



**GRAND HAVEN CHARTER TOWNSHIP
BOARD AGENDA
Friday, December 3, 2021**

SPECIAL MEETING – 5:00 P.M.

- I. CALL TO ORDER
- II. PLEDGE TO THE FLAG
- III. ROLL CALL
- IV. APPROVAL OF MEETING AGENDA
- V. PUBLIC COMMENTS (*Agenda Items*)
- VI. NEW BUSINESS
 - 1. Second Reading – Zoning Text Amendment and Overlay Zone Map – STRs
 - 2. Second Reading – STR Regulatory Ordinance
- VII. PUBLIC COMMENTS – (*Non-Agenda Items*)
- VIII. ADJOURNMENT

Persons wishing to speak at public hearings, on agenda items, or extended comments, must fill out a “Speakers Form” located on the counter. Completed forms must be submitted to Township Staff prior to the meeting.

NOTE: The public will be given an opportunity to comment on any agenda item when the item is brought up for discussion. Please complete Speaker Information Sheet. The supervisor will initiate comment time.

SUPERINTENDENT'S MEMO

DATE: November 30, 2021

TO: Township Board

FROM: Cargo

SUBJECT: Short-Term Rental (STR) Zoning and Regulatory Ordinances

Attached, please find the final draft of the Zoning text amendment regarding the creation of a Short-Term Rental (STR) Overlay Zone, the corresponding map, and the final draft of the STR Regulatory Ordinance

OVERVIEW:

As you recall, the Township discontinued discussions and work on adopting STR regulations in March of 2020 due to the COVID-19 pandemic and the difficulty of holding large meetings that allowed for public participation.

With the COVID-19 restrictions on indoor meetings and social distancing lifted, the Board discussed STR regulations during an August 2021 meeting and determined that the proposed Overlay approach to STRs within the Township would be continued and that the review/approval process would begin, again, in November of 2021.

Prior to re-starting the STR regulation process, the State of Michigan House adopted House Bill 4722 that effectively preempted local control of STRs (*except for the STR Overlay Zone approved by East Lansing*).

Although it is unclear whether the Michigan Senate will support the House Bill or whether the Governor will support preempting local STR controls, the Township Board unanimously determined that it would continue to move forward with the proposed STR regulations. (*Currently STRs are not an allowable use under the Zoning Ordinance; but the Township only does enforcement based upon complaints.*)

SHORT-TERM RENTAL APPROACH:

In brief, the Township Board proposed a three-prong approach to STR regulations that can be summarized as follows:

1. **The first-prong is adoption of a STR Zoning Overlay Ordinance and corresponding**

map that will define a limited area wherein STR units can be located. The goal is to not allow STRs in traditional subdivisions or neighborhoods because of the disruption that STRs often cause.

The accompanying **Overlay Zone STR map is restrictive** prohibiting most STRs in traditional subdivisions, and platted developments; but because the map is not defined by zoning text amendments – the Overlay Zone approach provides the Township Board with the most flexibility in defining where STRs will be allowed. There will be some exceptions to the general prohibition of STRs in traditional neighborhoods

For example, through public testimony, it was noted that the single-family lot at **14873 Mercury Drive** has three (3) residential structures and that some of these structures are used for STRs. Further, staff research indicates that this non-conforming use existed since the 1940s and prior to zoning. In addition, the Township has allowed these non-conforming structures to be improved through the building permit process. Given these facts, staff have allowed this non-conforming, single-family lot to qualify for an STR using the proposed Overlay Map.

Another example is a Lakefront residential development. About 23 of the lots located in the dunes are covered by the Shore Acres Association – which can have STRs pursuant to the Overlay Zone map. But STRs are prohibited in the remainder of this residential development that is not located adjacent to Lake Michigan and whose members have testified against STRs.

Again, the strength of the Overlay approach is the flexibility that it will allow. Based upon public testimony and staff review, the Board could also decide to allow certain pre-existing STRs based upon existing circumstances.

