

109-3.48 - SHORT-TERM RENTAL REQUIREMENTS

(a) **Definitions.** For purposes of this Section the following definitions shall apply:

Bedroom: A room intended for sleeping or placement of a bed, separated from other spaces in the dwelling or dwelling unit by one or more functional doors. Spaces or rooms that shall not be included as bedrooms for the purposes of determining occupancy are kitchens, dining areas, and gathering spaces such as family rooms, dens, recreation rooms, or living rooms.

Local agent: An individual designated to oversee the short-term rental of a dwelling unit in accordance with this article and to respond to calls from renters, concerned citizens, and Township officials. The local agent shall live or maintain a physical place of business within 45 miles of the dwelling unit used for short-term rentals. A property owner of the short-term rental dwelling unit who meets these criteria may be the local agent.

Occupant: An individual at least 24 months of age who is living in, sleeping in, or otherwise having possession of a space. An individual present in a dwelling unit during the term of a short-term rental shall be presumed to be an occupant unless circumstances clearly indicate that the individual is visiting between the hours of 8:00 a.m. and 11:00 p.m., and is not an overnight guest.

Short-term rental: The rental of a lawfully existing dwelling unit for compensation for a term of two nights to 29 nights. However, the rental of the following facilities shall not be considered short-term rentals:

- (1) Lawfully operating bed and breakfast establishments;
- (2) Lawfully operating hotels and motels;
- (3) Transitional housing operated by a charitable organization;
- (4) Group homes such as nursing homes, assisted living facilities, adult foster care homes, substance-abuse rehabilitation clinics, mental-health facilities, and other similar group home or health related facilities.

Short-term rental term: The duration of a rental contract, including any sublease, with a renter or group of renters. A rental term shall be deemed to end when a complete turnover in occupancy occurs in the dwelling or dwelling unit, or when the occupants of the short-term rental vacate the dwelling or dwelling unit as required by the short-term rental contract.

(b) **Permit Required.**

- (1) Prior to establishing a short-term rental operation, the property owner shall obtain a written short-term rental permit from the Township Zoning Administrator. In order to obtain the permit, the property owner shall submit the following information on an application provided by the Township. Conducting a short-term rental operation without this permit is prohibited.
- (2) *Application Information.*
 - i. Applicant contact information (property owner or local agent).
 - ii. Owner information if different from applicant.
 - iii. Address of dwelling unit.
 - iv. Number of dwelling units in structure.
 - v. Number of bedrooms in each dwelling unit for which registration is being sought.
 - vi. Number of off-street parking spaces available for each short-term rental and a drawing of the property showing the location and dimensions of the parking area.
 - vii. Maximum number of occupants the applicant intends to occupy the short-term rental.
 - viii. Length of typical rental term.
 - ix. A written statement certifying that each bedroom has a working smoke alarm, working carbon monoxide meter on each floor, and that the owner or local agent will ensure that these devices are in proper working order every 90 days.

- x. A statement certifying that the applicant consents to inspections by Pere Marquette Charter Township or a designee of the Township upon request.
 - xi. Additional information as may be required by the Zoning Administrator.
- (3) *Issuance of Permit.* Upon the submission of a completed application and an inspection of the premises by the Zoning Administrator, the Zoning Administrator shall issue a short-term rental permit provided all applicable requirements of this Section have been met. The permit remains valid as long as the property owner complies with the requirements of this Section. A future property owner shall be required to obtain a new permit.
- (4) *Short-term Rental Regulations.*
- i. *Local agent required.* Each dwelling unit registered as a short-term rental shall have a designated local agent.
 - ii. *Contact information posted in window.* A notice shall be posted in a prominent first-floor window of any dwelling unit registered for short-term rental stating in at least 16-point font the name of the local agent; a 24-hour telephone number by which the agent may be reached; and the maximum occupancy of the dwelling unit as permitted by this Ordinance.
 - iii. *Street address posted within dwelling unit.* The street address of the property shall be posted in at least two prominent places within the dwelling unit in order to assist occupants in directing emergency service personnel in the event of an emergency. The address shall additionally be posted near any pool, hot tub, and spa available for use by occupants of the short-term rental.
 - iv. *Code of Ordinances posted within dwelling unit.* The owner or local agent of each Short-term rental shall prominently display or otherwise make available a copy of applicable Pere Marquette Charter Township Code of Ordinance sections including, but not limited to, noise, trash, parking, fireworks, and controlled substances.
 - v. *Maximum occupancy.* The number of total occupants in a dwelling unit registered as a short-term rental shall not exceed the lesser of:
 - a. Sixteen total occupants; or
 - b. Two occupants per bedroom plus two additional occupants per finished story meeting the applicable egress requirements for occupancy in the Michigan Construction Code, the Michigan Residential Code, and all applicable State of Michigan and local fire codes.
 - c. An attic or basement shall not be included for the purposes of determining maximum occupancy for a short-term rental dwelling or dwelling unit, unless the owner or local agent provides written consent to Township officials to inspect the premises, in order to verify whether the attic or basement meets the applicable egress requirements for occupancy in the Michigan Construction Code, the Michigan Residential Code, and all applicable State of Michigan and local fire codes.
 - vi. *Smoke detectors and carbon monoxide detectors required.* Each dwelling unit registered as a short-term rental shall have installed and shall maintain the following:
 - a. Operational approved smoke detectors in each bedroom, which shall be tested a minimum of every 90 days to ensure proper function.
 - b. Operational approved carbon monoxide detectors meeting the requirements of MCL 125.1504 installed on each floor, which shall be tested a minimum of every 90 days to ensure proper function.
 - vii. *Parking.* Off-street parking for each short-term rental shall be required as follows:
 - a. Two spaces per each dwelling or dwelling unit which are approved for up to six occupants.
 - b. One additional space for every three occupants, or every fraction of three occupants, approved over six occupants per dwelling or dwelling unit.
 - c. Off-street parking for a short-term rental shall be provided as required by this Section, regardless if the existing off-street parking provided for the dwelling or dwelling unit is lawfully nonconforming.

- d. Each short-term rental use shall have direct access to an adjacent public or private street.
 - viii. *Signs.* Signs for Short-term rentals shall only be as permitted by the sign regulations adopted by Pere Marquette Charter Township for the zoning district in which the short-term rental is located.
 - ix. *Fireworks.* Fireworks used on the premises of a registered short-term rental dwelling shall be subject to all State of Michigan and local regulations and restrictions.
- (5) *Short-term Rental Uses Permitted in Certain Zoning Districts.* Short-term rental uses are permitted in the following zoning districts:
- i. *A/R, Agricultural Residential District;*
 - ii. *Epworth Heights Resort Residential District.*

(Ord. No. 144, 8-13-2019)