

ORDINANCE NO. 2026-___
SHORT TERM RENTAL ORDINANCE

Sec. 1. Program Established. The Town of Meridian Hills Short Term Rental Permitting Program is hereby established.

Sec. 2. Authority; Conflicts. IC 36-1-24, *et seq.* allows a political subdivision to establish and enforce permitting programs and inspection programs for short term rentals within a political subdivision, subject to certain conditions and limitations. In the event of any conflict or inconsistency between the provisions of this Ordinance and Indiana Code, including, without limitation, IC 36-1-24, *et seq.*, the provisions of Indiana Code shall control.

Sec. 3. Definitions. For the purpose of this chapter the following definitions apply:

- a. “Owner” has the meaning set forth in IC 36-1-24-2.
- b. “Short term rental” has the meaning set forth in IC 36-1-24-6.
- c. “Permit” has the meaning set forth in IC 36-1-24-4.

Sec. 4. Short Term Rental Intent. The intent of the short term rental standards is to ensure compliance with the provisions of IC 36-1-24, *et seq.* as well as:

- a. Set an appropriate balance between the interests of the Town’s residents, business owners, visitors to the community, and property owners wishing to engage in short term rental of dwellings;
- b. Ensure issues related to fire safety and life safety codes are met; and
- c. Allow homeowners to benefit from added income.

Sec. 5. Short Term Rental Standards; Violations.

- a. This Ordinance incorporates by reference all short term rental standards set forth in the Indianapolis-Marion County, Ind., Code of Ordinances (the “City Ordinance”), as may be amended from time to time, to the extent not in conflict with this Ordinance. For the avoidance of doubt, all short term rentals operated in the Town shall comply with the requirements and standards of both this Ordinance and the City Ordinance.
- b. It is a violation of this Ordinance if:
 - i. A short term rental operates without a permit under this Ordinance or the City Ordinance.

- ii. A short term rental violates any provision of The Meridian Hills Municipal Code or the City Ordinance with respect to:
 - A. Noise.
 - B. Protection of welfare.
 - C. Property maintenance.
 - D. Nuisance issues.

So long as enforcement is performed in the same manner as enforcement that applies to similar properties that are not short term rentals.

- iii. A short term rental is used:
 - A. To house sex offenders.
 - B. To operate a structured sober living home.
 - C. To manufacture, exhibit, distribute, or sell illegal drugs, liquor, pornography, or obscenity.
 - D. To operate an adult entertainment establishment (as defined in IC 12-7-2-1.8).
- c. If three (3) or more citations for violations of this Ordinance and/or the City Ordinance are issued to an owner for a permitted property within a calendar year, the Town may revoke the permit for that permitted property for a period of not more than one (1) year after the date the permit is revoked.
- d. If the Town issues three (3) or more citations for violations under this Ordinance and/or the City Ordinance to an owner under Section 5(c) above, the Town shall provide notice and a hearing for revocation in accordance with the Town's hearing procedure in Section 6 below.

Sec. 6. Hearing Procedure.

- a. Right to Hearing; Notice. Whenever the Town determines that revocation of a short term rental permit is warranted pursuant to Section 5(c) of this Ordinance, the Town shall provide the owner with written notice of the proposed revocation. Such notice shall be delivered to the owner either by registered or certified mail, return receipt requested, or by personal service with a signed receipt. The notice shall include: (i) a statement of the grounds for the proposed revocation, including a description of the citations giving rise to the proposed revocation; (ii) a statement that the owner has the right to a hearing before the Town Council or a committee designated by the

Town Council (the “STR Committee”) prior to any final revocation of the permit; and (iii) a statement that the owner must deliver a written request for a hearing to the Clerk-Treasurer within twenty (20) days after the date the notice of proposed revocation is issued and that failure to timely request a hearing shall result in forfeiture of the right to a hearing and the revocation becoming final.

