



VILLAGE COUNCIL MEETING DOCUMENTATION

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|---------------|-----------------------------|---------------------------|
| Prepared: | May 2 ,2024 | |
| Meeting Date: | May 9, 2024 | Work Session |
| Subject: | Short-Term Rental Ordinance | Author: Dye/STR Committee |

Overview:

The Short-Term Rental Special Committee has completed their task of creating a STR Registration and Ordinance. The members of the committee are Carey Ford and Bob Chase from the Planning Commission and March Dye and Meg Walton from the Village Council.

On November 9, 2023 the Village Council established a special committee to “draft a registration ordinance and any other forms that may be necessary to implement a STR Ordinance.” (The comma was left out between registration and ordinance in the minutes).

On December 14, 2023 a motion was made and passed to “appoint Carey Ford and Bob Chase to the Special Committee created to draft a registration, an ordinance and any other forms that may be necessary to implement a STR Ordinance.”

Two different approaches will be presented.

The first is a Short-Term Rental Registration Ordinance with a Registration Form and Good Neighbor Guide.

The second is a Short-Term Rental Ordinance with a Registration Form and Good Neighbor Guide.

The difference between the two is that the first is an Ordinance for Registering STRs and gathering information on STRs in the Village.

The second is for Registering, Licensing and Regulating STR in the Village.

Recommendation:

Review and discuss both Proposed Ordinances.

Send Ordinances to legal review for impact and implications to the Village.

The committee recommends the establishment of two public forums to be moderated by an independent facilitator to be held at two separate times.

Should be approved and implemented before October 31, 2024.



GOOD NEIGHBOR GUIDE

A GUIDE FOR SHORT TERM RENTERS

Welcome to the Village of Empire



Village of Empire : 11537 S. Leelanau Hwy., PO Box 253 :
 Empire, MI 49630 231-326-5466

We hope you enjoy our lovely and friendly Up-North community! Empire offers a spectacular beach, unique shops, wonderful restaurants and sandwich shops, and many opportunities for sightseeing, biking, hiking, water activities and visits to Sleeping Bear Dunes National Lakeshore. During your visit, please remember that the vacation rental you are staying in is within a residential neighborhood. To help ensure our residents' peaceful enjoyment of their neighborhood, we have established a "Good Neighbor Guide". Please respect our residents and our Village by following these guidelines.

Noise , Disturbances, Fires & Fireworks

Keep noise to a level that is considerate of neighbors. Fires and fireworks are regulated in Empire.

Parking

Please use your rental's off street parking spaces before parking in the street. Note that on street parking is not allowed between October 15 and April 15 between 3am and 8am.

Garbage

Garbage in public view must be in proper containers. The trash collection day for the property is **Tuesday morning**. Totes should be taken in from curb after trash has been picked up.

Recycling

The Village maintains recycling collection bins on Fisher Street by Shalda Park.

Pets

Please keep all pets on leashes whenever they are in an unenclosed area, including parks, the beach and on public streets.

Beach

Please enjoy our beautiful beaches and remove any trash you accumulate during your visit. Trash receptacles are located at the beach. Doggie bags are provided for use in disposal of your pet's waste.

Public Restrooms

Public restrooms are available at the Lake Michigan Beach and Shalda Park. A porta-pottie is available downtown.

Occupancy

The Occupancy limit for this property is:

Vacation Rental Address _____

Local 24-hour Contact Person _____

Contact Phone _____

Visit leelanau.gov Village of Empire for information on local ordinances.
 Police, Fire or Medical Emergencies - 911
 Non- Emergency - Leelanau County Sheriff (231) 256-8800



INSTRUCTIONS FOR APPLYING FOR A SHORT-TERM RENTAL LICENSE

PURSUANT TO VILLAGE OF EMPIRE ORDINANCE — OF 2024

On August —, 2024 the Village of Empire Council approved Ordinance — —, the Village of Empire Short-Term Rental Ordinance. Starting on **January 1, 2025**, anyone operating a Short-Term Rental in the Village of Empire must have a Short-Term Rental License.

