

AN ORDINANCE AUTHORIZING THE CREATION OF A NEW CHAPTER TITLED
SHORT-TERM RENTAL PROPERTIES WITHIN TITLE SIX MISCELLANEOUS BUILDING
REGULATIONS IN PART FOURTEEN OF THE CODIFIED ORDINANCES AND
DECLARING AN EMERGENCY.

WHEREAS, the growing number of residential properties being used as short-term rentals within the City has had both positive and negative effects for the City and the long-term residents in the community; and

WHEREAS, the number of residential properties being used as short-term rental properties has an impact on not only the peace, health, safety, welfare, and character of the community, but also the availability and affordability of housing stock for long-term residents of the City; and

WHEREAS, the use of residential properties for short-term rental purposes poses significant risks affecting the peace, health, safety, and welfare of both residents of the City and the guests using such properties as temporary accommodations; and

WHEREAS, the City presently has in effect ordinances affecting the use of residential property as bed and breakfast establishments, which it deems akin to short-term rental properties, but without the oversight of the owners on site to ensure the safety of the guests and the neighboring properties; and

WHEREAS, Council hereby wishes to adopt a new, comprehensive set of ordinances to address the concerns of the long-term residents of the community, to protect the quality of life for long-term residents, to preserve the availability and affordability of housing stock for long-term residents, and to protect the peace, health, safety, and welfare of both guests and residents within the City; and

WHEREAS, as set forth in Section 9 of the Avon Lake City Charter, this Council has the authority to codify new ordinances of the City as Council may determine necessary; and

WHEREAS, this Council determines that this Ordinance is necessary for the preservation of the public health, safety, morals, convenience, and the general welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That Council hereby creates a new Chapter 1484 Short-Term Rental Properties as may hereby be amended from time to time in accordance with

the recommendations of the Council and/or the Building Department and/or public safety.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees, which resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

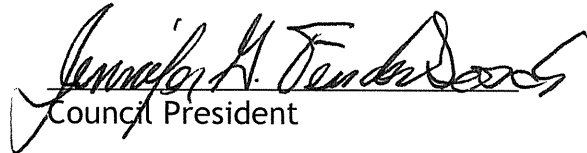
Section No. 3: That this Ordinance is hereby declared to be an emergency measure, the emergency being the immediate preservation of the public health, safety, and welfare of the public. Therefore, this Ordinance shall be in full force and effect from and immediately after passage and approval by the Mayor.

1st reading: 10/14/2025

2nd reading: 10/27/2025

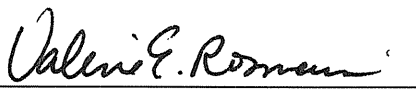
3rd reading:

PASSED: 11/24/2025


Council President

POSTED: 11/26/2025

APPROVED: 11/25/2025

ATTEST: 
Clerk of Council


Mayor

CHAPTER 1484

Short-Term Rental Property

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1484.01 PURPOSE.

The purpose and intent of this Chapter is to regulate the peace, health, safety, and wellness of the public, including the Owners, Transient Guests, and neighboring property owners or occupants of any Short-Term Rental Property; to ensure the continued vibrancy, character, and charm of the City of Avon Lake as a community; to protect and preserve the quality, character, and tranquility of residential neighborhoods; to protect property values, and to preserve the availability of affordable housing stock for permanent residents of the City of Avon Lake.

1484.02 SHORT-TERM RENTAL REGISTRATION CERTIFICATE.

(a) Required. Effective November 25, 2025, the City created a Short-Term Rental Property Registration System for the City of Avon Lake that requires an Owner of Short-Term Rental Property to register with the City on an annual basis each and every individual Short-Term Rental Property in the City.

(1) Beginning on the effective date of this Ordinance, every Short-Term Rental Property must be issued a Short-Term Rental Registration Certificate before being used, advertised, promoted, offered, listed with a Hosting Platform, or otherwise made available for use as Short-Term Rental Property. It shall be prima facie evidence of use as a Short-Term Rental

Property if a Transient Guest is found to be occupying a Residential Premises or the Residential Premises is advertised on a Hosting Platform.

(2) All Short-Term Rental Property must be in full compliance at all times with all applicable provisions of the Codified Ordinances of the City of Avon Lake.