- b. Composition of STR Committee. The Town Council may, at its first meeting each calendar year, designate a committee of not fewer than three (3) of its members to constitute the STR Committee for the purpose of conducting hearings under this Section. The Town Council shall elect one member of the STR Committee to serve as chairperson. If no such committee is designated, the Town Council shall serve as the STR Committee. The actions of the STR Committee with respect to a hearing under this Section shall constitute final action of the Town Council without any further action, review, or approval by the Town Council.
- c. Meetings; Quorum. The STR Committee shall meet upon call of the chairperson as required to hear matters arising under this Section and otherwise as needed. Two (2) members of the STR Committee shall constitute a quorum. To pass a motion or determination, a quorum of the STR Committee must vote in favor thereof.
- d. Hearing Procedures. Upon receipt of a timely written request for a hearing from the owner, the Clerk-Treasurer shall notify the chairperson of the STR Committee, who shall schedule a hearing and notify the owner and the Clerk-Treasurer of the hearing date, time, and place at least ten (10) days prior to the hearing. All hearings shall be conducted by the chairperson of the STR Committee. The Town may present evidence at the hearing that supports the proposed revocation, including, without limitation, evidence related to the citations issued under Section 5(c) of this Ordinance.
- e. Notification of Determination. Within five (5) days following the close of a hearing conducted under this Section, the STR Committee shall make a written determination that either affirms or vacates the proposed revocation of the short term rental permit. Such written determination shall include the date of the determination and a statement of the reasons therefor. The determination shall be delivered to the owner, and a certified copy shall be delivered to the Clerk-Treasurer, who shall keep all determinations on file in the Clerk-Treasurer's office.
- f. Effect of Revocation. If the STR Committee affirms the proposed revocation, the permit for the permitted property shall be revoked for a period of not more than one (1) year after the date the permit is revoked, consistent with Section 5(c) of this Ordinance. During the revocation period, the owner shall not operate a short term rental at the permitted property. Upon expiration of the revocation period, the owner may apply for a subsequent permit and shall be required to pay the permit fee set forth in Section 7(c)(ii) of this Ordinance.

- g. Failure to Request a Hearing. If the owner fails to deliver a written request for a hearing to the Clerk-Treasurer within twenty (20) days after the date of issuance of the notice of proposed revocation, the owner shall forfeit the right to a hearing and the revocation shall become final as of the twenty-first (21st) day following the date of such notice.

Sec. 7. Short Term Rental Permit Program.

- a. Each short term rental unit shall be permitted individually on an annual basis with the Town through the Clerk-Treasurer. A permit expires one (1) year after the date the permit is issued and must be renewed annually.
- b. Applications for a permit must include the following:
 - i. The owner's name, street address, mailing address, electronic mail address (if applicable), and telephone number. If the owner is a corporation or partnership, the application must require the owner's state of incorporation or organization and names, residence addresses, and telephone numbers of the owner's principal officers or partners.
 - ii. If a property manager is used, the property manager's name, street address, mailing address, electronic mail address (if applicable), and telephone number.
 - iii. A short description of how each of the owner's short term rentals on the property are marketed or advertised, including the following:
 - A. The advertised occupancy limits of each short term rental.
 - B. Whether the short term rental is a single-family home, a dwelling unit in a single family home, a dwelling unit in a two-family or multifamily dwelling, or a dwelling unit in a condominium.
 - iv. A permit application must be made by an owner. If the owner is a corporation, partnership, or other legal entity, the permit application must be made by an officer or agent of the owner.
- c. The Clerk-Treasurer shall collect a permit fee in the amount of one hundred fifty dollars (\$150.00) for each of the following:
 - i. An initial permit issued to an owner for the permitted property.
 - ii. The issuance of a subsequent permit to an owner for the permitted property after the owner's previous permit has been revoked.

- d. As part of the annual registration, an inspection may be required to ensure the structure/unit meets all the applicable building codes and is safe and habitable.

Sec. 8. Short Term Rental Permit Fees. Permit fees described in Section 7 of this Ordinance and allowed by IC 36-1-24-13 shall be remitted to the Clerk-Treasurer for deposit into the Town's general fund as miscellaneous revenue.

Sec. 9. Penalties and Enforcement. Short term rental owners who do not comply with the regulations may be subject to enforcement actions including inspection, citations, and/or revocation of a permit pursuant to the provisions of IC 36-1-24, *et seq.*