◆ Initial Registration Process (for 2025)

1. Registrations for Short-Term Rental Licenses for the calendar year 2025 will be accepted by the Village of Empire starting on Wednesday, month/day/2024 at 10:00am at the Empire Village Office, 15537 S. Leelanau Hwy., PO Box 253, Empire, Mi 49630.

2. Registrations will be date stamped and numbered upon receipt.

3. Any registrations received in the mail prior to 10:00am of (above date) will be stamped and numbered at 4:00pm. on (above date).

4. Submitted registrations will be reviewed for completeness, including the registration fee of \$25 and required information. Incomplete registrations will be set-aside and will lose their place in the queue. Registrants will be notified by email within 3 business days from (above date) of an incomplete registration.

5. Completed registrations will be reviewed for issuance of the license. Once the Registrant is notified of approval for the License they will have 15 days to submit the License fee (\$200). After receipt of the fee, an issued license will be sent to the Owner (registrant) via email and first-class mail.

6. Registrants showing proof of having operated a STR (a notarized statement) between 2022 and August of 2024 will be guaranteed a license upon receipt of a completed Registration, payment of the Registration and payment of the License Fee.

7. If the number of submitted applications exceeds the number of allowable licenses specified by the Village Council a waiting list will be established. If a Registrant on the waiting list is notified of an opening, they will have 15 days to submit the License Fee.

8. Registrations will be accepted at any time during the year after the initial registration process.

◆ Renewal Registration Process for Subsequent Calendar Years:

1. All Short-Term Rental Licenses shall expire on December 31 or upon the sale or transfer of a licensed property.

a. In the case of the sale/transfer of a property in a year when there are bookings already made, the license may be extended to take in those bookings if requested by buyer. The new owner will have to register for a new license for any future use as a STR.

2. Existing License holders may re-apply for the next calendar year at any point between October 1 and November 30. All licenses, if eligible, will be issued by December 31 when re-applied for by November 30.

3. Any License holder who does not submit a renewal registration by November 30 will be required to file a new registration and will be placed on the Waiting List should licenses not be available.

4. If, on December 1, there are fewer licenses issued than the Cap, and there is a waiting list, the Zoning Administrator or designee shall issue licenses to the next qualifying registrants.

- ◆ New registration will be accepted at any time.
- ◆ Licenses run from January 1 to December 31
- ◆ The License Registration form can be found on the Village Web Site.

ITEMS REQUIRED FOR SUBMITTAL OF A STR REGISTRATION

- ◆ A fully filled out and signed Registration form.
- ◆ A notarized statement of having had an operating STR at sometime between 2022 and August 2024 if applicable (or a notarized registration form).
- ◆ Registration Fee of \$25 payable to the Village of Empire.

The Maximum number of Short-Term Rentals (Cap) allowed in the Village of Empire is 12% of the housing stock determined by the Township Tax Assessor. If more than 12% of licenses are issued in the first year no new licenses will be issued until this number is reached.

PARCEL #
041- - -



Registration #: _____

License #: _____

VILLAGE OF EMPIRE SHORT TERM RENTAL REGISTRATION FORM

Property Name / DBA: _____

Property Address: _____

Owner Name: _____

Owner Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Local 24-hour contact person (owner or agent)

1. Authorized by the Owner to take all remedial action
2. Available to respond to issues at the property

Name: _____ Phone: _____

Maximum Occupancy: _____ (Does not include children under the age of 4)

Previously Used as a Short Term Rental at Sometime between 2022 and August 2024 :
Yes _____ No _____ (Notarization Required)

Registration Fee Non-Refundable: \$25

Owner Certification:

By signing this Registration, I certify that:

1. I have read the Village of Empire Short-Term Rental Ordinance and understand the requirements, standards of approval, violations and penalties contained in the Ordinance; and,
2. This STR has bedrooms/sleeping areas to justify the stated maximum occupancy; and,
3. This STR satisfies the Health, Fire and Safety section of the Ordinance; and,

4. I will provide the Good Neighbor Guide to occupants; and,
5. The information contained on this Registration Form and any Submittals is true to the best of my knowledge. I understand that submittal of false information on this Registration Form is a violation of the Ordinance.
6. I will notify the Village of Empire within thirty (30) days if there are any changes to information on this Registration Form; and,
7. Registration and Licensing of a STR in no way indicates any responsibility by or liability of the Village for the Owner's operation of a STR in the Village.