(b) Each Short-Term Rental Property must display the Short-Term Rental Registration Certificate at a conspicuous place inside the property.

(1) No Owner of a Short-Term Rental Property shall allow a Short-Term Rental Property to be used, advertised, promoted, offered, listed or made available for use to Transient Guests if the Short-Term Rental Registration Certificate has been suspended, revoked, or denied, nor shall an Owner display a Short-Term Rental Registration Certificate that has expired or been suspended, revoked, denied, altered, or defaced.

(2) No person shall make a Short-Term Rental Property available for use by Transient Guests if such Short-Term Rental Property is in violation of any applicable provision of the City of Avon Lake's health code, building code, zoning regulations, or any covenant, condition, or restriction enacted in accordance with Chapter 5312 of the Ohio Revised Code, if applicable.

(c) Issuance.

(1) The Application for a Short-Term Rental Registration Certificate required by this Chapter shall be made by an Owner by supplying the information required on the Application supplied by the Administration and agreeing to comply with all requirements of this Chapter. Applications may be submitted at any time, subject to the limitations and restrictions set forth in **1484.03**.

(2) A Short-Term Rental Registration Certificate shall not be issued to an Owner unless the Owner or an Authorized Representative can arrive at and access the Short-Term Rental Property within one (1) hour whenever such property is being used by a Transient Guest.

(3) Upon submission of the Application (or renewal Application), the Administration shall schedule a Life Safety Inspection, in accordance with Section **1484.06** of these Codified Ordinances, of the Residential Premises prior to issuing or renewing a Short-Term Rental Registration Certificate.

(4) No Short-Term Rental Registration Certificate shall be issued or renewed until the Administration completes a Life Safety Inspection of the Residential Premises and

determines that the Residential Premises complies with all applicable health, building, and safety codes and the requirements of this Chapter.

(5) After the Life Safety Inspection is completed and the Residential Premises is found to be in full compliance with all applicable building, health, and safety codes, the Administration shall issue or renew a Short-Term Rental Registration Certificate for such Residential Premises which shall contain the following information:

- A. the name, email address, and telephone number of the Owner or Authorized Representative responsible for maintenance of the Short-Term Rental Property and ensuring compliance with this Chapter;
- B. the address of the Short-Term Rental Property;
- C. the expiration date of the Short-Term Rental Registration Certificate; and
- D. the maximum occupancy of the Short-Term Rental Property.

(6) Upon obtaining a Short-Term Rental Registration Certificate, the Owner shall comply with the provisions of this Chapter.

(d) Notwithstanding any contrary provision of this Chapter, any Short-Term Rental Occupancy Certificate that expires, is revoked, or becomes invalid for any reason is not assignable nor renewable and shall require a new Application for use as a Short-Term Rental Property for all purposes under this Chapter.

(e) Limitations on Assignment. Except as otherwise provided in Section **1484.08**, a Short-Term Rental Registration Certificate may not be sold, transferred, or assigned to any property other than the Short-Term Rental Property for which it was issued.

(f) Term. A Short-Term Rental Registration Certificate issued pursuant to this chapter shall be valid for twelve (12) months from the date the Short-Term Rental Registration Certificate is issued or until revoked in accordance with **1484.02(d)** of the Codified Ordinance.

1484.03 LIMITATIONS ON SHORT-TERM RENTAL PROPERTIES.

(a) Beginning on the effective date of this Ordinance, there shall be no more than one (1) Short-Term Rental Property per 1000 feet, measured at the property lines or 6 parcels, whichever is greater.

(1) Subsection (a) of this Section shall not apply to invalidate or cancel any otherwise lawfully existing Short-Term Rental Property that was in existence prior to the effective

date of this Section provided that such properties comply with all other applicable provisions of this Chapter.

(2) Until such time as the density of Short-Term Rental Properties falls below the restrictions set forth in this Section, no new Applications for Short-Term Rental Certificates will be processed for properties which would otherwise violate this Section.

(b) Subject to limitations found elsewhere in this Chapter, Renewal Applications shall continue to be accepted and Short-Term Rental Registration Certificates issued in accordance with Section **1484.02** provided that the Application for a Renewal Short-Term Rental Certificate is submitted to the Administration before the expiration of the existing Short-Term Rental Registration Certificate.

