANIMALS¹

Sec. 618.01. Definitions.

For the purpose of this chapter, the following definitions shall apply:

Agricultural animal. The definition of agricultural animal is the same as set forth in Ohio Revised Code Section 903.01 (A), including but not limited to the following text: “any animal generally used for food or in the production of food, including cattle, sheep, goats, rabbits, poultry, and swine; horses; alpacas; llamas; and any other animal included by the director of agriculture by rule. “Agricultural animal” does not include fish or other aquatic animals regardless of whether they are raised at fish hatcheries, fish farms, or other facilities that raise aquatic animals.”

Animal. The definition of animal is the same as set forth in Ohio Revised Code Section 941.01 (D), including but not limited to the following text: “any animal that is a bird, reptile, amphibian, fish, or mammal, other than humans.”

Companion animal. The definition of companion animal is the same as set forth in Ohio Revised Code Section 959.131 (A)(1), including but not limited to the following text: “any animal that is kept inside a residential dwelling and any dog or cat regardless of where it is kept, including a pet store as defined in section 956.01 of the Revised Code. “Companion animal” does not include livestock or any wild animal.”

Domestic animal. The definition of domestic animal is the same as set forth in Ohio Revised Code Section 941.01 (E), including but not limited to the following text: “livestock; other animals that through long association with humans have been bred to a degree resulting in genetic changes affecting the temperament, color, conformation, or other attributes of the species to an extent that makes them different from nondomestic animals of their kind; and other animals as defined by rule by the director.”

Livestock. The definition of livestock is the same as set forth in Ohio Revised Code Section 5739.01 (MM), including but not limited to the following text: “farm animals commonly raised for food, food production, or other agricultural purposes, including, but not limited to, cattle, sheep, goats, swine, poultry, and captive deer. “Livestock” does not include invertebrates, amphibians, reptiles, domestic pets, animals for use in laboratories or for exhibition, or other animals not commonly raised for food or food production.”

Nondomestic animal. The definition of nondomestic animal is the same as set forth in Ohio Revised Code Section 941.01 (G), including but not limited to the following text: “any animal that is not domestic, including at least nonindigenous animals and animals usually not in captivity.”

Pet. The definition of pet is the same as set forth in Ohio Revised Code Section 961.01 (D), including but not limited to the following text: “an animal that has been adapted or tamed to live in intimate association with or for the pleasure or advantage of people and includes but is not limited to dogs, cats, birds, rabbits, and hamsters.” Pets are not considered to be animals used for livestock or agricultural purposes.

¹Cross reference(s)—Driving animals upon roadway, see Secs. 404.05; Animals in parks, see Secs. 1062.08, 1062.09.

Poultry. The definition of poultry is the same as set forth in Ohio Revised Code Section 941.01 (H), including but not limited to the following text: “any domesticated fowl kept in confinement, except for doves and pigeons, that are bred for the primary purpose of producing eggs or meat for human consumption. “Poultry” includes chickens, turkeys, waterfowl, and game birds.”

Service animal. The definition of service animal is the same as set forth in Ohio Revised Code Chapter 3344-79 Rule 3344-79-02 (A) (2), including but not limited to the following text: “any dog individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability and meets the definition of “service animal” under the Americans with Disabilities Act (“ADA”) regulations at 28 CFR 35.104. The work or tasks performed must be directly related to the individual’s disability.”

Small livestock. Small livestock is defined as rabbits and poultry species, excluding roosters, geese, peafowl, turkeys, ostriches, and emu.

Secs. ~~618.01~~, 618.02. Reserved.

Editor’s note(s)—Ord. No. 2016-6 , § 3, adopted July 11, 2016, repealed §§ 618.01, 618.02 which pertained to: dogs and other animals running at large; nuisance, dangerous and vicious dogs; hearings; abandoning animals; respectively; and derived from the 1985 Codified Ordinances.

Sec. 618.03—618.06. Reserved.

Sec. 618.07. ~~Barking or howling dogs~~ Nuisance animal noises.

- (a) No person shall keep or harbor any ~~dog~~ **animal** within the Municipality which, by frequent and habitual barking, howling or yelping, creates unreasonably loud and disturbing noises of such a character, intensity and duration as to disturb the peace, quiet and good order of the Municipality. Any person who allows any ~~dog~~ **animal** habitually to remain or be lodged or fed within any dwelling, building, yard or enclosure, which he or she occupies or owns, shall be considered to be harboring such ~~dog~~ **animal**.
- (b) No person shall be convicted under division (a) of this section unless the noises created by such ~~dog~~ **animal** ~~are~~ **is** heard or detected by at least one or more residents in the vicinity or a City police officer.
- (c) Whoever violates this section is guilty of a minor misdemeanor.

