

Re: STR Trash Problem - Who do you Call?

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Maggie Bacon <m.bacon@villageofempire.com> •

Mr. Clements.

There are a number of Village Ordinances related to "trash". The following link from the website includes a form for reporting such issues. https://leelanau.gov/downloads/village_issue_feedback_form_07232019.pdf
Please complete the form and return to Zoning Administrator, Bob Hall, za@villageofempire.com as he would be the one tasked with enforcement.

Any questions could be relayed to him, or his supervisor President Palmer.

Derith A. Smith
Empire Village Clerk
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231-326-5466

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On 05/20/2024 9:37 AM EDT Frank Clements <frankclements007@yahoo.com> wrote:

(Village Clerk, please forward this email to the Village Council, and please post it on the Village website in the section on short term rental letters. I would also ask that this letter be read at the next Village Council meeting)

Dear Short term Rental Committee, a recent incident in the New Neighborhood involving a trash issue, see attached photo, raises the question how would the two Proposed Ordinances by the Committee work to help resolve this particular issue and or other issues like it?

Situation: After a short term rental was vacated this last weekend their trash was evidentially not stored correctly leaving the trash all over the backyard. This condition lasted for 2-3 days. It's not clear who finally picked up the trash. There was no way for adjacent residents to know how to respond for help to correct this problem as there are no regulations or procedures in place. Clearly here is no one at the Village to lodge these complaints and to know the frequency and magnitude of the problems neighbors face from STRs. Thus, the Village Council assumes there are no problems.

The question is, if we had either of the two proposed STR Registration Ordinances or STR Regulations Ordinances in place, would both of them solve this problem? The following is my analysis of the adequacy or inadequacy of each ordinance to provide proper procedures and remedies to STR issues in our Village

Proposed Ordinance 1. Registration:

- There are no provisions in this ordinance for proper trash disposal and standards for management.
- The Registration lists the name of the local contact person's name and phone number but there is no requirement that this information is provided to adjacent property owners. How do neighbors get contact information if there are problems and what if it's after hours or on the weekend. Obviously there are no limits as to a time for resolving on-site issues.
- There appears to be no penalties or ways to enforce any on-site problems, trash or otherwise. How do they get resolved, they don't !
- "The owner shall provide renter access to the Good Neighbor Guide before the end of the day of the first day of occupancy." The Guide contains suggestions for how a guest should behave and respect our residents within a residential neighborhood. If guests choose to ignore these suggestions, there are no provisions for enforcement or remedial actions.

Proposed Ordinance 2. Regulations:

-It is my understanding under Ordinance 2 Regulations, there are the following remedies to address trash issues, and other related complaint issues.

-"Trash. Provisions for the trash disposal must be provided. Trash must be contained in properly sealed receptacles."

-"There must be no overflow that will be attractive to vermin."

-"The owner of a STR must designate a Local 24 hour Contact person who has access and authority to assume management of

the unit and take remedial measures if necessary."

- "The owner must provide the phone number of the Local 24 hour Contact Person to all immediately adjacent neighbors. So, owners have contact information and can call anytime of day, or night." They deal with the issue, not the local resident!

-"The owner shall provide a renter access to the Good Neighbor Guide." The seven suggestions in the Good Neighbor Guide are mostly covered by Section 5. Standards of Approval in Ordinance 2. Regulations, and have rules for enforcement. The Guidelines are only suggestions.

Conclusions:

I believe the above analysis demonstrates the inadequacy of the Registration Ordinance 1. to provide procedures for resolving problems, setting standards, and providing penalties for violations. Although issues of trash seem insignificant It's symptomatic of other regulatory standards missing from the Registration 1 Ordinance.

With over 65 Short term rentals in Empire, it's unrealistic to believe there will no issues related to trash, parking, noise, or won't create situations which could put residents in the unsafe dangerous position of self-policing. Situations that could escalate into threatening confrontations! Why would we as a Village, put a resident in that position?

I look forward to hearing from both parties as to the completeness and accuracy of my analysis.

Thank you for your consideration of this matter.

Frank Clements