

TOWNSHIP OF GREEN LAKE
GRAND TRAVERSE COUNTY, MICHIGAN

ORDINANCE NO. 07122021.2
REVISED ORDINANCE NO. 01092024.3

This Ordinance is intended to protect and promote the health, safety, and general welfare of all the citizens of Green Lake Township by requiring the registration and licensure of short-term rentals within the Township. It is also the intent of the ordinance to protect the integrity of residential neighborhoods while allowing property owners to receive remuneration from rental of a dwelling unit.

GREEN LAKE TOWNSHIP HEREBY ORDAINS:

1) DEFINITIONS

- a) **Caretaker** – A caretaker is an individual, other than the license holder, who is responsible for the oversight and care of the short-term rental.
- b) **License** – A license is an annual short-term rental license duly issued by Green Lake Township.
- c) **License Holder** – The owner or authorized agent of the property, who applies for and receives a short-term license.
- d) **Renter** – As used in this Ordinance, a renter is an occupant or renter of a short-term rental pursuant to a rental agreement. The term “renter” as used herein does not include guests of the occupant or renter who are visiting between the hours of 7:00 am and 11:00 pm.
- e) **Short-Term Rental** – A short-term rental means a dwelling unit in which guests (transient) are provided lodging for a period less than 30 days in return for payment and which the dwelling is not occupied by the owner / caretaker in any way.
- f) **Qualified professional** – means a person with experience and training with on-site sewage systems. The professional conducts field evaluations to determine soil types, ground water elevations, distances to surface waters and other site conditions that may affect the suitability for on-site sewage disposal.

2) LICENSE REQUIRED

An owner of any dwelling unit located anywhere within Green Lake Township shall not rent or allow to be rented, a dwelling unit or a portion thereof to another person for less than 30 nights at a time, unless the owner or the owner's authorized agent has obtained a short-term rental license for that dwelling unit in accordance with the requirements of this ordinance. A License issued by the Township Zoning Administrator or other authorized personnel is required prior to the rental of any dwelling for a period of less than 30 days. Provided, however, an accessory dwelling as defined in the Green Lake Township Zoning Ordinance shall not be eligible for a short-term rental license under this ordinance.

- a) A license shall expire on December 31 of the year in which it was issued, or upon a change of ownership in the year in which it was issued, whichever occurs sooner.
- b) A license is required for each dwelling to be rented on a short-term basis.
- c) A license will be issued within 30 days of receipt of a complete application.
- d) The license shall indicate the maximum number of guests that can be accommodated at the rental in accordance with the standards listed in this Ordinance.
- e) A license and license holder shall be subject to all of the standards and penalties of this Ordinance.
- f) Licenses will expire on December 31st of each calendar year. Applicants may apply for a license anytime for a license effective in the same calendar year. Applicants may apply for a license beginning no sooner than October 1st for the upcoming calendar year.

3) APPLICATION

An application provided by the Township for a short-term rental license shall include the following at a minimum:

- a) Property owner name
- b) Address of short-term rental property
- c) Owner phone number
- d) Signature(s) of property owner(s) and caretaker
- e) A floor plan indicating the location and number of bedrooms in the dwelling.

- f) Contact information including: name, address, and 24-hour contact phone number for the owner of the property and the caretaker who must be available at any time during the tenure of an active short-term rental.
- g) A site plan indicating location of and number of parking spaces in the driveway and./ or garage.
- h) Copy of the Well and septic inspection report (due once every three years) – conducted by a qualified expert documenting the system is in good working order. The inspection report will also indicate the number of bedrooms that can be accommodated pursuant to the Grand Traverse County Health department regulations concerning tank sizes and bedrooms by the current septic system. This report will be good for three years or until such time that the system fails or there is a proposed change to the number of bedrooms.
- i) This information must be kept up to date in the Township’s records.
- j) It is the license holder’s responsibility to inform the Township of any change in license or contact information for the license holder or caretaker.
- k) An application fee as established and set forth in the Township fee schedule. This fee schedule shall also establish an "after the fact" fee that must be paid when an otherwise lawful short-term rental is operated but without first complying with the procedural requirements of this Ordinance. This "after the fact" fee is not intended to be a penalty but shall consist of the normal application fee plus an amount equal to the legal and administrative costs incurred by the Township as the result of the applicant's failure to initially comply with the requirements of this Ordinance.