Secs. 618.08—618.11. Reserved.

Editor’s note(s)—Ord. No. 2016-6 , § 3, adopted July 11, 2016, repealed §§ 618.08, 618.09, 618.095, 618.10, 618.11 which pertained to: registration of dogs required; hindering capture of unregistered dog; dogs required to wear tags; unlawful tags; rabies quarantine; respectively; and derived from the 1985 Codified Ordinances and Ord. Ord. 80-15, passed 10-13-80.

Sec. 618.12. Hunting prohibited.

- (a) The hunting of animals or fowl within the Municipality is prohibited. No person shall hunt, kill or attempt to kill any animal or fowl by the use of firearms or any other means, **except as provided in the Bellbrook Zoning Code**. However, nothing in this section shall be deemed to prohibit the killing of rats and other undesirable rodents authorized to be killed by the Chief of Police using means for such killing which are also authorized by the Chief.

- (b) Whoever violates this section is guilty of a minor misdemeanor.

Sec. 618.13. Nuisance conditions prohibited.

- (a) No person shall harbor, keep or maintain an animal in such a manner as to be injurious to the health, comfort or property of individuals or the public.
- (b) No owner, keeper or harbinger of any dog or animal approved and/or licensed by the Ohio Department of Natural Resources shall fail at any time to do either of the following:
- (1) Keep the animal physically confined or restrained upon the premises of the owner, keeper or harbinger by a leash, tether, adequate fence, supervision or secure enclosure to prevent escape.
 - (2) Keep the animal under the reasonable control of some person.
- (c) Subject to division (a) of this section, and without in any way limiting the applicability thereof, any of the following acts committed in connection with the harboring, keeping or maintaining of an animal shall constitute maintenance of a public nuisance and is hereby prohibited:
- (1) Permitting offensive or obnoxious odors to be released and carried to the property of another; or
 - (2) Permitting ~~loud, offensive and regularly~~ repeated barking, ~~or~~ howling **or unreasonably loud and disturbing noises** by an ~~dog~~ **animal**.
- (d) Any violation of ORC Chapter 955 within six months of a previous violation thereof shall be a prima-facie violation of this section.
- (e) The Municipal Attorney may proceed by civil action in any court of record to obtain an abatement order under this section.
- (f) Whoever violates any of the provisions of this section is guilty of maintaining a public nuisance, a misdemeanor of the fourth degree. The penalty shall be as provided in ORC Chapter 2929. In addition to imposing the appropriate punishment the court shall order such nuisance to be abated.
- (Ord. 78-16, passed 4-24-78; Ord. 99-10, passed 8-9-99; Ord. No. 2014-6 , § 1, 9-8-2014; Ord. No. 2017-3 , § 1, 3-27-2017)

Sec. 618.14. Impounding and redemption.

A police officer or Animal Warden contracted with or hired by the Municipality, or any other person appointed by the Manager, may pick up and impound any dog, licensed or unlicensed, or any other animal found running at large on any street or on any public or private property within the Municipality. Such officer, Animal Warden or other person shall have the right to go onto private property to capture the dog or other animal. ~~The dog or other animal shall be released to the owner or to the person entitled to the possession of the same upon payment by the owner or such other person to the Municipality of a pick-up fee of ten dollars (\$10.00) for the first offense and twenty-five dollars (\$25.00) for each offense thereafter.~~ If the dog has been placed in the County Dog Pound, the owner shall ~~also~~ be required to pay charges assessed by the County.

(Ord. 78-17, passed 4-24-78)

Sec. 618.15. Certain animals prohibited.

- (a) No person shall keep within the Municipality any ~~horse, cow, pig, goat, or chicken~~ **agricultural animal or livestock, nor any animal used for agricultural or livestock purposes**, on any parcel

of property, except in agricultural zoning districts on parcels **with a minimum** of five acres **or as provided in the Bellbrook Zoning Code.**

(b) Whoever violates this section is guilty of a minor misdemeanor.

(Ord. 2007-4, passed 8-27-07; Ord. 2010-7, passed 9-13-10)

Sec. 618.16. Dead animals.

