

Short Term Rentals – Draft (Non- Text Amendment Ordinance form)

Section 22 Short Term Rentals

This section is intended to protect and promote the health, safety, and welfare of all the citizens of Bois Blanc Township, as well as those visiting the area, by requiring the licensing of Short Term Rentals within the Township. The Township wishes to preserve and retain the residential community character of the Township. It is the intent of Bois Blanc Township to make Short Term Rental activity permitted through this section resemble the existing traditional residential uses made by resident owners and lessees. Short Term Rentals provide a community benefit by expanding the number and type of lodging facilities available, however the transient nature of occupants of Short Term Rentals makes continued enforcement regarding the occupants difficult. The provisions of this section are necessary to prevent the continued burden placed upon Township services and impacts on residential neighborhoods posed by Short Term Rental properties.

- 1. Permitted Districts.** Short Term Rentals shall be a permitted use in any zoning district in which a single-family dwelling is allowed, subject to issuance of a Short Term Rental permit and compliance with all requirements of this Section.
- 2. Definitions.** For the purposes of this Section only, the following terms shall be defined as follows:
 - A. Dwelling Unit:** A building or portion of a building, either site-built or pre-manufactured which has sleeping, living, cooking and sanitary facilities and can accommodate one family, either permanently or transiently. In the case of buildings, which are occupied in part, the portion occupied shall be considered a dwelling unit, provided it is in conformance with the criteria for dwellings. In no case shall a travel trailer, truck, bus, motor home, tent or other such portable structures be considered a dwelling unit.
 - B. Local contact person.** A local property manager, owner, or agent of the owner, who is over the age of 18 and available to respond to tenant and neighborhood questions or concern, and authorized by the owner to take remedial action and respond to any violation of this ordinance. The local contact person shall have a place of residence within the geographical limits of the Township.
 - C. Operator.** The person who is proprietor of a property (or portion thereof) used for a Short Term Rental whether in the capacity of owner, managing agent, lessee, mortgagee in possession, licensee, or any other capacity.
 - D. Owner.** The person or entity that holds legal or equitable title to the property (or portion thereof) used as a Short Term Rental.
 - E. Parking space.** An onsite designated parking area legally available to the dwelling unit for overnight parking of a motorized vehicle or trailer.
 - F. Person.** An individual, a group of individuals, or an association, firm, partnership, corporation, or other public or private entity.
 - G. Roadway.** All public and private roads, streets, road ends, access easements, and

alleys.

- H. **Short Term Rental.** The use of renting a dwelling unit for a period of time less than thirty (30) consecutive calendar days. Short Term Rental does not include a bed and breakfast, hotel, motel, or resort permitted and operated in accordance with the Bois Blanc Township Zoning Ordinance.

3. Short Term Rental Standards

All Short Term Rentals must meet the following standards:

- A. Any dwelling unit utilized as a Short Term Rental shall require a Short Term Rental permit.
- B. All lodging on a property with a Short Term Rental permit is to be within the dwelling unit and not in an accessory building, accessory dwelling unit, or any other structure or cover.
- C. All parking associated with a Short Term Rental property shall be out of the roadway and entirely on-site, in a garage, driveway or other designated area.
- D. The owner or operator of a Short Term Rental property shall maintain running water and a functioning septic system or sewer connection in the dwelling.
- E. The number of guests shall not exceed two (2) times the number of bedrooms in the dwelling unit, unless the applicant can show that the dwelling unit is suited to accommodate more guests. If the Supervisor or his/her designee finds that the applicant has proved that the dwelling unit is suited, he/she may at his/her sole discretion, allow additional guests.
- F. The owner or local contact person shall be available to respond to emergencies, issues, questions or concerns, of the guest, the Township, or another person or entity that may need to address a person with authority to take remedial action and respond to any violation of this section, or other matters.
- G. Any pets that may be staying at a Short Term Rental property must be in compliance with Mackinac County Animal Control Ordinance. Bois Blanc Township is not responsible for enforcing the ordinances of Mackinac County, however any verified citations by Mackinac County may be taken into consideration in the application approval process and the renewal process.