Print Name of Property Owner

Signature of Property Owner

Date: _____

NOTARY PUBLIC: [NOTARY SEAL:]

 Signature of Notary

 Printed Name of Notary

My commission expires: _____
 Month/Day/Year

-----FOR OFFICE USE ONLY-----

DATE REC'D _____ APPLICATION FEE PAID _____

DATE APPLICANT NOTIFIED OF APPROVED FOR LICENSE: _____

DATE LICENSE FEE PAID: _____

LICENSE NUMBER _____ DATE ISSUED: _____

APPROVED BY: _____

PROP #
041- _____ - _____ - _____



Registration for Rental Year:

VILLAGE OF EMPIRE SHORT TERM RENTAL REGISTRATION FORM

Property Name: _____

Property Address: _____

Owner Name: _____

Owner Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Local contact person

1. Authorized by the Owner to take all remedial action
2. Available to respond to issues at the property

Name: _____ Phone: _____

Maximum Occupancy (set by Owner): _____

Previously Used as a STR: YES NO

Number of STRs at property address: _____

Available Off-street parking: YES NO

Available Sealed trash disposal container: YES NO

By signing this Registration, I acknowledge that:

1. I have the Village of Empire Short-Term Rental Ordinance; and
2. I am responsible for all local, county, and state codes for health and safety; and
3. I will provide the Good Neighbor Policy to occupants; and
4. The information contained on this Registration is true to the best of my knowledge. I understand that submittal of false information on this Registration is a violation of the Ordinance; and
5. I will notify the Village of Empire within thirty (30) days if there are any changes to information on this Registration; and
6. Registration of a STR in no way indicates any responsibility by or liability of the Village for the Owner's operation of a STR in the Village.

Print Name of Property Owner

Signature of Property Owner

Date: _____

=====

FOR OFFICE USE ONLY

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DATE REC'D _____ FEE PAID: YES NO

RECEIVED BY: _____



VILLAGE OF EMPIRE
SHORT-TERM RENTAL REGISTRATION ORDINANCE
Ordinance No.

AN ORDINANCE TO PROVIDE FOR THE REGISTRATION AND TO OBTAIN INFORMATION RELATING TO SHORT-TERM RENTALS WITHIN THE VILLAGE OF EMPIRE.

THE VILLAGE OF EMPIRE ORDAINS:

SECTION 1: PURPOSE

The Village of Empire Council finds and declares as follows:

- A. Short-Term Rentals are allowed in whatever districts may allow Single-Family, Two-Family, or Multiple-Family dwellings (by reason of such being dwelling units accommodating one, two, and multiple families, respectively, either permanently or transiently).
- B. The Village has enacted this Ordinance to Register Short-term Rentals and to gather accurate data that may be used to determine if further regulation is needed and appropriate.

SECTION 2: DEFINITIONS

As used in this Ordinance:

Agent: A person, firm or agency authorized to represent the Owner of Prop # on which a Short-term Rental (STR) is located in the Village of Empire (Village).

Bed and Breakfast Establishments: Any Owner occupied dwelling used or designed in such a manner that certain rooms in excess of those used by the family are rented to the transient public for compensation.

Cap: A limit that may be imposed on how many STR Dwelling Units may be located in all or portions of the Village.

Dwelling Unit: A building or portion of a building, either site-built or manufactured off site and placed on site which contains sleeping, living, cooking, indoor sanitary facilities meeting health department rules and located under one roof, and can accommodate one family, either permanently or transiently. In the case of buildings which are occupied in part, the portion occupied shall be considered a dwelling unit, provided it is in conformance with the criteria for dwellings. In no case shall a travel trailer, truck, bus, motor home, tent or other such portable structures be considered a dwelling unit.

Dwelling, Accessory: A dwelling unit accessory to a single-family residence or commercial use, located either in the principal structure or an accessory building, such as a garage. An accessory dwelling commonly has its own kitchen, bath, living area, sleeping area, and usually a separate entrance.