(a) When any animal dies in the possession of any person in the Municipality, no such person shall fail to remove such animal or cause the same to be removed outside the limits of the Municipality or to be buried, so that the same does not corrupt the air or cause any injury to the health of any other person in the Municipality.

(b) Whoever violates this section is guilty of a minor misdemeanor.

(Ord. 118, passed 2-19-36; Ord. 74-38, passed 11-11-74)

Secs. 618.17, 618.18. Reserved.

Editor's note(s)—Ord. No. 2016-6 , § 3, adopted July 11, 2016, repealed §§ 618.17, 618.18 which pertained to: dogs with blind, deaf or hearing impaired, or mobility impaired person, or trainer with assistance dog; animal fights; respectively; and derived from the 1985 Codified Ordinances.

Sec. 618.19. Dangerous, wild and undomesticated animals or pets prohibited.

(a) For the purposes of this section, a household pet is a dog, cat or other species of animal, fish, fowl, amphibian or reptile which is normally deemed to be tame and domesticated or which is commonly kept as a pet inside a residence.

(b) A wild, dangerous or undomesticated animal is an animal that is not defined as a household pet and that would be ordinarily confined to a zoo, farm or the wilderness, or that otherwise causes fear to the general public.

(c) No person shall harbor, maintain or control a wild, dangerous or undomesticated animal within the City.

(d) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

(Ord. 2007-4, passed 8-27-07)

Sec. 618.20. Reserved.

Editor's note(s)—Ord. No. 2016-6 , § 3, adopted July 11, 2016, repealed § 618.20, which pertained to dangerous and vicious dogs, and derived from the 1985 Codified Ordinances.

Sec. 618.21. Beekeeping.

The keeping of bees in residential areas is permitted under the following conditions:

(a) Definitions.

(1) *Bee* means any stage of any species of the genus *Apis*.

- (2) *Hive* means any modern frame hive, box hive, box, barrel, log gum, skep or any other natural or artificial receptacle, or any part thereof, that may be used as a domicile for bees.
- (3) *Colony* means any hive and its equipment, including bees, combs and brood.
- (4) *Equipment* means any used hives or parts thereof, used frames, used honey houses, used tools, used machines, or used devices employed in the handling or manipulation of bees, honey, or beeswax, or any used container for honey or beeswax.
- (5) *Swarm* means a population of bees that is not permanently established.
- (6) *Beekeeper* means the person who takes care of and/or registers the apiary where the honey bee colonies are kept.
- (b) In order to have beekeeping privileges within the City, all beekeepers are required to maintain and register their hives as set forth in ORC Chapter 909 Apiaries.
- (c) All beekeepers are required to register with the City, setting forth the location of their hives and number of colonies of bees.
- (d) Any lot used for beekeeping must have a minimum size of 14,000 square feet. There shall be no more than two hives established on any lot used for beekeeping, except two additional temporary hives are allowed for hive separation or new swarm establishment purposes. Such temporary hives shall be removed from the property within two weeks.
- (e) Hives shall be placed in the rear yard of the property and in no case shall the hives be closer than 30 feet from a public or private street, sidewalk or roadway. In no case shall the hives be closer than 25 feet to an abutting property line.
- (f) A fresh water source shall be maintained within 15 feet of the hives.
- (g) The owner of the hive(s) must be a resident in a dwelling located on the same lot on which the hive(s) are registered. Hives are only permitted on lots with single family residential units located on them.
- (h) The maintenance of each colony shall meet the following conditions:
 - (1) Colonies shall be maintained in readily movable frame hives.
 - (2) Each hive must conspicuously display the Apiary Identification Number assigned pursuant to ORC Chapter 909 on no less than the base and the box. The identification number shall be on a side that is visible without moving or lifting of said hive.
 - (3) Adequate space shall be maintained in the hive to prevent overcrowding and swarming.
 - (4) Colonies shall be re-queened following any swarming or aggressive behavior or seized and destroyed without remuneration.
- (i) A certificate or permit providing the privilege to keep bees within the City may be provided by the City to a beekeeper once it is established that the necessary requirements outlined in this section are satisfied.
- (j) (1) Beekeeping privileges may be revoked from any property by written notification to the property owner by the City. Revocation must be done with cause, however, the cause needs not to be the fault of the beekeeper, nor be a factor that is under the control of the beekeeper. The City may revoke beekeeping privileges for any condition or combination of circumstances that jeopardizes, endangers or otherwise constitutes an actual, potential or perceived menace to public health or safety. Once beekeeping privileges have been revoked on a particular property, such privilege may be reestablished only upon written request. Additionally, a permit or certificate may be revoked by the City due to a failure to satisfy any of the requirements of this section.