4) STANDARDS

- a) Parking. No on-street parking of any motor vehicles or any trailered vehicles (including by way of example but not limited to boats, jet skis, trailers and snowmobiles) on any public or private roadways shall be permitted in association with a short-term rental. For purposes of this Ordinance, “roadway” includes the pavement, gravel road, shoulder, grass and full road easement or right-of-way.
- b) Trash. Refuse and recyclables shall be stored in appropriate containers with tight-fitting lids and shall be regularly picked up by a licensed waste hauler weekly or taken to an appropriate disposal location.
- c) Capacity Limit. The maximum number of renters to be accommodated shall be equal to two (2) people per legally conforming bedroom or studio apartment, plus two (2) persons per dwelling age 15 and under, or as permitted by the Grand Traverse County

Health Department or third party well and septic report, regarding tank sizes and bedrooms whichever is less.

- d) All applicable local, state and federal laws, rules, regulations and ordinances shall not be violated.

5) SEPTIC AND WELL STATUS REPORT / INSPECTION

A well and septic inspection shall be conducted by a qualified expert documenting that the system is in good working order. The inspection will also indicate tank and drain field sizes. This inspection will be forwarded to the Grand Traverse County Health Department (GTCHD) by the property owner with the required well and septic status report form for determination by GTCHD regarding the number of bedrooms the system can accommodate.

The completed well and septic status report form will then be filed with the application for the annual short term rental license and be valid until such time that the system fails or there is a proposed change to the number of bedrooms.

- a) If a septic system malfunction occurs, short-term rental of the property shall be immediately discontinued and the Township notified of the malfunction. The use of the property as a short-term rental shall not resume until the malfunction is corrected in accordance with Grand Traverse County Health Department requirements and verification provided to the Township of same.

6) EMERGENCY RESPONSE

The license holder or a caretaker representing the property owner must be available by telephone at all times and must be physically located within 30-minute travel distance of the property in the event of an emergency or an issue that requires immediate attention.

7) REMEDY

When notified of an issue of immediate concern, (such issues may include, but are not limited to, noise or quiet hour violations) the license holder or a caretaker shall resolve the issue immediately. Issues of a non-immediate concern (such issues may include, but are not limited to, failure to include the license number in advertisements or incorrect guest capacity included in advertisements) shall be satisfactorily addressed within five (5) days.

8) LICENSE

- a) The unique short-term rental license number issued by the Township shall be included in any advertisement for the rental.

- b) The street address for the short-term rental shall be signed in accordance with the Grand Traverse County Street and Road Numbering Ordinance and clearly visible from the street.
- c) Quiet Hours. Short-term rentals shall observe quiet hours between 11:00 pm and 7:00 am.
- d) Pets. Pets shall be secured on the premises or on a leash at all times.
- e) Campfires. Any campfires at a short-term rental property shall:
 - i) Be contained within a fire ring or other comparable container
 - ii) Be located no less than 10 feet from any structure or any combustible material and be located away from overhanging tree branches.
 - iii) Be under the direct supervision of an adult at all times.
 - iv) Be fully extinguished prior to leaving the fire.

9) APPLICABLE RULES

The license holder or caretaker shall provide written notification to an occupant and/or a guest, of all of the rules and that an occupant may be cited for a violation of this ordinance, the Township Noise Ordinance and/or the Township Fireworks Ordinance, as amended, in addition to any other remedies available to the Township.

10) PENALTY

- a) Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars. Each day this Ordinance is violated shall be considered as a separate violation.
- b) Any person providing false or misleading information on the application for a short-term rental license shall be deemed to be in violation of this ordinance and may be subject to the penalty provision in subsection a) above.

- c) In addition, any person who knowingly files a fraudulent, false or fictitious complaint about a short-term rental shall be deemed to be in violation of this ordinance and may be subject to the penalty provision in subsection a) above.

11) ENFORCEMENT OFFICERS

The Township Zoning Administrator, Township Supervisor, and other individuals appointed by the Township Board are hereby designated as the authorized township officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

12) NUISANCE PER SE

A violation of this Ordinance is hereby declared to be a public nuisance or a nuisance per se and is declared to be offensive to the public health, safety and welfare.

13) INJUNCTIVE RELIEF

In addition to enforcing this Ordinance as a Civil Municipal Infraction, the Township may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Ordinance.

14) VALIDITY

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance which can be given effect without the invalid portion or application.

15) EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days after being published in a newspaper of general circulation within the Township.

THE ORDINANCE WAS DECLARED ADOPTED.


GREEN LAKE TOWNSHIP

BY: 
MR, Supervisor

CLERK'S CERTIFICATE

I, the undersigned, the Clerk of the Township of Green Lake, Grand Traverse County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Green Lake Township Board of said municipality at its regular meeting held on the January 9, 2024 that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Dated: January 10, 2024


Judith L. Kramer
Green Lake Township Clerk

Publish Date: July 15, 2021

Effective Date: January 1, 2022

Revised: November 14, 2022

Publish Date: November 19, 2022

Effective Date: November 20, 2022

Revised: January 9, 2024

Publish date: January 14, 2024

Effective date: February 13, 2024