

Richfield Township
Short-Term Rental Ordinance
Ordinance No. 71

An Ordinance enacted under 1945 PA 246, as amended, to protect the public health, safety, and general welfare of persons and property in Richfield Township by the licensing and regulation of Short-Term Rentals, to provide procedures for the suspension and revocation of Short-Term Rental Licenses, and to provide for the enforcement and civil penalties for violations of this Ordinance.

Richfield Township, Roscommon County, Michigan, Ordains:

Section 1. Purpose: This Ordinance is intended to protect the public health, safety, and general welfare of persons and property by requiring the licensing of Short-Term Rentals within the Township. This Ordinance is also intended to protect the integrity, permanence, non-transience, and other essential single-family qualities of residential neighborhoods composed primarily of single-family dwellings.

Section 2. Applicability: This Ordinance requires any person who desires to operate a Short-Term Rental within the Township to obtain a license under the terms and conditions of this Ordinance.

Section 3. Definitions:

A. Bedroom. A separate room intended for sleeping or placement of a bed, separated from other spaces in the Dwelling Unit by one or more functional doors. A kitchen, dining area, gathering space, attic, or basement shall not be considered a bedroom, with the exception of basements or attics with separate egress meeting the standards of the applicable building, residential, and fire codes.

B. Boarding, Lodging and Rooming Houses. A building other than a hotel where lodging, meals, or both are offered for compensation.

C. Dwelling. A building containing one or more Dwelling Units.

D. Dwelling Unit. A self-contained unit within a building that is designed for human occupancy and provides complete living facilities, including permanent provisions for sleeping, eating, cooking, and sanitation. A Dwelling Unit shall not include an adult motel, bed and breakfast, cabin court, hotel or motel, and lodging house as those terms are defined and regulated under the Township Zoning Ordinance.

E. Immediate Neighbors. The Owners and/or Occupants of property that are contiguous to the premises on which the Short-Term Rental is located and the property that is separated from the premises on which the short-Term Rental is located by a public or private road.

For the purpose of this definition, a property is separated from the premises on which the Short-Term Rental is located by a public or private road if any portion of the property, as measured between the property's side lot lines as extended to the center of the road, is contiguous with the premises on which the Short-Term Rental is located, as measured between the premises' side lot lines as extended to the center of the road.

F. License. A Short-Term Rental License issued pursuant to the terms of this Ordinance, valid for a period of one (1) year from the date of issue.

G. License Holder. The person or entity applying for and receiving a Short-Term Rental License from the Township.

H. Local Contact. An individual designated to oversee the Short-Term Rental of a Dwelling Unit in accordance with this Ordinance.

I. Occupant. An individual of at least 24 months of age who is living in, sleeping in, or otherwise in possession of a Dwelling or Dwelling Unit. 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 a Visitor as defined by this Ordinance.

J. Owner. Any person or entity holding legal, beneficial or equitable title to the premises (or portion thereof) used as a Short-Term Rental.

K. Short-Term Rental. The commercial rental of a Dwelling Unit for a period of time from 1 to 29 nights. This does not include approved Bed and Breakfast establishments, hotels, motels, tenant housing or campgrounds.

L. Special Event. A temporary, short-term use of land or structures such as outdoor parties, lawn parties, weddings, family reunions, bachelor/bachelorette parties and receptions.

M. Township. Richfield Township.

N. Visitor. An individual visiting a Short-Term Rental between the hours of 8 am and 11 pm, who will not stay overnight. A Visitor shall not be considered an Occupant.

Section 4. Registration and Licensing Required: No person or entity shall engage in the Short-Term Rental of any property without first registering that property as a Short-Term Rental with the Township and obtaining the License required by this Ordinance. Only an Owner shall be permitted to be a License Holder under this Ordinance.

Section 5. Application: A Dwelling Unit shall be considered registered, and a License allowing a Short-Term Rental may be issued by the designated Township official, upon an Owner providing an application containing the following information:

A. The name, address, telephone numbers (home, work, or cell phone) and email address of the Owner of the proposed Short-Term Rental.