- (2) A perceived menace to public health may also include, but is not limited to:
- A. Written documentation over a medical doctor's signature certifying that the medical condition caused by bee stings to a resident of an abutting property would constitute a higher than normal health hazard will constitute sufficient cause to withdraw beekeeping privileges from any specific property.
 - B. Abnormally aggressive behavior by bees defending their hive beyond the property lines may constitute sufficient cause to withdraw beekeeping privileges from any specific property.
- (k) The City may revoke a beekeeper's privilege to maintain hives within the City by revoking the beekeeper's permit or certificate. If such revocation occurs, the permit holder will be given an opportunity for a hearing before the City Council to determine whether cause exists for revoking the beekeeping privileges.

(Ord. 2010-7, passed 9-13-10)

File Attachments for Item:

B. Continued discussion on short term rental ordinance

Short Term Rental Information

Interest in short term rentals (STRs), many of which are advertised on platforms such as VRBO and Airbnb, have increased over the last several years both from residents concerned about such uses operating in their neighborhoods and from individuals wishing to acquire properties for such use or utilizing their property for such use. Short-term rentals are understood to be any rental that is offered for rent for a period of less than thirty (30) consecutive days (you will occasionally see definitions that lower this number to 25 - 28 days). Most STRs operate within residential neighborhoods inside of single, two unit, and multi-unit dwellings.

In recent years, many jurisdictions have adopted standards regulating STRs; some cities prohibit them entirely via zoning or business code regulation, others have licensing requirements but otherwise allow them to operate, and others allow them to operate subject to strict requirements. Other jurisdictions have moratoriums on such use to give them time to study their options.

Below is a breakdown of five local jurisdictions and their policies regarding STRs:

Beavercreek

- STR is defined as all or any portion of a residential dwelling unit for dwelling, lodging, or sleeping purposes intended for travel and tourism occupied for a renter for a period of less than thirty (30) consecutive days.
- Short-term rental license required.
- \$100 fee – valid for two years.
- STR subject to the city's 3% hotel/motel/STR tax.
- Prohibited in plats where restrictive covenants do not allow such uses (i.e. HOA's).

Centerville

- STR is defined as any room or dwelling unit that is rented wholly or partially to transients for a fee; for dwelling, lodging or sleeping purposes; for no more than twenty-nine (29) consecutive days by persons other than the permanent occupant or owner; from which the permanent occupant or owner receives monetary compensation whether such compensation is paid directly by the short-term guest or is collected and remitted to the permanent occupant or owner by a hosting platform.
- Short-term rental license required.
- \$100 fee – valid for one year.
- STR subject to the city's 3% hotel/motel/STR tax.

- STRs only permitted to operate in the City's Architectural Preservation zoning district.

Kettering

- Based on current zoning code language, such uses are not permitted within most zoning districts in the City except in areas where Motels are permitted unless the uses are operated in ways that comply with standards for Bed & Breakfasts or if someone is renting out a bedroom in a dwelling they otherwise occupy. However, due to issues related to how such uses are defined, the current regulations in Kettering's Codified Ordinances are not enforceable, so these uses are permitted by default in Kettering's residential zoning districts.
- In January of 2024 the City Council directed staff to enact regulations similar to Xenia, which allows STRs with minimal regulations.
- The standards have not yet been enacted but are part of a zoning code amendment that is currently going through the review and approval process with the Planning Commission.
- Once approved, Kettering will **not** require a license and fee.
- Their definition of an STR will be a dwelling unit or a room or rooms within a dwelling unit where sleeping accommodations are offered for consideration to Short Term Rental guests for fewer than twenty-eight (28) consecutive days.
- Kettering does not currently have a lodging tax but does collect tax based on STRs being a business operation.
- Based on data collected, they have an estimated 99 STRs in Kettering and have received very few complaints over the past few years. The main complaint was concerns about the conversion of existing rental units into STRs (4), concerns about not knowing who is staying at the STRs (3), loud parties (2) and vehicles parking in the street (1).