Fee: The cost to register a STR as established in this ordinance or amended by the Village Council, by Resolution.

Good Neighbor Guide: A document containing guidelines developed by the Village to provide information to STR occupants as to neighborly conduct expected of those transiently staying in the Village, consistent with what is generally expected of all residents.

Local Contact Person - A local Owner or Agent of the Owner who is available and authorized to respond to occupant, Village, or neighborhood questions or concerns and take remedial action, if necessary.

Hotel, Motel or Inn: A building occupied or used as a predominantly temporary abiding place by individuals or groups of individuals, with or without meals, and in which there are more than five (5) sleeping rooms.

Occupant - An individual transiently residing as a tenant in a STR.

Owner - The legal or equitable title holder of the Prop # (or portion thereof) on which a STR is located.

Property Number (Prop #): As found in the Property Information section of the Village Tax bill.

Short-Term Rental (STR)- A Dwelling Unit or Accessory Dwelling rented for a period of time less than thirty (30) consecutive days, other than a Bed & Breakfasts, Hotel, Motel, or Inn.

Short-Term Rental Registration - A Short-Term Rental Registration Form submitted to/filed with the Village.

Village - Shall refer specifically to the Village of Empire.

SECTION 3: APPLICABILITY

- A. STR Registration does not authorize rental lodging in a recreational vehicle, camper, or tent.
- B. This Ordinance does not affect restrictions imposed by deeds or contracts.
- C. Notwithstanding any other provision in this Ordinance, registration (or renewal of registration) does not assure continued authorization for locating a STR in the Village, if the Village adopts an Ordinance which imposes a Cap (by whatever means determined). Any such Ordinance may determine if and which existing STRs may continue to be located in the Village.
- D. This Ordinance does not apply to an Owner of a STR that will be rented for a total of fourteen (14) days or less per calendar year.

SECTION 4: SHORT-TERM RENTAL REGISTRATION REQUIREMENTS

A. An Owner shall not locate a STR in the Village without registering the STR with the Village Office, if the STR is rented more than fourteen (14) days per calendar year.

B. Forms for Registration of a STR will be made available through the Village Office and the Village website.

C. Registration will be valid for a period of one (1) year and expire each December 31st.

D. A STR Registration Form must be completed by or on behalf of the owner and received by the Village Office. An existing STR may continue in the Village if such a registration is received by the Village within ninety (90) days after the later of (a) the effective date of this Ordinance and (b) notice of adoption of this Ordinance is sent by mail, email, or other adequate means to all listed Owners of Property in the Village. The Registration Form shall include the following:

1. Property Name, Property Address and Property #.
2. Property Owner name, address, phone number, and email.
3. Local contact person's name and phone number.
4. Maximum Occupancy as established by the Owner and if previously used as a STR.
5. Such additional information as may be contained on the Registration Form approved by the Village Council, by Resolution.
6. Signature of Property Owner and date.

E. Year one (1) of this Ordinance will require a Registration Fee of \$25.00 to accompany the Registration Form. Registration is not complete until both the Registration Form and required Fee are received by the Village Office. The Village Council may, by Resolution, change the Fee for STR Registration and post that change on the Village Website, Fee Schedule.

F. The Village will not deny a renewal of an existing STR Registration if the completed renewal Registration Form and Fee are received by the Village on or before the expiration date of the current registration and there are no unresolved violations.

G. The STR Registration shall only apply to the Prop # listed on the completed Registration Form. In the case of a sale or transfer of a Prop #, a new Owner desiring to continue the STR must complete a new Registration Form and pay the Fee within thirty (30) days of the property sale or Closing to continue the STR.

SECTION 5: RULES FOR OWNER OF REGISTERED STR

A. Within thirty (30) days of any change in contact information for the Owner or Local Contact Person, the Owner shall inform the Village of the new contact information.

B. The Owner shall provide renter access to the Good Neighbor Guide before the end of the first day an Occupant rents the STR.