B. If the Owner of the proposed Short-Term Rental does not desire to be the Local Contact as defined in this Ordinance, then the written designation of Local Contact by the Owner, including the name, address, telephone numbers (home, work, or cell phone) and email address of the Local Contact shall be provided.

C. The address of the proposed Short-Term Rental.

D. Parcel Identification Number for the proposed Short-Term Rental.

E. Proof of Ownership such as indicated on Property Tax bill or Deed.

F. Any deed restrictions or use limitations in the subdivision covenants and restrictions or the condominium master deed and/or bylaws applicable to the Short-Term Rental.

G. A floor plan drawing of the proposed Short-Term Rental will be located that includes the number of Bedrooms intended to be occupied as part of the Short-Term Rental.

H. A drawing of the premises on which the Short-Term Rental will be located that includes all buildings on the premises and driveways.

I. The maximum number of Occupants to which the Owner intends to rent the Dwelling Unit in any given rental period.

J. An application fee of \$20. Fee may be updated by Township Board Resolution as needed.

K. An annual license fee of \$120 payable by January 1st. Initial license shall be prorated monthly from date of application through December 31st. Fee may be updated by the Township Board Resolution as needed.

L. Short-Term Rental Ownership is limited to not more than 4 Dwelling Units per Owner within Richfield Township.

Section 6. Regulations: All Short-Term Rentals shall at all times comply with the following requirements and conditions. Failure to abide by any of these requirements or conditions may result in the revocation of a License, and may be considered grounds to deny or deny renewal of a License in the future:

A. The maximum occupancy for any Dwelling is two (2) Occupants per Bedroom plus two (2) additional Occupants unless a lower or higher number can be justified. The use of campers, recreational vehicles, tents, or other temporary dwellings to provide additional occupancy on the premises is not permitted. Occupants may have Visitors.

B. The Short-Term Rental shall not be used for Special Events as defined by this Ordinance.

C. Motor vehicles, boats, and trailers shall be legally parked and not impede other vehicular traffic.

D. All pets shall be confined on the property or on a leash at all times. Any pet that causes frequent or long-continued noise shall constitute a violation of the Township Public Disturbance and Public Nuisance Ordinance and this Ordinance.

E. All Dwellings and Dwelling Units available for Short-Term Rental are subject to the requirements of all township ordinances, including without limitation the Township Zoning Ordinance. In the event of a conflict between this Ordinance and any other ordinance, the more restrictive regulation shall apply.

F. Short-Term Rental units shall not include Boarding, Lodging or Rooming Houses.

Section 7. Local Contact Regulations.

A. All Dwelling Units available for Short-Term Rentals shall have a designated Local Contact.

B. A Local Contact is responsible for responding to calls from Occupants, Visitors, and Township representatives including Public Safety Department 24-hours per day, every day of the week, including holidays.

C. A Local Contact must reside within 60 miles of the Dwelling Unit used for Short-Term Rentals and shall have a key to the Dwelling and be capable of being physically present on the property within 90 minutes of being informed of an issue.

D. An Owner meeting the criteria of this section may be a Local Contact.

Section 8. Required Postings: All Dwellings available for Short-Term Rental shall post the following information in a prominent location near the front door of the Dwelling:

A. The name of the Local Contact and a 24-hour telephone number at which the Local Contact can be reached,

B. The name of the Owner and a 24-hour telephone number at which the Owner can be reached.

C. Emergency telephone numbers and the street address of the Dwelling, in order to assist Occupants and Visitors in directing emergency service personnel in the event of an emergency.

D. The maximum occupancy of the Dwelling Unit as permitted by this Ordinance.

E. The web page address for Richfield Township Ordinances for Public Nuisance, Golf Cart use, Blight, Roscommon County ORV Ordinance and Michigan Fireworks Ordinance.

F. In addition, the Owner or Local Contact must mail or deliver the name and 24-hour telephone number of the Owner to all adjoining property owners of the Dwelling.

Section 9. Safety Requirements:

A. No Dwelling Unit may be located in a basement or attic, unless the Owner can demonstrate compliance with all applicable building, fire, and residential codes.