Specifically, it is noted that staff are recommending the following five (5) properties (*highlighted in green*) be added to the STR Overlay Map. (*Other properties could be added; but would have to go through a re-zoning process.*)

Prefix	First Name	Last Name	Property Address	Active	Complaints	Acreage	Subdivision Street	Years	Screening
Mr. & Mrs.	Douglas & Susan	Vanse	14873 Mercury Drive	Y	N	0.64	N	15	Only on SW Corner
Ms.	Michelle	Hornstand	17954 Brucker St	Y	N	1.77	N	13	Moderate
			12250 Lakeshore Dr LLC	Y	Y - ongoing	0.39	N	11	Minimal in Front, Moderate Rear
	Ms. Susan Heine & Ms. Madonna	Pufant	14520 178th Avenue	Y	N	0.69	N	7	Minimal
Mr. & Mrs.	Dennis & Deborah	Hayes	14865 Lakeshore Drive	Y	N	0.38	N	6	Minimal in Front, Moderate Rear
Mr. & Mrs.	Richard & Marcie	Barber	11840 Lakeshore Drive	Y	N	1.13	N	5	Heavy Front, Moderate Rear
Mr. & Mrs.	Michael & Christine	Gethin	10144 Hiawatha Drive	Y	N	0.55	N		Moderate
Mr.	Terry	Heckman	14098 168th Avenue	Y	N	0.43	N		Moderate
Mr.	Timothy	Polak	14651 Mercury Drive	Y	N	0.74	N		None on Waterside, Mild on Roadside
	Jaime	Firek	15015 Lake Avenue	Y	N	0.51	N		None, House on/over property line
Ms.	Shaily	Menon	15292 Cherry Street	Y	N	0.77	Y		Heavy
Mr. & Mrs.	Stephen & Lisa	Morris	15383 Cove St	Y	N	0.19	Y		None
Mr.	Stephen	Essex	16209 Pierce Street	Y	N	10.3	N		Heavy
Ms.	Kara	Endsley	16904 Timber Dunes Drive	Y	N	0.42	Y		Only on N Side Lot Line
Mr.	Ryan	Soskin	16944 Buchanan Street	Y	N	3.76	N		Heavy
Mr. & Mrs.	Terry & Sandra	DeGroot	17477 Serenity Court	Y	N	0.43	Y		Moderate
Mr.	David	Butler	17762 Comstock Street	Y	N	0.41	N		Moderate
Ms.	Megan	Aucunas	17849 Hunters Lane	Y	N	0.32	Y		Only Rear
Mr. & Mrs.	John & Rosanne	Ehlert	11853 Garnsey Avenue	Y	Y	0.99	Y		None on Waterside, Moderate on Roadside
Ms.	Roxanne	Harrington	15603 160th Ave	Y	N	0.5	N		Minimal in Front, Moderate Rear

It should also be noted that **all property owners** can use their property as a limited-STR for up to two (2) weeks per year.

However, both those properties included in the STR Overlay Map and all properties that want to rent for up to two weeks (*i.e., limited STRs*) are required to receive Special Land Use approval from the Planning Commission.

2. **The second-prong is a STR Regulator Ordinance** – that contains all the requirements for any STR in the Township (*e.g., licensure, maximum occupancy, parking, contact information, lock box, revocation of license, etc.*).
3. **The third-prong is a Rental Inspection Ordinance** – that will be applied to all rental units within the Township – including STRs – to ensure compliance with the *International Property Maintenance Code*. This inspection ordinance will not be adopted until after the approval of the previous two ordinances.

If the Township Board continues to support the STR Zoning rules/map and the STR regulations, the following motions can be offered:

Motion to approve and adopt the Zoning Text Amendment and Overlay Zone Map addressing Short-Term Rentals with the addition of the five parcels delineated on spreadsheet in green. This is the second reading.

Motion to approve and adopt the Regulatory Ordinance addressing Short-Term Rentals. This is the second reading.

If there are any questions or comments, please contact me at your convenience.

