Section 325 STRs (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 STRs 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 STRs available in the City so that rentals that are not STRs 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 STRs:
    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 STR property or not more than twenty-five (25) road miles from the STR property. This person shall have full access to the STR property and full authority to make and implement decisions about the property, remedial, managerial, or otherwise.
    2. Operator. The person in control of a STR 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 STR 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 STR.
    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 STRs. All STR properties must comply with the following regulations:
    1. All STR 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 more than one STR is operated on property that has more than one dwelling unit, each STR must be permitted individually and will be treated individually by the City. For example, each STR must be permitted using a separate SRT Permit Application; each STR will have a separate annual fee and associated paperwork.

3. The operator of a STR 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 STR property, and shall be posted prominently in the STR. An operator or owner can be a local contact person.
4. The operator or owner of a STR 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 STR is operated.
5. Occupancy of a STR is limited to not more than the number of bedrooms in the STR unit multiplied by 3.
6. Outdoor events, such as yard parties and weddings, are limited to the number of allowed occupants of the STR.
7. The operator shall keep complete, legible copies of City ordinances addressing the following matters in the STR, 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: Snowmobiles and Off-Road Vehicles, Noise, Open Burning, and Blight.
8. The operator shall post phone numbers for the following emergency service providers in a prominent place in the STR: 911, Munising Memorial Hospital, Alger County Sheriff's Department, Michigan State Police, Munising City Police.
9. The exterior and grounds of the STR 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 STR is located so that, from the exterior and grounds, it is not readily apparent that a STR is being operated on the property.
10. Overhead, flood-type yard lighting of a STR is prohibited; provided, however, that safety lighting at entranceways, in character with other residential lighting in the neighborhood where the STR is located, is not prohibited.
11. 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.
12. An applicant for a STR Permit shall file a site plan with the City. Site plans shall include a floor plan of the STR 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 STR. 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.
13. The operator of any STR that exists on the effective date of this ordinance shall file a site plan that complies with subsection 2 and demonstrates the STR 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.

14. 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.
15. 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 STR 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 STR each year, any STR permit issued for the property shall expire without further action by City.
16. The street address or fire number assigned to the property where a STR operates shall appear in all advertising for the STR.
17. STR 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 STRs 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 STR permit issued to the owner for a specific property and may not be transferred or assigned to any third party, except as provided in this section. Upon change of ownership of a permitted STR, the permit may transfer to the new owner by submitting the following within thirty (30) days after the change of ownership:

        (i) a completed STR application;
        (ii) a $100 transfer fee in lieu of the STR application fee; and
        (iii) proof of ownership.

        If the new owner does not submit a complete application within thirty (30) days after the change of ownership, the permit shall be void, and STR use shall cease. The new owner must then apply as a new STR under this Ordinance and shall be subject to any waitlist applicable to the zoning district and be placed at the bottom of the waitlist.

        Heirs and assigns of a permit holder, including transfers to a trust, an entity wholly owned by the permit holder, or a family member, are subject to the same notice requirements.

h. Violations and Penalties. A violation of this Ordinance is a municipal civil infraction.
    1. A person who violates any provision of this Zoning Ordinance, or any other applicable local, state, or federal regulation in connection with the ownership or the use of a STR, may be responsible for a municipal civil infraction. Each day on which any violation of this Zoning Ordinance continues may constitute a separate offense and be subject to penalties as a separate offense. Nothing in this Ordinance shall be construed as limiting the ability to apply greater penalties if a greater penalty is set forth in the Ordinance being violated.

    2. Tenants and Occupants of STRs are subject to the City’s Ordinances while using a STR, including but not limited to

noise, fireworks, trash, and parking.

3. The STR owner shall be responsible for any and all fines associated with activities at the STR property in the event the Tenant and/or Occupants fail to pay said fines; a failure of the Licensee to pay an unpaid Tenant and/or Occupant fine is a violation of this Ordinance. A license will not be renewed unless all fines relating to the property are paid.

4. STR owners are responsible for violations of this Ordinance, including, without limitation, such items as false or misleading statements in the registration process, a STR Local Agent not responding to a complaint/call within the specified time period, and advertising and/or hosting greater occupancy than permissible.

5. If a STR Permit holder is in default to the City of Munising, the license may be revoked. If revoked, the STR owner may apply to be placed on the waiting list.

6. STR licenses may be revoked in the following manner: (a) The first violation shall result in a written warning to the Licensee; (b) A second violation shall result in a fine to the STR owner as set forth by City Council via resolution; and (c) A third violation shall result in revocation of the license. A minimum 14-day notice will be given to the STR owner for any revocation. As of one day following the notice of the third violation, no additional bookings may be made of the rental through the year-end.

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: _____

Fines/Penalties – To be published in the City Fee Schedule

Operation of Unpermitted Short-Term Rental - $500 per day

Permitted Short-Term Rental Ordinance Violations - $250 per day