

“SHORT TERM RENTAL PROCESS”

**VILLAGE OF GRAND BEACH
COUNTY OF BERRIEN
STATE OF MICHIGAN**

RESOLUTION NO. 2014-03

At a Regular Meeting of the Village Council of the Village of Grand Beach, County of Berrien, State of Michigan, held in the Village Hall, 48200 Perkins Blvd., Grand Beach, Michigan on the 20th day of August, A.D., 2014, at 7:30 o'clock p.m., Eastern Daylight Time.

PRESENT: Council Members James Bracewell, Paul Leonard Jr., Deborah Lindley, Kaye Moriarty and Blake O'Halloran.

ABSENT: None.

The following preamble and resolution were offered by Council Member Paul Leonard Jr., supported by Council Member Kaye Moriarty.

RESOLUTION

WHEREAS, the Village of Grand Beach (“Village”) has experienced a significant increase in rental complaints involving excessive noise, trash, occupancy, parking and other nuisances. To insure the protection of the health, safety and “quality of life” of Village residents and to maintain property values in our residential neighborhoods, the Village has determined it appropriate to regulate the rental of residential dwellings, and

WHEREAS, the Village Zoning Ordinance provides that short term rentals (less than one year) are only permitted as a special land use in our strictly residential zoning districts and that owners shall be liable for the conduct of their tenants. Article XII of the Zoning Ordinance sets out the requirements to obtain a special land use permit, and

WHEREAS, the Village primarily relies upon citizen complaints to investigate and prosecute rental violations where appropriate.

NOW THEREFORE BE IT RESOLVED that the Village of Grand Beach hereby adopts the following Short Term Rental Special Land Use Process;

Short Term Rental Special Land Use Process

In the event the Village receives a complaint(s) involving a rental home and confirms that the home is being rented, the Village will require the owner to apply for a special land use rental permit as required by the Zoning Ordinance to continue to rent the dwelling.

Registration:

Owners of rental dwellings registering the rental property with the Village shall do so on an application form provided by the Village. At the time an application is filed, a registration and/or inspection fee in an amount established from time to time by the Village Council shall be paid in full.

The Registration application shall include:

- a. Address of the rental dwelling.
- b. Name, residence address, business address, business phone number, personal phone number, and email address of the owner, and property manager or local agent.
- c. Proposed number of occupants.

Registration shall be effective for three (3) years. Changes in registration information require re-registration within thirty (30) days.

Certification:

The Village shall issue a Certificate of Compliance when, following an inspection by the building inspector/ zoning administrator and/or his designee, it is determined the rental dwelling complies with the requirements herein.

The Certificate shall be valid for three (3) years. It may be revoked upon findings that the property fails to comply with Rental Permit conditions and/or for violations of the Village's codes and ordinances, or other applicable laws and regulations.

Inspections:

Before issuing a Certificate of Compliance, the Village shall inspect a rental dwelling to determine whether it is in compliance with the Village's codes and ordinances, the 2012 International Property Maintenance Code, and other applicable laws and regulations. Upon written notice from the Village, it shall be the owner's responsibility to schedule and allow the Village's inspection of the rental dwelling.

If the inspection reveals that the dwelling is not in compliance, the owner will be provided with a written list of deficiencies or violations that must be corrected before a rental permit is issued. An additional inspection fee may be incurred for follow-up inspections.

The Village may conduct additional inspections as it deems necessary, upon reasonable notice such as when (i) a complaint is filed with the Village, and (ii) the Village otherwise has reasonable cause to believe a dwelling is in violation of any Village ordinance or other applicable laws and regulations.

Records:

The owner or local agent shall obtain and maintain a document signed by the person responsible for renting the dwelling acknowledging the occupancy limit of the rental property, certifying the number of persons who will be occupying the property and acknowledging Village regulations applicable to the rental property.

Each tenant shall sign a document acknowledging the occupancy limit and Village regulations applicable to the rental property, which document shall be maintained by the owner or local agent for inspection and copying by the Village. Compliance may be achieved by inclusion of the required information into a rental agreement (lease) signed by each tenant.

The owner or local agent shall obtain and maintain for Village inspection and copying the name, address and other contact information of each tenant/occupant.

Display of Applicable Ordinances:

The owner or local agent shall prominently display a full-size copy of the Certificate of Compliance, and a full-size copy of applicable Village ordinance sections including, but not limited to, trash, noise, occupancy and parking requirements.

Rental Permit:

Following registration, inspection and issuance of a Certificate of Compliance, the Planning Commission and Council will complete the Special Land Use process of Article XII of the Zoning Ordinance, including a public hearing with appropriate notice, and determine whether to approve a Rental Permit.

Revocation:

Rental permits may be revoked and rentals shall cease if rental permit conditions are not complied with or violations of Village or other applicable laws or regulations occur.

In the event there is a violation, and a second violation occurs within 12 months, the Permit will be revoked until re-issue by the Village; if a third violation occurs within 12 months, the Permit will be revoked for not less than one year.

Permit revocation will be determined by the Village Council with opportunity for hearing.

AYES: James Bracewell, Paul Leonard Jr., Deborah Lindley and Kaye Moriarty.

NAYS: Blake O'Halloran.

ABSTAIN: None.

RESOLUTION DECLARED ADOPTED.

MARY J. ROBERTSON, Village Clerk

CERTIFICATION

I, MARY J. ROBERTSON, duly appointed Village Clerk in and for the Village of Grand Beach, County of Berrien, State of Michigan, do certify that the foregoing Resolution is a true and exact copy of a Resolution adopted by the Village Council during its regular meeting, held August 20, 2014, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the Minutes of said meeting were kept and will be or have been made available as required by said Act.

Village Clerk

MARY J. ROBERTSON,