ORDINANCE NO. _____

ZONING TEXT AMENDMENT AND MAP ORDINANCE

**AN ORDINANCE TO AMEND THE GRAND HAVEN
CHARTER TOWNSHIP ZONING ORDINANCE TO ADD
THE SHORT-TERM RENTAL OVERLAY ZONE AND TO
PERMIT SHORT-TERM RENTALS AND LIMITED SHORT-
TERM RENTALS IN THE TOWNSHIP; AND TO PROVIDE
FOR THE EFFECTIVE DATE OF THIS ORDINANCE.**

THE CHARTER TOWNSHIP OF GRAND HAVEN, COUNTY OF OTTAWA, AND
STATE OF MICHIGAN, ORDAINS:

Section 1. Short-Term Rental Overlay Zone. Chapter 9B of the Zoning Ordinance shall be added and shall state in its entirety as follows.

SECTION 9.01 FINDINGS AND STATEMENT OF PURPOSE.

Short-Term Rentals have historically been considered a commercial use, not historically permitted in residential zoning districts. Furthermore, the Township is committed to preserving the residential character of Township neighborhoods, minimizing potential nuisances, and maintaining the Township's small-town character and scenic beauty. The Township intends to protect its residents and visitors from the potentially negative or harmful effects that can arise from commercial rentals, including the potential impact on the appearance, tranquility, and standard of living in the Township's prime residential areas.

However, the Township also recognizes the potential benefits of tourism and additional lodging opportunities for visitors, as well as the financial benefit that Short-Term Rentals can bring to property owners in the Township. Therefore, the Township wishes to achieve a balance between these considerations by providing that Short-Term Rentals are allowed as special land uses, based upon a consideration of the standards in Section 12.04 and in the Short-Term Rental Overlay Zone.

SECTION 9.02 PERMITTED USES.

The uses permitted in the Short-Term Rental Overlay Zone shall be the uses permitted in the underlying zoning district, plus Short-Term Rentals as special land uses.

SECTION 9.03 DESIGN REQUIREMENTS.

The design requirements of the underlying zoning district shall apply to the Short-Term Rental Overlay Zone.

SECTION 9.04 PROPERTY INCLUDED IN THE SHORT-TERM RENTAL OVERLAY ZONE.

The property in the Township included in the Short-Term Rental Overlay Zone is illustrated in the diagram attached as Exhibit A, to be added to the zoning map established per Section 2.02 of the Zoning Ordinance.

SECTION 9.05 SPECIAL LAND USE STANDARDS.

For special land uses, the following standards shall be considered.

- (A) A Short-Term Rental must be located in the Short-Term Rental Overlay Zone.
- (B) A Short-Term Rental must comply with the Township's Rental Regulation Ordinance, as now or subsequently amended, or any successor ordinance.

Section 2. Rental Regulations. Section 14.16 of the Zoning Ordinance shall be added and shall state in its entirety as follows.

SECTION 14.16 RENTAL REGULATIONS.

- (A) Limited Short-Term Rentals, because of the time limitations placed upon them, are permitted by right in all zoning districts, as long as the use of the rented property is permitted by the terms of this Ordinance.
- (B) Rentals that are longer than and thus do not qualify as Short-Term Rentals are permitted by right in all districts, as long as the use of the rented property is permitted by the terms of this Ordinance.
- (C) Notwithstanding any other provision in this Section or in this Ordinance, all rental property in the Township must comply with all other Township ordinances, all Ottawa County requirements, and all applicable State and Federal laws.

Section 3. Limited Short-Term Rental Definition. Section 21.02 (A) (51A) of the Grand Haven Charter Township Zoning Ordinance (the "Zoning Ordinance") shall be amended to include the following definition.

Limited Short-Term Rental. The rental of any Dwelling for any one (1) or two (2) rental periods of at least six (6) days but not more than fourteen (14) days, not to exceed fourteen (14) days total in a calendar year.

Section 4. Short-Term Rental Definition. Section 21.02 (A) (99A) of the Zoning Ordinance shall be amended to include the following.

Short-Term Rental. The rental or subletting of any Dwelling for a term of less than twenty-eight (28) days. This definition does not include the use of Campgrounds, hotel rooms, transitional housing operated by a non-profit entity, group homes such as nursing homes and adult foster care homes, hospitals, or housing provided by a substance-abuse rehabilitation clinic, mental-health facility, other health-care related clinic, or housing for farm labor.