4. Application for Short Term Rental Permit

- A. Application information required:
 - 1. The name, address, telephone number, and email address of the owner of the proposed short-term rental, and of the applicant, if different than the owner.
 - 2. Documentation signed by the owner granting authority to the applicant to act on behalf of the owner to make application for the short-term rental permit on the owner's behalf.
 - 3. The name, address, telephone number, and email address of a local contact person, if different than the owner.

4. The address and parcel tax ID number of the proposed Short Term rental property.
 5. Proof of ownership or authority to use (deed, land contract, lease agreement) along with a list of any rules or restrictions applicable to the proposed Short Term rental property.
 6. Site plan of proposed Short Term rental property (may be hand-drawn and must include the measured dimensions) indicating property lines, floor plan drawing of the dwelling unit including the number of bedrooms intended to be occupied, building's driveway, parking area, drain field location and docks (if applicable).
 7. The proposed maximum occupancy of the Short Term rental.
- B. Application fee. The application shall be accompanied by an application fee as established by resolution and set forth by the Township Board.

5. Permits.

- A. Number of Permits Issued. The total number of permits issued for Short Term Rentals in Bois Blanc Township shall be limited to fifty (50). No permit shall be issued to a property that will not be made available for rent. A permit shall be revoked by the Township Supervisor if the Supervisor determines that the permit was not obtained in good faith and the dwelling was not made available for rent.
- B. Standards for Approval. The Township Supervisor, or his/her designee, shall approve, or approve with conditions, an application for a Short Term Rental permit only upon finding that the application fee has been paid, no taxes are delinquent, all required information has been provided by the applicant, and the information shows that the proposed property complies with all of the standards provided in Section 6.01.22.3.
- C. Permit duration and renewal.
1. A Short Term rental permit shall be issued for a period of one calendar year at which time that permit shall expire.
 2. An existing Short Term rental permit may be renewed, subject to the exception provided in subsection 5C3 herein, each year if reapplication (with updated information) is made and the fee is paid prior to thirty (30) days of the expiration of the applicant's current permit.
 3. An existing Short Term Rental permit may not be renewed for a period of not less than two (2) years if the permit holder, or the property owner, has been issued a citation for violation of any Bois Blanc Township Ordinance, including this Zoning Ordinance, relating to use of the property. In the event a property is not permitted to renew a Short Term Rental permit, a new application for Short Term Rental use of the property may be made as if the applicant is making application for the first time.
- D. Any new Short Term rental shall be registered within 30 days of occupancy by the Owner. Following initial registration, the Township may arrange for inspection of the Short Term rental and upon successful inspection and the payment of any applicable fee, will issue a rental certificate of compliance as permitted by this Ordinance.
- E. The Owner of a Short Term rental in existence prior to the adoption of this Ordinance

shall register the Short Term rental no later than four months after the effective date of this Ordinance or October 31, 2025, whichever is later. Following, the Township may arrange for inspection of the Short Term rental and upon successful inspection and the payment of any applicable fee, will issue a rental certificate of compliance as permitted by this Ordinance.

- F. Transferability. A Short Term Rental permit may not be transferred from one dwelling unit to another dwelling unit, nor may it be transferred to a new owner of the property.

6. Enforcement, Revocation and Appeals.

Revocation of Permit. The Township may revoke the Short Term Rental permit for any dwelling unit which is the site or subject of at least three (3) separate violations of any Ordinance. Upon determination by the Township Supervisor that the permit of a dwelling unit is subject to revocation, pursuant this Section, the Supervisor shall issue written notice by certified mail to the Owner or Operator, to the address listed on the application, informing them that the Township intends to revoke the permit. The Owner, Managing Agent, or Operator may, within thirty (30) days from the date of the notice, request a hearing before the Bois Blanc Township Board of Trustees to show cause as to why the permit should not be revoked. If a hearing is requested, the Township Supervisor or his/her designee shall notify the Owner or Operator of the time and place of the hearing. At the hearing, the Owner or Operator may present evidence that the violations of this Ordinance were due to or caused by extraordinary circumstances. The Township Board of Trustees may, in its discretion, reverse the determination of the Township Supervisor to revoke the permit by a majority vote.