

Section 325 Short-Term Rentals (STR)

a. Intent.

1. It is in the public interest to preserve and retain the residential community character of residential districts of the City;
2. It is in the public interest that short-term rentals (STR) permitted by this ordinance resemble and be in harmony with existing and/or traditional residential uses made by resident owners and lessees.
3. Allowing short-term rentals is in the public interest because doing so increases the number and type of lodging facilities available to members of the public.
4. It is in the public interest to limit the number of short-term rentals available in the City so that rentals that are not short-term rentals continue to be available to members of the public.

b. Applicability. All requirements of this Ordinance are in addition to any other applicable requirements, regulations, and/or standards imposed in other ordinances of the City of Munising, the County of Alger, and laws of the State of Michigan including, without limitation, applicable building and fire codes and applicable health and sanitation regulations.

c. Definitions Specific to Short-Term Rentals:

1. Local Contact Person. A property manager, owner, or agent of the owner who is at least 18 years of age and available to respond to concerns of a citizen, a tenant, a neighbor, the City Police Department, and/or City administrative personnel 24 hours a day, seven days a week, and who resides in the short-term rental property or not more than twenty-five (25) road miles from the short-term rental property. This person shall have full access to the short-term rental property and full authority to make and implement decisions about the property, remedial, managerial, or otherwise.
2. Operator. The person in control of a short-term rental property, and legally responsible for the property, be it owner, lessee, mortgagee in possession, licensee, rental agent, or other agent. In any situation where a question exists as to who the operator of a short-term rental property is, the owner is deemed to be the operator.
3. Owner. The person or entity that holds legal or equitable title to the property used as a short-term rental.
4. Bedroom. A bedroom is defined as a space, not smaller than 100 square feet, with four walls, a heat run, an egress window, and a door.

d. Regulations Pertaining to Short-Term Rentals. All short-term rental properties must comply with the following regulations:

1. All short-term rental space must be located entirely within the dwelling unit identified in the site plan referred to in subsection 2 and not in a recreational vehicle, camper, tent or other temporary structure.
2. If a property identified with a property tax identification number has more than one standalone building housing a dwelling unit or dwelling units located upon it, and if the owner of that property intends to use more than one such structure as a short-term rental, on either a simultaneous or alternating basis, the owner shall submit a site plan for and obtain a SRT permit for each structure to be so used. A property identified with a property tax identification number having only one building with a dwelling unit or dwelling units located upon it need only submit a site plan for and obtain one STR permit for the building and dwelling unit or units.
3. A STR Permit shall not be granted for any building with more than four dwelling

- units in it and the operator of any building with more than four dwelling units in it shall not use any of the dwelling units as a Short-term rental.
4. The operator of a short-term rental shall appoint a local contact person. The name, address, telephone number, and email address of this person shall be provided to the City of Munising, all neighbors within 300 feet of the short-term rental property, and shall be posted prominently in the short-term rental. An operator or owner can be a local contact person.
 5. The operator or owner of a short-term rental shall provide parking for the short-term rental that complies with Article 4, Division 1, Off-Street Parking, of this ordinance; provided, however, that all such parking shall be off-street and located entirely within the boundaries of the property upon which the short-term rental is operated.
 6. Occupancy of a short-term rental is limited to not more than the number of bedrooms in the short-term rental unit multiplied by 3.
 7. Outdoor events, such as yard parties and weddings, are limited to the number of allowed occupants of the short-term rental.
 8. The operator shall keep complete, legible copies of City ordinances addressing the following matters in the short-term rental, make them readily available to tenants, and provide tenants with notice that the City will enforce violations of these ordinances against the tenant, operator, or owner, as is appropriate: Animals, Snowmobiles and Off Road Vehicles, Noise, Open Burning, and Blight.
 9. The operator shall post phone numbers for the following emergency service providers in a prominent place in the Short-term Rental: 911, Munising Memorial Hospital, Alger County Sheriff's Department, Michigan State Police, Munising City Police.
 10. The exterior and grounds of the short-term rental shall be maintained in a manner that is harmonious and compatible with the character of the other buildings in the district and neighborhood where the short-term rental is located so that, from the exterior and grounds, it is not readily apparent that a short-term rental is being operated on the property.
 11. Overhead, flood-type yard lighting of a short-term rental is prohibited; provided, however, that safety lighting at entranceways, in character with other residential lighting in the neighborhood where the short-term rental is located, is not prohibited.
 12. Signs advertising the property as a short-term rental are prohibited.
 13. Any violation of State or County Building Codes, State or County Fire Codes, the City of Munising Water and Sewer Ordinance, or health and sanitation rules and regulations of the Luce, Mackinac, Alger, Schoolcraft District Health Department shall be a violation of this ordinance.
 14. An applicant for a STR Permit shall file a site plan with the City. Site plans shall include a floor plan of the short-term rental showing room sizes and uses, showing all exterior exits, including lawful egress windows, and identifying and locating all fire extinguishers, carbon monoxide detector (s), smoke detectors, and exit signs in the short-term rental. Additionally, the location of the printed Ordinances noted in Subsection d, 3, and emergency contact information noted in Subsection d, 9, shall be noted on the plan. The plan must be approved by the City.
 15. The operator of any short-term rental that exists on the effective date of this ordinance shall file a site plan that complies with subsection 2 and demonstrates the short-term rental property complies with this ordinance within 90 days of the effective date of this ordinance. The annual STR permit fee will also be due within