Section 5. Effective Date. The foregoing amendment to the Grand Haven Charter Township Zoning Ordinance was approved and adopted by the Township Board of Grand Haven Charter Township, Ottawa County, Michigan on December 3, 2021, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended, and after a first reading of the amendment by the Township Board on November 29, 2021. This Ordinance shall be effective on _____, 2021, which date is eight days after publication of the Ordinance as is required by Section 401 of Act 110, as amended, provided that this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

Mark Reenders, Township Supervisor

Laurie Larsen, Township Clerk

CERTIFICATE

I, Laurie Larsen, the Clerk for the Charter Township of Grand Haven, Ottawa County, Michigan, certify that the foregoing Grand Haven Charter Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on _____, 2021. The following members of the Township Board were present at that meeting: _____

_____.

The following members of the Township Board were absent: _____

_____.

The Ordinance was adopted by the Township Board with members of the Board _____

voting in favor and members of the Board _____

voting in opposition. The Ordinance or a summary of the Ordinance was published in the *Grand Haven Tribune* on _____, 2021.

Laurie Larsen, Clerk
Grand Haven Charter Township

**RENTAL REGULATION ORDINANCE
CHARTER TOWNSHIP OF GRAND HAVEN, MICHIGAN**

ord. no. _____ eff. _____

AN ORDINANCE TO REGULATE THE RENTAL OF PROPERTY IN GRAND HAVEN CHARTER TOWNSHIP; TO ESTABLISH PENALTIES AND SANCTIONS FOR VIOLATIONS OF THIS ORDINANCE; AND TO ESTABLISH AN EFFECTIVE DATE.

THE CHARTER TOWNSHIP OF GRAND HAVEN, OTTAWA COUNTY, MICHIGAN, ORDAINS:

Sec. 1. PURPOSE

These standards in this Ordinance are intended to ensure compatibility with the other permitted uses and the residential character of the neighborhoods in which rentals are located. All short-term rentals and limited short-term rentals shall meet the standards contained in this Ordinance and shall be so located and constructed that the average neighbor, under normal circumstances, will not be aware of their existence.

These standards are also to provide for and protect the welfare of full-time residents and to discourage the purchasing of property for vacation rental uses when it would be inconsistent with the neighborhood in which the property is located.

Sec. 2. DEFINITIONS

The following words, terms, and phrases, when used in this Ordinance, shall have the meaning ascribed to them in this Section, except where the context clearly indicates a different meaning.

(a) Bedroom means a room which is intended, arranged, and designed to be occupied by one or more persons primarily for sleeping purposes.

(b) Dwelling means a building or portion of a building providing complete, independent living facilities for one or more persons, including permanent provisions for living, eating, cooking, sanitation, and one or more separate Bedrooms for sleeping.

(c) License means a Short-Term Rental License or a Limited Short-Term Rental License.

(d) Limited Short-Term Rental means the Rental or subletting of any Dwelling for any one or two Rental periods of at least six but not more than 14 days, not to exceed 14 days total in a calendar year. This definition absolutely prohibits Rentals of less than six days.

(e) *Maximum Occupancy* means the maximum number of allowable Occupants for the Dwelling, as established by Section 5(j) of this Ordinance.

(f) *Occupant* means an individual living in, sleeping in, or otherwise having possession of a space.

(g) *Owner* means a person holding legal or equitable title to the Premises. An Owner may designate an agent to perform duties or receive notice under this Ordinance.

(h) *Premises* means the property, including any land and the improvements on the land, such as a building or other designated structure, on which the Short-Term Rental or Limited Short-Term Rental is located or is proposed.

(i) *Rent or Rental* means to permit, provide for, or offer possession or occupancy of a Dwelling, in which the Owner does not reside for a period of time, to a person who is not the legal owner of record, pursuant to a written or unwritten agreement.

(j) *Short-Term Rental* means the Rental or subletting of any Dwelling for a term of less than 28 days. This definition does not include the use of campgrounds, hotel rooms, transitional housing operated by a non-profit entity, group homes such as nursing homes and adult foster care homes, hospitals, or housing provided by a substance-abuse rehabilitation clinic, mental-health facility, other health-care related clinic, or housing for farm labor. This definition absolutely prohibits Rentals of less than six days.