(c) No Short-Term Rental Property which had a Short-Term Rental Registration Certificate revoked under Sections **1484.02(d)(3)-(6)** shall be eligible for issuance of a Short-Term Rental Registration Certificate for a period of two (2) years from the date of revocation unless a change in ownership or control of the Residential Premises has occurred, as determined by the Administration in its reasonable discretion.

1484.04 FEES.

All fees set forth in this Chapter shall be approved and adopted by City Council in accordance with the City's Charter and the Codified Ordinances. The effective date of any changes to such fees shall be in accordance with **Chapter II, Section 9 of the Charter** unless a different date is set forth in the adopting Ordinance.

1484.05 OWNER RESPONSIBILITIES.

(a) In addition to general requirements that all Short-Term Rental Property be in full compliance with all applicable laws, statutes, regulations, and ordinances, the following additional responsibilities are applicable to an Owner of Short-Term Rental Property:

(1) The Owner of every Short-Term Rental Property shall be responsible for the maintenance thereof in good repair and in a safe and sanitary condition in compliance with the applicable requirements of **Part Fourteen** of the Codified Ordinances and the requirements established by the City administratively.

(2) The Owner shall prepare and maintain a parking plan to designate off-street parking for the use of all vehicles associated with the Short-Term Rental Property in accordance with **Chapter 1234** of the Codified Ordinances.

(3) The Owner or Authorized Representative shall be required to be physically present in person at the Short-Term Rental Property within sixty (60) minutes of any notification by a member of law enforcement, the fire department, or emergency assistance of any kind relating to a Call for Service to the Short-Term Rental Property.

(4) The Owner shall provide proof of procurement and maintenance of general liability and premises liability insurance for the Short-Term Rental Property as may be periodically requested by the Administration, which insurance(s) shall meet all of the following requirements:

A. Provide coverage of not less than One Million Dollars (\$1,000,000) and issued in accordance with Chapter 3902 of the Ohio Revised Code.

B. Provide notice of cancellation of insurance to the Administration at least ten (10) days prior to cancellation.

(5) Failure to maintain insurance required by this section shall result in a revocation of the Short-Term Rental Registration Certificate.

(b) Records.

(1) The Owner or Authorized Representative shall maintain a registry of Transient Guests for a period of at least three (3) years from the date such Transient Guests occupied the Short-Term Rental Property which shall include the following:

A. The name and address of the persons who entered into the rental agreement for use of the Short-Term Rental Property;

B. The date(s) each such Transient Guest had use or occupancy of the Short-Term Rental Property;

C. The number of persons scheduled to stay for the night of the Rental Period; and

D. The rate charged per each rental period.

(2) The Owner or Authorized Representative shall provide the records required by this section upon request by a member of law enforcement, the Administration, or in accordance with any lawful order issued by a Court or tribunal having jurisdiction thereof.

(3) The Owner or Authorized Representative shall be deemed to comply with this provision if such records are kept and maintained by a Hosting Platform which is identified and disclosed to the City on the initial Application or any renewal Application.

(c) No Owner shall lease a Short-Term Rental Property to a Transient Guest if the Transient Guest's use of the Short-Term Rental Property would violate Section 2950.034 of the Ohio Revised Code.

1484.06 INSPECTIONS.

(a) License Issuance and Renewal Inspections:

(1) Prior to issuing or renewing a Short-Term Rental Registration Certificate, or in the event of the transfer and assignment of a valid a Short-Term Rental Registration Certificate, the Administration shall conduct a Life Safety Inspection of the Residential Premises within fourteen (14) days from the date the Application is received by the City (or in the event a waiting list is maintained by the Administration pursuant to Section **1484.03(b)**, within fourteen (14) days of when the Owner is notified by the Administration that the new Application is being considered).

(2) Within fourteen (14) days of completing a Life Safety Inspection, an Inspection Report shall be issued to the Owner of the Short-Term Rental Property.

(3) The Administration shall maintain a copy of the Life Safety Inspection Report for each Short-Term Rental Property for a period of three (3) years. Copies of all reports of Life Safety Inspections shall be made available to the public in accordance with **§149.43** of the Ohio Revised Code.

