

Rock River Township Rental Ordinance

An Ordinance to regulate rental of dwellings within Rock River Township.

Section 1 Title

This Ordinance shall be known and cited as the Rock River Township Rental Ordinance.

Section 2 Purpose

The purpose of this ordinance shall be to provide for and protect the public health, safety and welfare of persons within Rock River Township by establishing regulations pertaining to rental of dwelling units within Rock River Township and to provide for penalties for the violation of this ordinance.

Section 3 Definitions

For the purpose of this ordinance, the following definitions shall be used:

Word or Phrase Definition

Owner / Agent: Property owner and/or designated agent for the property where a registered rental dwelling is located.

Dwelling Unit: A structure with one or more rooms including bathroom, bedroom, and kitchen facilities designed as a self-contained unit for occupancy by one family for living, cooking and sleeping purposes. A dwelling unit does not include recreational vehicles or tents.

This definition does not include bed and breakfasts, campgrounds, group day care facilities, group day care homes, hospitals, hotels, mobile homes in mobile home parks, mobile home parks, nursing homes or vacation resorts.

Section 4 Registration

The Township will use the registration of rental dwellings as an effective resource to promote responsible property management and provide a tool for prompt contact with Owner / Agents from police, fire, emergency and other government personnel when issues or emergencies develop.

The annual registration is used to update Owner / Agent information, remove a sold property, remove registered rentals or add a newly acquired property as a rental.

Section 5 Registration Requirements

General requirements of rental dwelling registrations are as follows:

- The Owner / Agent must provide current owner and management company information, including email addresses, contact numbers, and alternate contact numbers on the registration form.
- An alternate contact must be designated on the registration form to respond to calls from police, fire, emergency and other government personnel when attempts to contact the owner / agent have failed or

the Owner / Agent is unavailable to respond in a timely manner. The designated alternate contact person must be located in the Township or within twenty – five (25) miles of the Township’s boundaries.

- The Owner / Agent must maintain a current list of the rental occupants. Upon request by police, fire, emergency and other government personnel, the owner / agent is required to present the list of occupants to the requesting agency.
- Incomplete or inaccurate information submitted on a registration application will result in denial of the registration application.
- A new Owner / Agent of a rental property must register the property within thirty (30) days following execution of any deed, land contract or other instrument conveying an ownership interest in the property.
- An Owner / Agent must notify the Township when a rental ceases to operate; otherwise, the property will be considered in rental status.
- The Owner / Agent must provide a copy of the latest version of the Township Information document to anyone renting the property. It is suggested that the owner maintain proof of delivery of the Township Information document to the renter.

Section 6 Registration Renewal

The renewal of rental property registration will occur annually between March 1 and April 30. A rental dwelling's Owner / Agent must submit a current and accurate registration of the rental property to the Township annually. The Owner / Agent must also update the Township registration record if the rental is removed, the property is sold, or the property is acquired through a purchase or transfer.

A renewal form will be sent to the last known address of the property owner prior to the start of registration period to ensure timely completion of the renewal form. For that reason, it is crucial that any changes of ownership or mailing address be reported to the Township to ensure receipt of a correct renewal notice.

Section 7 Prohibition

Any person who rents or offers to rent a property dwelling without first applying and registering the property as required in Section 5 of this Ordinance will be subject to a civil penalty as indicated in Section 8 of this Ordinance.

No Owner / Agent will be permitted to re-register a property if the Owner / Agent, rental occupant(s) or guests of either are found responsible for three violations of Rock River Township Ordinances, state law, or any combination thereof, occurring at the property as a result of three separate incidents within the previous registration year.

No Owner / Agent will be permitted to operate more than two (2) short term rental dwelling units within Rock River Township.

Rock River Township Zoning Administrator will send written notification to the Owner / Agent by ordinary first-class mail following an alleged Ordinance violation occurring at the property. It will be the responsibility of the Owner / Agent to request additional information, if desired, regarding the

disposition or outcome of each alleged Ordinance violation occurring at the property. It is unlawful to rent, receive rental income from, or offer to rent a dwelling on a property within the Township's boundaries without first registering the property, unless exempted below.

The following are exempted from the registration requirement:

- Bed & breakfast
- Campground
- Group day care facility
- Group day care home
- Hospital
- Hotel / motel
- Mobile home in a mobile home park
- Mobile home park
- Nursing home
- Vacation Resort

Section 8 Penalty

An Owner / Agent who violates this Ordinance shall be responsible for a municipal civil infraction and shall pay a fine of not more than two hundred fifty dollars (\$250.00) for each violation plus costs. Each business day during which a violation occurs or continues shall be deemed a separate offense and incur an additional fifty-dollar (\$50) penalty.

An Owner / Agent of any Registered Rental Property at which three violations of Rock River Township Ordinances, state law, or any combination thereof, occurs within the previous registration period, as set forth in Section 7, shall be responsible for a municipal civil infraction, shall pay a fine of not more than two hundred fifty dollars (\$250.00) for each violation plus costs, and shall be prohibited from re-registering the property as a rental dwelling for a period of not less than one year.