90 days. Not filing such a site plan within that time frame is a violation of this ordinance.

16. Providing false or intentionally providing misleading information on a site plan filed with the City pursuant to this ordinance is a violation of this ordinance.
17. By January 31st of each year, the operator or the owner of a property currently permitted under the City of Munising Zoning Ordinance as a short-term rental shall notify City, via the STR Permit Renewal form, that the property will, or will not, be used as a short-term rental for that calendar year. If the operator or owner does not use the property as a short-term rental each year, any STR permit issued for the property shall expire without further action by City.
18. The street address or fire number assigned to the property where a short-term rental operates shall appear in all advertising for the short-term rental.
19. Short-Term Rental Properties in the City will be limited to the districts and permitted numbers presented in the following table:

District	Permitted Number of STRs
Commercial	5
Downtown	Unlimited
Highland One	5
Highland Two	5
Lakefront Commercial	Unlimited
Lakeshore One	0
Lakeshore Two	0
Light Industrial	5
Heavy Industrial	0
Rural Residential IBZ	0
Residential One	0
Residential Two	0
Transitional	15
Public Lands	0

Once permit limits have been achieved, a chronological waiting list will be established and maintained by the City. To be included on the waiting list, owners are required to submit a STR Wait List Application to City Hall.

- e. **Application and Fee Requirements.** An operator seeking a STR permit under this section shall submit a completed STR application to City Hall and pay the required fee, which shall be determined from time to time by resolution of the City Council. The fee schedule adopted by the City Council may include an enhanced fee for dwelling units found to have been operating as unpermitted short-term rentals in violation of this section. The application shall include proof of ownership of, or the legal right to rent a dwelling unit, contact information for the owner and the operator (if different from the owner), and all information reasonably necessary for the City to determine whether the applicable standards for approval have been met. The Planning Commission may approve the form and content of the application by resolution.
- f. **STR Permit Approval.** The Planning Commission will be responsible for approving STR permits. A Planning Commission Public Hearing with associated public comment is required in order for the Planning Commission to render approval or denial of a STR

permit.

g. Permit.

1. Duration. A STR permit will be valid from the date of issue through the end of that calendar year.
2. Renewal. A STR permit must be renewed annually in January, via the City's STR Permit renewal form, an annual renewal fee is required. The annual fee shall be determined from time to time by resolution of the City Council.
3. Transferability. A permit may not be transferred from one dwelling unit to another.
4. Ownership transfer of permit. A permit may not be transferred or assigned to any third party except heirs and assigns, and the permit shall be void upon transfer of ownership of the property where the short-term rental use is located. Upon change of ownership, the new owner must apply for a new permit within 30 days of the change of ownership in order for short-term rental use activity to be authorized and continue on the property, otherwise the new owner must apply for a short-term rental pursuant to this Ordinance and be subject to any waitlist that may be instituted for the zoning district involved, with the new owner being placed at the bottom of any applicable waitlist

h. Penalties. Penalties for violation of this ordinance are provided for in Article 2, Division 2, of the City of Munising Zoning Ordinance. For purposes of expansion and clarification, the following apply to any violation of this ordinance:

1. The requirements of Section 325(d) of this Ordinance are hereby deemed to be additional "conditions pertaining to the granting of the permit" and "conditions set by the Planning Commission" for purposes of Article 5, Division 4, violation of which may thereby result in revocation of a STR Permit.
2. For any short-term rental operating pursuant to a STR permit issued under the City of Munising Zoning Ordinance, as an additional penalty for any third violation of this ordinance in the same calendar year the Planning Commission shall revoke the STR Permit.
3. A short-term rental operated in violation of this ordinance is "maintained" in violation of Article 6, section 14, of the City of Munising Zoning Ordinance. The City Police Department is authorized to issue civil infraction violation citations under this ordinance and the City Attorney is authorized to prosecute those civil infraction citations.
4. The operator and the owner of a STR property are jointly and severally liable for civil fines, costs, and other sanctions resulting from violations of this ordinance.

i. Severability. If any Section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, that declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Date introduced: _____

Date adopted: _____

Date published: _____

Date effective: _____

Signature by the City Clerk: _____