(b) Violations enumerated in the Inspection Report shall be abated by the Owner of the Short-Term Rental Property within thirty (30) days from the date of the Inspection Report. A reinspection shall be required to verify that the violations have been corrected. The Owner of the Short-Term Rental Property shall contact the Administration to schedule the required reinspection, which shall occur within forty-five (45) days from the date the Inspection Report is issued. A reinspection fee set in accordance with Section **1484.04** shall be paid at the time a reinspection is scheduled.

(c) Failure to correct any violations contained within the Inspection Report within thirty (30) days from the date of the Inspection Report shall constitute a violation of this chapter and may result in the revocation of a Short-Term Rental Registration Certificate and/or penalties or other legal action in accordance with Section **1484.99**.

(d) Failure to permit a reinspection of the Short-Term Rental Property within forty-five (45) days of the date of the Inspection Report shall constitute a violation of this chapter and may result in the revocation of the Short-Term Rental Registration Certificate and/or penalties or other legal action in accordance with Section **1484.99**.

(e) Upon display of the proper credentials, any member of the Administration, law enforcement, fire department, emergency assistance, or public health official shall be permitted to inspect the Short-Term Rental Property to ensure compliance with this Chapter.

(1) In the event access to Short-Term Rental Property is refused, an officer or employee of the entity requesting to inspect the Short-Term Rental Property may, with the assistance of the Law Director, obtain an administrative warrant from a court of competent jurisdiction in order to gain access to the property.

(2) In the event an administrative warrant cannot be obtained, then the inspection shall include only those items which can be inspected by lawful means. This chapter shall not be construed to require an Owner, Authorized Representative, or occupant to consent to a warrantless inspection of private property.

(3) A repeated failure to permit inspection may be cause for revocation of the Short-Term Rental Registration Certificate.

1484.07 REVOCATION OR LAPSE.

The Administration shall revoke a Short-Term Rental Registration Certificate for any of the following:

- (a) the Owner provides any material misrepresentation of fact on the Application;
- (b) the Short-Term Rental Registration Certificate is not timely renewed;
- (c) noncompliance with the requirements of this Chapter;
- (d) failure to correct any deficiency identified in the Inspection Report within thirty (30) days of the date the Inspection Report is issued;
- (e) failure to collect and remit taxes required by Chapter 886 of the Codified Ordinances;
- (f) upon a determination by a Court of competent jurisdiction that the Short-Term Rental Property has become a nuisance pursuant to Chapter 662 of the Codified Ordinances or other controlling Ohio law.

1484.08 CHANGE OF OWNERSHIP OR CONTROL.

- (a) Any person selling or otherwise relinquishing ownership or control of a Short-Term Rental Property, including an Authorized Representative or Owner, shall notify the Administration of the proposed effective date of the change in ownership or control.
- (b) In order to transfer and assign a valid Short-Term Rental Registration Certificate, the Owner and holder of the Short-Term Rental Registration Certificate shall notify the Administration of the change in ownership and control. The notice required by this section shall be in writing and shall include the following:
- (1) the name, address, email address, and telephone number of the new Authorized Representative or Owner;
 - (2) the name, address, email address and telephone number of the previous Authorized Representative or Owner;
 - (3) the person or entity maintaining the records required to be maintained by Section 1484.05(e).
 - (4) the effective date of such change in ownership or control.
- (c) Within fourteen (14) days of acquiring the Short-Term Rental Property (as evidenced by the new Owner receiving recorded legal title to same), the new Owner shall complete an Application for purposes of the new Owner acknowledging the rights, duties and obligations of an Owner under this Chapter, including permitting the Administration to conduct a Life Safety Inspection in accordance with Section **1484.06** of this Chapter. The new Owner shall be required to pay a reinspection fee in accordance with the Codified Ordinances of the City.
- (d) A failure to notify the Administration in accordance with this Section within fourteen (14) calendar days of any change of ownership or control (as evidenced by the new Owner receiving recorded legal title to same) will result in a violation of this Chapter and a revocation of the Short-Term Rental Registration Certificate and/or penalties or other legal action in accordance with Section **1484.99**.