Sec. 3. RENTAL REGISTRATION AND LICENSE REQUIRED

Short-Term Rentals and Limited Short-Term Rentals shall be registered and licensed with the Township prior to commencement of any Rental activity related to them.

Sec. 4. APPLICABILITY AND EXCEPTIONS

The following circumstances do not constitute a Rental.

(a) *Family occupancy.* Any member of a family, as well as that family member's guests, may occupy a Dwelling as long as that family member's family owns the Dwelling. Family occupancy also exempts guest houses or similarly separate Dwellings legally located on the same Premises as the Owner's domicile, when occupied by family guests, exchange students, visitors, medical caregivers, and child caregivers, without remuneration to the Owner.

(b) *House sitting.* During the temporary absence of the Owner and the Owner's family, the Owner may permit non-Owner occupancy with or without remuneration to the Owner.

- (c) *Dwelling Sales.* Occupancy of up to 90 days by a prior Owner after the sale of a Dwelling under a Rental agreement following closing is permitted.
- (d) *Estate representative.* Occupancy by a personal representative, trustee, or guardian (including family members) of the estate, with or without remuneration, is permitted. The estate shall notify the Township of the Owner's name, date of death, and name of the person occupying the premises.

Sec. 5. PERFORMANCE STANDARDS

All Short-Term and Limited Short-Term Rentals shall be subject to the following performance standards.

- (a) The Owner shall provide off-street parking on paved portions of the Premises and not in the yard to accommodate all Occupants' vehicles, including motor vehicles and trailers.
- (b) The Owner shall provide the Occupant and the Township with the following information prior to occupancy and post such information in a conspicuous place within the Dwelling:
 - (1) The name of a contact person and a telephone number at which the contact person may be reached any time that the Dwelling is Rented;
 - (2) Notification of the Maximum Occupancy permitted in the Dwelling;
 - (3) Notification and instructions as to the parking locations;
 - (4) A copy of this Ordinance, as may be amended from time to time; and
 - (5) Notification that an Occupant may be cited or fined by the Township, in addition to any other remedies available at law, for violating any provision of this Ordinance.
- (c) The Owner's contact person must be available to accept telephone calls at all times that the Dwelling is Rented. The contact person must have a key to the Dwelling and be capable of being physically present at the Dwelling within one hour to address issues, unless arrangements are made for another person to address issues within the same timeframe.
- (d) The Owner shall provide the contact person's information in writing to the Owners of the property within 300 feet of the Premises.
- (e) The appearance of the Dwelling shall not conflict with the residential character of the neighborhood. The Dwelling shall be properly maintained

per all applicable local and state codes, and kept in good repair so that the use in no way detracts from the general appearance of the neighborhood.

- (f) Occupants shall not encroach on neighboring properties.
- (g) Owners shall provide sufficient waste receptacles substantially screened from public and neighboring view; and the Premises shall be maintained free of debris and unwholesome substances. Garbage must be kept in a closed container and disposed of on a regular weekly schedule.
- (h) Campfires shall be maintained in designated fire pits and comply with applicable fire codes.
- (i) Occupants shall not create a nuisance. For purposes of this subsection, a nuisance includes but is not limited to any of the following:
 - (1) Any activity that violates Township noise regulations;
 - (2) Any outside noise that is audible at the property line of the Premises occurring between 10:00 p.m. and 7:00 a.m. on weeknights (Sunday, Monday, Tuesday, Wednesday, and Thursday), and between 11:00 p.m. and 7:00 a.m. on weekend nights (Friday and Saturday); and
 - (3) Any activity that violates Township firework regulations.
- (j) The maximum occupancy for any Dwelling is 12 individuals, subject to any applicable local, state, or federal laws, regulations, or ordinances, and subject to the Property Maintenance Code as referenced in the Michigan Building Code that is enforced by the Township per Ordinance No. 454, as amended. Campers and tents to provide additional occupancy on the Premises are not permitted. The occupancy of any Short-Term Rental or Limited Short-Term Rental served by a septic tank rather than a public sanitary sewer system shall not exceed any limitations established by the Ottawa County Health Department.
- (k) A lock box, acceptable for the Township's Fire Chief or the Fire Chief's designee, shall be provided for every Dwelling used as a Short-Term Rental or Limited Short-Term Rental.
- (l) Any Dwelling occupied as a Short-Term Rental shall have public water service and public sanitary sewer service, or if it does not have either or both, any water well or septic system serving the Dwelling must be inspected by and approved by the Ottawa County Department of Public Health for use with a Short-Term Rental. Specifically, any water well serving the Dwelling must be upgraded from a residential class II to class III. No Dwelling used as a Short-Term Rental may have a shared water well or shared septic system with another building, unless approved by the