Waynesville

- STR is defined as any room or dwelling that is rented wholly or partly for a fee for less than thirty (30) consecutive days by persons other than the owner from which the owner receives monetary compensation, whether such compensation is paid directly by short term rental guest or is collected and remitted to the owner by a hosting platform.
- Short-term rental license required.
- \$100 fee – valid for one year.
- STR subject to the village's 3% Lodging Excise tax.

Xenia

- STR defined as a dwelling unit, a room or rooms within a dwelling unit, or an accessory dwelling unit where sleeping accommodations are offered for consideration to Transient Guests for less than thirty (30) consecutive days.
- Currently Xenia does not require a STR registration or license.
- Currently they do not collect a lodging tax. Law Director is working on it, however; it has been put on the “back burner”.

Yellow Springs

- STR is defined as a dwelling unit, a room or rooms in a dwelling unit, or an accessory dwelling unit where sleeping accommodations are offered for consideration to people occupying a room or rooms for less than thirty (30) consecutive days. Other terms used: Bed & Breakfasts, Transient Guest Lodging.
- Permitted but heavily restricted. Considered conditional uses and spacing requirements (500’ minimum spacing between STRs) limit the number they may operate.
- Approval of a Conditional Use application.
- Transient Occupancy Registration Certificate required.
- \$100 fee – valid for one year.
- STR subject to the village’s 3% Lodging Excise Tax

Short-Term Rentals

Thank you for your interest in operating a short-term rental in the City of Bellbrook. Property owners must obtain a license from the city prior to operating a short-term rental unit. Short-term rentals are defined as all or any portion of a residential dwelling unit for dwelling, lodging or sleeping purposes intended for travel and tourism occupied by a renter for a **minimum of seven (7) days.**

Obtaining a Short-Term Rental License

Short-term rental owners must obtain a license by filling out an online application through the Community Development department's Online Permit Center or be considered a violation of Ordinance XXXX and Chapter XXXX of the City of Bellbrook Municipal Code. Licenses under this ordinance will be valid for a period of one (1) year and must be renewed to ensure continued compliance with the city's regulations.

Application/permit fee is \$100, and permits will expire on December 31 and must be renewed no later than the first Monday in November. Initial fees will be pro-rated if filed mid-year.

To obtain a license, short-term rental owners need to provide specific information to the city, including the rental's location, where the rental unit will be advertised, the number of bedrooms and occupants permitted, parking availability and emergency contact information. These details are mandatory and vital for effective management and communication, particularly in cases of emergencies.

Short-Term Rental Tax

Short-term rentals are subject to the city's 3% hotel/motel/short term rental tax. Registering your short-term rental with the city's Community Development Department also acts as registration with the city's Finance Department in compliance with Chapter XXXX (hotel/motel/short-term rental tax) of the City of Bellbrook Municipal Code. Filing and remittance of the tax must be completed before the end of the subsequent month using the city's Hotel/Motel/Short-Term Rental Tax Remittance Form. Forms must

be completed and submitted to the city's Finance Department, even if there have not been any qualifying rentals.

Responsibility of Short-Term Rental Owners

The city strongly encourages short-term rental owners who live within a homeowner's association or on a property with covenants, conditions for restrictions to check its rules and regulations prior to applying for a license to ensure short-term rentals are permitted.

Short-term rental owners will also assume responsibility for ensuring that the rental unit is occupied only by renters per unit and that the renters are at least 25 years of age. Furthermore, owners are required to provide important information to renters, including house rules, noise regulations and emergency contact details. By setting these guidelines, the city seeks to promote responsible and respectful behavior among renters.

Violations

The city takes violations of the regulations seriously and has implemented penalties for non-compliance. Violators may face fines, and in severe cases, their license may be suspended or revoked.

Questions

For additional assistance regarding Ordinance XXXX or the registration process, contact the Community Development Department at (937) 848.4666 or cathi@bellbrook.gov.

For additional assistance related to the city's hotel/motel/short-term rental tax, contact the city's Finance Department at (937) 848.4666 or Mjones@bellbrook.gov

Additional information/Airbnb meeting:

- Bellbrook currently has six listings that fall under two hosts.
- Averaging 60 nights a year.

- **Average age of guests is 41 years old.**
- **Average income of hosts is \$9,000/year.**
- **For collection of Hotel/Motel tax – Airbnb uses a Pro Hosting tool that allows them to add the tax onto the listing and separate it out for the host. From there monthly or quarterly payments can be made to the municipality based on how they have it set up.**