1484.09 HOSTING PLATFORMS.

- (a) Listing, Advertising, or Promoting. No Hosting Platform shall list, advertise, promote, or accept reservations for any Short-Term Rental Property within the City of Avon Lake that does not have a Short-Term Rental Registration Certificate. Upon notification by the Administration that the Short-

Term Rental Registration Certificate has expired or been revoked, the Hosting Platform shall remove or deactivate that Short-Term Rental Property from all listings, advertisements, or promotions of any kind within three (3) business days.

(b) Records Required. To the extent the Hosting Platforms collects the information required to be kept and maintained by an Owner or Authorized Representative in accordance pursuant to Section **1484.05(b)** of this Chapter, it shall maintain such information for a period of three (3) years for all Short-Term Rental Properties that are leased to Transient Guests through such Hosting Platform, and shall provide such records upon request in accordance with Section **1484.05(b)**.

(c) Taxation. All Hosting Platforms are subject to taxation in accordance with **Chapter 886** of the Codified Ordinances.

1484.10 HEARING AND APPEALS.

Subject to Section **1484.03**, any person who has been denied, or refused a Short-Term Rental Registration Certificate, or whose Short-Term Rental Registration Certificate has been revoked pursuant to Section **1484.02(d)** may appeal such decision to the Lorain County Court of Common Pleas as provided in Section 2506.01 of the Ohio Revised Code.

1484.11 SEVERABILITY.

The provisions of these regulations shall be severable and should any section or provision of these regulations be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

1484.12 ENFORCEMENT.

No person shall violate any provision of this chapter or any rule or regulation promulgated thereunder or fail to comply therewith or with any written notice or written order issued thereunder by the Administration.

1484.13 NOTICE OF VIOLATIONS

- (a) Upon discovery of a violation of this Chapter, the Administration shall issue a written notice of the violation to the Owner.
- (b) The notice required in this Section shall be delivered by one or more of the following methods:
- (1) certified mail delivery (return receipt requested), which shall be deemed effective as of the date of receipt identified on the return receipt or as noted by the U.S. Postal Service;
 - (2) courier service, which shall be deemed effective as of the date of receipt as identified by the courier service;
 - (3) hand or personal delivery, which shall be effective when delivered to an adult at the Owner's address;
 - (4) facsimile delivery, which shall be is effective when the facsimile transmission has been transmitted to the facsimile number provided for that purpose and the Administration has received confirmation of the facsimile transmission;
 - (5) electronic mail delivery is effective when the electronic mail has been sent to the Owner's electronic mail address without notice of rejection of message.
- (c) It is not a defense to any subsequent enforcement action that the notice provided by the Administration was not actually delivered to the Owner provided that one of the methods of delivery set forth in Section **1484.13(b)** was attempted in good faith by the Administration but was not accomplished through no fault of the Administration.

1484.98 DEFINITIONS.

As used in this chapter:

- (a) "Application" means the submission of all information required by this Chapter, and payment of the required fees, for registering a Residential Premises as new Short-Term Rental Property or to obtain a Renewal Short-Term Rental Certificate. For avoidance of doubt, a new Short-Term Rental Property shall be considered a Short-Term Rental Property for which the Owner of has failed to maintain a valid or renewable Short-Term Rental Registration Certificate.
- (b) "Authorized Representative" means any individual, person, firm, partnership, corporation or company, other than an Owner, acting on behalf of an Owner of a Short-Term Rental Property responsible for ensuring compliance with all provisions of this Chapter and registered as the Owner's Authorized Representative with the Administration.

(1) For purposes of this Chapter, actions taken by an Authorized Representative acting on behalf of the Owner shall have the same legal force and effect as if such acts were taken by the Owner.

(2) No Owner shall be absolved of individual liability solely on the basis that acts were taken by an Authorized Representative and not the Owner.

(c) “Administration” shall mean and refer to the administrative body of the City of Avon Lake.

(d) “Hosting Platform” means any person or entity in any form, format, or media that, in exchange for a fee, assists, facilitates, or provides a means through which an Owner may offer Residential Premises as Short-Term Rental Property and through which a Transient Guest can arrange use of a Short-Term Rental Property, whether the payment for the use of the Short-Term Rental Property is directly to the Owner or to the Hosting Platform.

(e) “Inspection Report” means the report issued by the Department containing the results of the Life Safety Inspection.