Ottawa County Department of Public Health for use with a Short-Term Rental.

- (m) The Owner of a Short-Term Rental shall provide the Township with written confirmation that the Short-Term Rental is insured as a commercially rented property with coverage of at least \$1,000,000.00 during all times the Owner's Dwelling is used as a Short-Term Rental.

Sec. 6. DURATION

A license issued under this Ordinance shall be valid for a period of two years from the date of issuance.

- (a) *Renewal.* A request for renewal shall be submitted at least 30 days before the expiration date or within 30 days of a sale or transfer of ownership of the Dwelling. The renewal forms shall be provided by the Township. If no information has changed since the previous registration and license approval, the information previously submitted may be incorporated by reference.
- (b) *Noncompliance.* Any change in the use or construction of a Dwelling that results in noncompliance with any Township or state standards, as determined by the Community Development Director, shall void the license.

Sec. 7. RENTAL LIMITATIONS

A Dwelling that is issued a license under this Ordinance may be Rented subject to the following limitations.

- (a) In any zoning district, a Dwelling may be Rented for any time period, as often as the Owner decides, subject to the limitations and all other requirements of this Ordinance. Accordingly, Short-Term Rentals, including Limited Short-Term Rentals, are permitted in any zoning district, subject to compliance with this Ordinance.
- (b) Any Short-Term Rental, including any Limited Short-Term Rental, must satisfy the requirements of the Township's Zoning Ordinance.
- (c) Short-Term Rentals, other than Limited Short-Term Rentals, are not permitted in any subdivision (including a supervisor plat), planned unit development, or site condominium unless Short-Term Rentals are specifically provided for and allowed according to the restrictive covenants or master deed provided to the Township during the application process for the development in question, which restrictive covenants or master deed is approved by the Township and recorded with the Ottawa County Register of Deeds; or unless the Dwelling is included in the Short-

Term Rental Overlay Zone and is granted a special land use for a Short-Term Rental.

- (d) Short-Term Rentals are not permitted for any Dwelling that is served by a private road serving eight or more Premises, according to the Township's Private Roads and Driveways Ordinance, as amended or restated, unless the Dwelling is included in the Short-Term Rental Overlay Zone and is granted a special land use for a Short-Term Rental.

Sec. 8. SUSPENSION OR REVOCATION OF LICENSE

In addition to any other penalty authorized by law, a license may be suspended or revoked if the Community Development Director finds by competent, material, and substantial evidence, and after written notice of the charges to the Owner and an opportunity for the Owner to be heard, that the Owner has violated or failed to fulfill the requirements of this Ordinance. Written notice of the charges and notice of hearing before the Community Development Director shall be personally served on the Owner or served on the Owner by certified mail, no less than 21 days before the hearing.

- (a) Upon a finding by the Community Development Director of a first violation within any 12 month period, the license may be suspended for up to 30 days during which time the Premises shall not be Rented.
- (b) Upon a finding by the Community Development Director of a second violation within any 12 month period, the license shall be suspended for 60 days during which time the Premises shall not be Rented.
- (c) Upon a finding by the Community Development Director of a third violation within any 12 month period, the license shall be revoked and the Owner shall not again be issued a license for a period of 24 months, during which time the Premises shall not be Rented.
- (d) Appeal from denial or suspension or revocation of a license is allowed, as provided in Section 9.