The Township may also seek injunctive relief against all persons or entities who violate this Ordinance, and such other relief as may be available by law or equity, and which may include but shall not be limited to an order requiring, prohibiting, suspending, or revoking the registration or re-registration of a rental dwelling.

Section 9 Enforcement

This Ordinance shall be administered, enforced, and citations for violation issued by the Rock River Township Zoning Administrator.

Section 10 Severability

The phrases, sentences, sections and provisions of this Ordinance are severable and the finding that any portion hereof is unconstitutional or otherwise unenforceable shall not detract from or affect the enforceability of the remainder of this Ordinance.

Section 11 Repeal

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 12 Effective Date

This Ordinance shall take effect on effect immediately upon publication.

Rental Dwelling Unit Standard Conditions for Short and Long-Term Rental Conditional Use Permit (CUP)

The Planning Commission shall use the following standards and conditions when considering a Rental Dwelling Unit (short term or long term).

General Conditions:

1. Applicant shall obtain ALL other permits necessary before rental use may begin.
2. The rental may not violate any deed restrictions attached to the property involved in the request.
3. Rental property shall meet the standards defined in the Township Zoning Ordinance and all requirements outlined in the Alger County Building Codes. Failure to do so will result in a violation and could result in the CUP being voided.
4. The proposed rental is compliant with all other applicable federal, state, and local statutes, regulations and ordinances. CUP may be revoked if it is found that the rental is in violation of any statute, ordinance, law, or regulation.
5. The Township must be notified when the rental ceases to operate; otherwise, the property will be in rental status.
6. The Township will make the rental property address, property owner and alternate contact information publicly available via the Township website.
7. Owner and/or Agents are permitted no more than two rental dwellings within Rock River Township.
 - a. One rental dwelling unit is permitted on a lot that is at least two times the minimum lot area for applicable district.
 - b. Two rental dwelling units are permitted on a lot that is at least three times the minimum lot area for the applicable district.

Property Conditions

These must be addressed in CUP application and noted in site plan.

1. The minimum size of the rental dwelling unit is 480 square feet.
2. The rental dwelling unit will comply with all setback requirements of the principal structure. A site plan must show the rental unit as located on a minimum lot size parcel of that district meeting the required setback requirements.
3. There shall be one ingress/egress point from the public road to the rental dwelling unit. However, the Planning Commission may authorize separate access points; any need for multiple access points should be noted on the site plan and the rationale explained.
4. The rental dwelling unit may be accessory to a principal single-family dwelling and fees may be charged for the accommodation provided.
5. The rental dwelling unit must comply with Section 804 General Standards of the Rock River Township Zoning Ordinance.
6. Occupancy limits, ADA compliance, minimum egress, and other factors under jurisdiction of County Building Codes shall conform to County codes. Compliance shall be verified by RRT ZA prior to commencement of rentals.
7. Parking must be sufficient for the number of vehicles anticipated and must be situated so as not to interfere with privacy of neighbors.

8. Application must address methods used to minimize visual and auditory disturbance to neighbors, e.g., situating rental units behind a green buffer or constructed barrier or fence.

Rental and Management Conditions

1. The rental dwelling unit Owner must designate him/herself or an Agent as the primary contact to assume responsibility for maintaining and adhering to the conditions delineated in the CUP and must provide full contact information for emergencies. An alternate person and their contact information must be provided to be used in the event of the primary contact being unavailable.
2. The Owner or designated Agent must be always reachable that the property is rented in order to address any disturbance or immediate breach of CUP conditions. The agent and alternate contact cannot be the property owner or property owners' spouse and must live within 25 miles of the Township's boundaries. Owner, designated Agent, or alternate contact must be available for immediate response regarding issues of fire, septic/sewage malfunction, trash violation, noise violation, fireworks violation, violence or crime.
3. Quiet hours shall be established (10:00 pm-7:00 am).
4. No fireworks shall be allowed (except as allowed under Michigan law)
5. Outdoor burning must take place ONLY in a designated and properly placed fire pit or chiminea, ONLY under direct adult supervision, and ONLY when burning is not prohibited by the Michigan DNR due to adverse conditions.
6. Good Visitor Guidelines as prepared by the Planning Commission and enforced by the Zoning Administrator shall be provided to each rental group and be posted in the rental unit. Good Visitor Guidelines should remind renters that:
 - a. Quiet hours must be adhered to, with noise and comings and goings kept to a minimum at that time.
 - b. The rental unit may be operating in a residential neighborhood and neighbors may not be vacationing.
 - c. The rental unit may be operating in an agricultural area, necessary agricultural activities may take place that are protected under the Michigan Right to Farm Act (Public act 93 of the public acts of 1981), and livestock and cultivated crops MUST not be harassed or damaged.
 - d. The neighboring property owners may contact the Owner or local agent, Sheriff's Department, and/or Zoning Administrator to report issues relating to the property, and this may result in rental privileges being terminated.
7. CUPs shall be assessed and renewed annually in April prior to the summer rental season. If a rental has received three verified and unresolved complaints on three separate days in the previous rental season, the CUP shall be revoked. A new application and permit fee will be necessary in order to consider putting the property back into rental status.
8. Revocation Procedure – Upon determination by the Zoning Administrator that the permit is subject to revocation, the following procedures shall be in effect:
 - i. The Zoning Administrator shall issue a notice to the property owner and local agent, in writing, through certified mail, that the Township intends to revoke the permit.