(f) “Life Safety Inspection” means that inspection performed by the Department prior to issuing or renewing a Short-Term Rental Registration Certificate, which may include but is not limited to the following:

- (1) Check for and test smoke detectors and carbon monoxide detectors;
- (2) Check for removal of and receptacles for all refuse, garbage and debris;
- (3) Check for presence of accessible dry chemical fire extinguishers of a minimum 5-lb. ABC class;
- (4) Confirm that a map denoting emergency evacuation routes is posted in a clearly conspicuous location.
- (5) Determine maximum occupancy for overnight Transient Guests which shall be limited to:

A. Two (2) persons per Residential Premises plus;

B. Two (2) persons per bedroom as designated in compliance with the Residential Code of Ohio.

(g) “Owner” means an individual, corporation, firm, partnership, association, organization, or any other person or entity (jointly or in combination) who has legal title to a Residential Premises. For purpose of this Chapter, an Owner includes anyone possessing a fee simple interest, vendee interest in a land contract, an estate for life or for years, in the Residential Premises including

through a trust instrument or other conveyance of real property, or otherwise entitled to have legal or equitable title to real property registered in accordance with Sections 5309.05 or 5309.42 of the Ohio Revised Code.

(h) "Renewal Short-Term Rental Certificate" means the Short-Term Rental Registration Certificate issued to a Residential Premises that was previously identified as a Short-Term Rental Property if the Application is approved prior to the date of expiration identified on the Short-Term Rental Registration Certificate.

(i) "Residential Premises" means any building; or the part of a building consisting of a self-contained, residential living space that is used or intended to be used by one (1) or more persons for overnight accommodations, including any adjacent or attached structures, grounds, areas, and facilities for the use of such persons. For purposes of this Chapter, a Residential Premises shall include at least one room containing a toilet, shower/tub, and sink, a separate area for preparing and consuming food for the use of the persons using that specific residential living space, and at least one (1) means of ingress and egress outside of the building or (in the case of a multi-family dwelling) into the common area of that building containing the residential living space. For purposes of this Chapter, any residential premises capable of being rented out as separate living spaces to unrelated persons shall each constitute a separate Residential Premises and may not be combined under a single Certificate.

(j) "Transient Guest" means each person who, in exchange for money or other financial compensation, leases, rents, or otherwise occupies Residential Premises for fewer than thirty (30) consecutive days.

(k) "Short-Term Rental Registration Certificate" means the certificate issued with respect to a Short-Term Rental Property evidencing compliance with the requirements of this Chapter.

(l) "Short-Term Rental Property" means any Residential Premises being utilized or otherwise made available to a Transient Guest within the City, if such Residential Premises is used by or made available to a Transient Guest for a period in excess of a combined period of thirty (30) days in any calendar year. "Short-Term Rental Property" does not include any Residential Premises which is the primary residence of the Owner if such Residential Premises is not occupied or made available to a Transient Guest in excess of a combined period of thirty (30) days in a calendar year. For purposes of this section, "made available" means each date the Short-Term Rental Property is listed or advertised on a Hosting Platform as being available for use or rent by Transient Guests.

1484.99 PENALTY; LEGAL ACTION.

(a) Except as otherwise expressly provided for elsewhere under the Codified Ordinances or the Ohio Revised Code, whoever violates any provision of this chapter or any rule or regulation promulgated thereunder or fails to comply therewith or with any written notice or written order issued thereunder shall be guilty of a first degree misdemeanor and subject to a fine of not less than five hundred dollars (\$500.00) or a maximum imprisonment term of six (6) months or both. Each day that such violation exists shall constitute a separate and distinct offense. Multiple violations can occur during a single guest stay and may be noticed and heard in a single action.

(b) The imposition of any penalty as provided for in this chapter shall not preclude the City from instituting an appropriate action or proceeding in a court of proper jurisdiction to prevent an unlawful use of property, require repair or maintenance, restrain, correct or abate a violation, prevent the occupancy of a Residential Premises, declare a property a nuisance in accordance with Chapter 662 of the Codified Ordinances, revoke a Short-Term Rental Registration Certificate, or to require compliance with the provisions of this chapter or other applicable laws, ordinances, rules or regulations.