Sec. 9. APPEAL

Any Owner whose application was denied or whose license was suspended or revoked by the Community Development Director, may, within ten days following such decision, appeal to the Township Board. The Township Board shall determine whether to affirm, reverse, or modify the decision of the Community Development Director in accordance with this Ordinance.

- (a) *Notice.* At least 14 days prior to the Township Board meeting to consider the appeal of the Owner, the Community Development Director shall send, by certified United States mail, written notice to the Owner of the date, time, and place at which the Township Board will consider the

denial, suspension, or revocation. The Owner shall be provided an opportunity to be heard by the Township Board prior to its decision being made. All neighbors within 300 feet of the boundaries of the Premises must also be notified by United States mail of the date, time, and place of the Township Board meeting.

- (b) *The decision.* The decision of the Township Board shall be final. The Township Clerk shall notify the Owner, in writing, of the decision of the Township Board.
- (c) *Right to appeal.* If the Township Board affirms the decision of the Community Development Director denying an application or suspending or revoking a license, the Owner shall have the right to appeal the Township Board decision to the circuit court. The decision of the Township Board shall not be vacated during the pendency of any appeal to circuit court. The Owner has the right to seek a stay in circuit court.

Sec. 10. TOWNSHIP, STATE, AND FEDERAL REQUIREMENTS

Nothing contained within this Ordinance shall be construed to relieve a person of any duties and obligations imposed under any Township, state, or federal laws, rules, regulations, licenses, or permit requirements.

Sec. 11. SEVERABILITY AND CAPTIONS

This Ordinance and its various parts, sections, subsections, sentences, phrases, and clauses are severable. If any part, section, subsection, sentence, phrase, or clause is adjudged unconstitutional or invalid, the remainder of this Ordinance shall not be affected. The captions included at the beginning of each Section are for convenience only and shall not be considered as part of this Ordinance.

Sec. 12. ADMINISTRATIVE LIABILITY

No officer, agent, employee, or member of the Township Board shall be personally liable for any damage that may accrue to any person as a result of any act, decision, or other consequence or occurrence arising out of the discharge of duties and responsibilities pursuant to this Ordinance.

Sec. 13. VIOLATIONS

Any person violating the provisions of this Ordinance shall be responsible for a municipal civil infraction. The penalty for a violation of this Ordinance shall be a civil fine of not less than \$50.00, plus costs and other sanctions. Increased civil fines may be imposed for repeat violations of this Ordinance by a person. A “repeat violation” of this Ordinance is a second or subsequent violation of this Ordinance committed by a person within six months of a prior violation of this Ordinance, and for which the person admits responsibility or is determined to be responsible. The penalty for a violation of this Ordinance which is a first repeat violation shall be a

civil fine of not less than \$250.00, plus costs and other sanctions. The penalty for a violation of this Ordinance which is a second or subsequent repeat violation shall be a civil fine of not less than \$500.00, plus costs and other sanctions. The Township Supervisor, Township Superintendent (Township Manager), an authorized Township official, any law enforcement officer of the Ottawa County Sheriff's Department or the Michigan State Police, and the Township Attorney are authorized to issue municipal civil citations for violations of this Ordinance.

Sec. 14. EFFECTIVE DATE

This Ordinance was approved and adopted by the Township Board on _____, 2021, after its introduction and first reading on _____, 2021, and after its publication in the manner provided by Public Act 359 of 1947, as amended. This Ordinance shall take effect 30 days after its publication following adoption.

Mark Reenders, Township Supervisor

Laurie Larsen, Township Clerk

CERTIFICATE

I, Laurie Larsen, the Clerk for the Charter Township of Grand Haven, Ottawa County, Michigan, certify that the foregoing Rental Regulation Ordinance was adopted at a special meeting of the Township Board held on December 3, 2021. The following members of the Township Board were present at that meeting:

The following members of the Township Board were absent:

_____. The Ordinance was adopted by the Township Board with members of the Board _____ voting in favor and _____ members of the Board voting in opposition. Notice of Adoption of the Ordinance was published in the *Grand Haven Tribune* on _____, 2021.

Laurie Larsen, Clerk
Grand Haven Charter Township