- ii. The property owner or local agent may request a hearing before the Township Board within fourteen (14) days of service of the notice to show cause as to why the short-term rental permit should not be revoked.
 - iii. If a hearing is timely requested, the Zoning Administrator shall inform the property owner and/or local agent, and the Township Board of the time and place of the hearing.
 - iv. The property owner and/or local agent may present evidence at the hearing that the violations of this Ordinance were due to extenuating circumstances. If the Township Board finds this to be true, they may waive the revocation. Otherwise, the revocation will become effective.
1. Duration – Upon revocation of the permit, a property owner may not apply for a new short term rental permit at any address in the Township for a period of twelve (12) months.
 2. Subsequent Revocations – Any property owner who has had a short-term rental permit revoked twice for the same rental shall be permanently prohibited from operating at that location, and will be prohibited from applying for any additional, new permits.

Rock River Township Rental Definitions

Owner / Agent: Property owner or designated agent for the property where a registered rental dwelling is located.

Dwelling Unit: A structure with one or more rooms including bathroom, bedroom, and kitchen facilities designed as a self-contained unit for occupancy by one family for living, cooking and sleeping purposes. A dwelling unit does not include recreational vehicles or tents.

Occupant: Any individual living in, sleeping in, or having possession of a dwelling unit, or portion thereof pursuant to a rental agreement. This does not include guests who are visiting between the hours of 8:00 am and 11:00 pm.

Rental Dwelling Unit: (See Short Term Rental Definition, Long Term Rental Definition)

Short-Term Rental: The commercial use of renting a dwelling unit, or portion thereof, for a period less than thirty-one (31) consecutive calendar days. This does not include approved bed and breakfast establishments, hotels/motels, tenant housing, or campgrounds.

Long term rental: A single family residential real property that is leased by the owner to a lessee for a period of thirty (32), or more, consecutive days.

Vacation Resort definition: Vacation Resort shall include any resort having vacation ownership interests, interval ownership interests, timeshare estates, timeshare licenses, vacation club, right-to-use or any other form of vacation ownership program.

RV resorts: (See Campgrounds)

Campgrounds: A tract of land which is divided into sites offered for use by the public, organizations, family, or friends, for the establishment of temporary living quarters consisting of any combination of three or more recreational vehicles, tents or other temporary habitable structures or sites. This tract of land can be offered for use either free of charge or for a fee.

Tiny home: Tiny home and "tiny house with wheels" means a dwelling unit to be used as permanent housing with permanent provisions for living, sleeping, eating, cooking, and sanitation built in accordance with the state building code.

Teepee/Yurt: A portable conical tent made of skins, cloth, or canvas on a frame of poles.

Permitting Process for Short- & Long-term Rentals in Rock River Township

1. Download, fill out and return with fee the Zoning Application for a Conditional Use Permit which can be found at www.rockrivertownship.org
2. After receiving the completed application and fee the Rock River Township Zoning Administrator will contact you to schedule a site visit.
3. The zoning administrator will notify all adjacent property owners within 300 feet of the proposed rental property so they may be aware of the use change and attend the conditional use hearing to voice concerns or approval.
4. After the site visit there will be a conditional use permit hearing at the town hall with the planning commission where the permit will be accepted or denied and specific rules such as quiet hours, parking limitations, occupancy limits or any other applicable conditions will be set. Planning Commission meeting dates can be found at www.rockrivertownship.org Special meeting can be arranged for an additional fee.
5. If denied the permit, correct (if possible) all problems associated with application or rental property. The application must be resubmitted, and the inspection and approval process will start over. Fees are nonrefundable and new fees must be paid with a new application.
6. Before final approval the rental property owner(s) must contact the Alger County Building Inspector Joe Cilc for a building codes inspection and receive an approved Occupancy Permit. This permit must be submitted to the Zoning Administrator **BEFORE** renting can begin.

Contact Information

Mark Maki, Rock River Township Zoning Administrator

Office Phone: (906) 439-5360

Cell Phone:

rockriverzoning@gmail.com

Joe Cilc, Building Codes Inspector

Office Phone: (906) 387-2727

Cell Phone: (906) 420-5525

buildingcodes@algercounty.gov

**ROCK RIVER TOWNSHIP
RENTAL ORDINANCE VIOLATION COMPLAINT FORM**

Attention: Zoning Administrator

P.O. Box 195

Chatham, MI 49816

rockriverzoning@gmail.com

Date Complaint Form Completed:

Person(s) Making Complaint:

Address(s) of Person(s) Making Complaint:

Person(s) or Property Allegedly Violating the Rental Ordinance:

Date or Dates of Alleged Violation:

Description of the Alleged Violation:

Return completed form to Rock River Township Zoning Administrator, Mark Maki to the address above.