B. The street numbers of the Short-Term Rental shall be affixed to the Dwelling in minimum 4-inch numbers clearly visible from the street and on both sides of the mailbox if available.

C. A fire escape plan shall be developed and graphically displayed in each bedroom of a Dwelling Unit available for rent.

D. The Owner shall install and maintain an operational smoke detector in each bedroom and shall further install and maintain at least one carbon monoxide device of the type described in MCL 125.1504 on each floor. These devices shall be tested at least once every 6 months to ensure that they are operational. The Owner shall maintain a log of all testing and maintenance activity, which shall be produced to the township fire chief upon request.

E. A standard first-aid kit shall be provided with each Dwelling Unit and shall be located in a prominent area. The Owner shall be responsible for ensuring this kit is regularly stocked.

F. A UL Approved ABC fire extinguisher shall be provided for each stove, oven, or other source of flame. No less than one (1) fire extinguisher shall be provided for each Dwelling Unit. All fire extinguishers shall be housed in a clearly visible location.

Section 10. Penalties: Any Owner who is notified of a violation(s) of the provisions of this Ordinance shall have 14 days to correct said violation and notify the township. If violation(s) are not corrected the Owner is deemed responsible for a municipal civil infraction and subject to a civil penalty of \$500.00 for each violation of this Ordinance, as well as the Township’s fees and costs in enforcing the Ordinance as permitted by law. Each day after the 14 days that the violation(s) continue shall be considered a separate violation penalty. In addition, violation(s) of this Ordinance may be grounds for revocation of the License if not resolved within 30 days of notification. This Section shall not be construed as precluding the Township from enforcing this Ordinance in any other manner authorized by law, including without limitation, the commencement of a civil action for injunctive or other relief.

Section 11. Revocation: Upon a determination by the Township’s Code Enforcement Officer that an Owner, Dwelling, or Dwelling Unit has an unresolved violation(s) of this Ordinance for 30 days or more, he or she shall notify the property Owner and the Local Contact that the Owner’s License has been suspended. This notice shall also inform the Owner of his or her right to appear at a hearing before the Township Board to show cause as to why the License should be reinstated. An application to such a hearing must be made within 14 days of the notice being served. At the hearing, the Owner shall be permitted the opportunity to demonstrate that the Code Enforcement Officer’s initial determination was erroneous, or that a violation was due to extenuating circumstances outside the Owner’s control that could not be reasonably anticipated and prevented. For purposes of this Section, extenuating circumstances do not include the acts of Occupants or their Visitors. Upon revocation, a Dwelling Unit cannot be re-registered or licensed for a period of one (1) year and cannot be used for Short-Term Rentals until re-registered and licensed.

Section 12. Severability. If a court of competent jurisdiction finds any provision, clause, or portion of this Ordinance to be invalid, the balance or remainder of this Ordinance shall remain valid and in full force and effect.

Section 13. Effective Date: This Ordinance shall become effective 30 days following publication.

Section 14. Repeal: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

At a Regular Meeting held on April 16, 2024, motion to adopt Ordinance 71. Effective date July 1, 2024.

Motion by _____

2nd by _____

Ayes: _____

Nays: _____

Absent: _____

PROCEDURAL CHECKLIST

Date of Passage of Ordinance: _____, 2024

Members Voting Aye:

Members Voting Nay:

Absent:

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Date of Publication of the Ordinance: _____

Newspaper in which publication was made: _____

STATE OF MICHIGAN

COUNTY OF ROSCOMMON

I, the undersigned, being the duly elected, qualified and acting Clerk of the Township of Richfield, County of Roscommon, and State of Michigan, do hereby certify that the foregoing ordinance was duly adopted by the Township Board of the Township of Richfield as hereinabove set forth and that said Ordinance was duly published on the date indicated above by the insertion of a true copy thereof in the Houghton Lake Resorter, which is a duly qualified newspaper circulating within the Township of Richfield.

In Testimony Whereof, I have hereunto set my hand this _____ day of _____, 2024