SECTION 6: VIOLATIONS

The following will be considered a violation of this ordinance:

- A. Owner intentionally providing false or misleading material information on the STR Registration Form.

- B. An Owner locating a STR in the Village that is required to be registered, without registering the STR with the Village Office.
- C. Owner failing to comply with updating contact information or providing renter access to the Good Neighbor Guide.

SECTION 7: PENALTIES -The penalties for violations of this Ordinance are as follows:

- A. For a first violation within any calendar year, the penalty is a written notice of violation.
- B. After notice and opportunity to correct the first violation, further violations within the same calendar year shall be subject to Municipal Civil Infraction Notices, Citation, Actions, and fines as provided in the Village Ordinances 107 and 149, treating the first such further violation as the first one under such ordinance.
- C. Revocation of Registration
 - 1. After notice and opportunity to correct the second violation, for any further violation within the same calendar year with respect to a single STR unit, in addition to penalties provided above, the official designated to enforce the Ordinance may revoke the registration for that STR unit, in writing, in the absence of the Owner showing good cause for not revoking the registration. A written notice of revocation will be sent to the addresses (mail and email) of the Owner on the current Registration Form (or update). Receipt of the notice of revocation is deemed to occur by the earlier of: (a) the Owner's actual receipt of the notice or (b) five (5) days after the notice is mailed/emailed to the addresses on the most current Registration Form (or update).
 - 2. An Owner may submit a written appeal to the Village Council of a decision to revoke a registration, such appeal to be received by the Village Office with thirty (30) days of the date the written notice of revocation was mailed to the Owner. In such an appeal, the Village Council will decide the matter *de novo*, upon a vote of a majority of members of Council attending a meeting with a quorum of the Council. The appeal shall be heard at a public session of Council, at which time the Owner may be represented by an attorney under procedures adopted by Resolution of the Council.
 - 3. As of the date written notice of revocation is deemed received by the Owner, a revoked registration is of no effect as a registration, unless and until the revocation is reversed or modified on appeal.
 - 4. If registration has been revoked, the Owner may submit a new Registration Form in the following calendar year if, and only if, all violations have been resolved by cure, satisfaction, withdrawal, dismissal, or settlement.

SECTION 8: ENFORCEMENT OFFICIAL

Any person officially authorized by the Village of Empire Council is hereby designated as authorized officials empowered to issue written notice of violation and municipal civil infraction citations to alleged violators of this ordinance.

SECTION 9: ABATEMENT

In addition to enforcing this Ordinance through Section 7, the Village may initiate proceedings to abate or eliminate a violation of this Ordinance.

SECTION 10: 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.

SECTION 11: EFFECTIVE DATE

VILLAGE OF EMPIRE
LEELANAU COUNTY, MICHIGAN
ORDINANCE NO. XX OF 2024
SHORT TERM RENTAL ORDINANCE

AN ORDINANCE PURSUANT TO PUBLIC ACT NO. 3 OF 1895, MCL 67.1 AS AMENDED, TO REGISTER, LICENSE AND REGULATE SHORT-TERM RENTALS WITHIN THE VILLAGE OF EMPIRE TO INSURE THE PUBLIC HEALTH, SAFETY AND WELFARE AND TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF.

THE VILLAGE OF EMPIRE ORDAINS:

Section 1. Definitions.

As used in this Ordinance:

“Agent” means person, firm or agency authorized to represent the Owner of the tax parcel on which a STR is located in the Village.

“Bedroom” means a separate room or space used or intended to be used for sleeping purposes.

“Cap” means the maximum number of Short-Term Dwelling Units allowed within the Village limits.

“Dwelling Unit” means a building or portion of a building, either site-built or manufactured off site and placed on site which contains sleeping, living, cooking, indoor sanitary facilities meeting health department rules and located under one roof, and can accommodate one family, either permanently or transiently. In the case of buildings which are occupied in parts the portion occupied shall be considered a dwelling unit, provided it is in conformance with the criteria for dwellings. In no case shall a travel trailer, truck, bus, motor home, tent or other such portable structures be considered a dwelling unit.

“Dwelling, Accessory” means a dwelling unit accessory to a single-family residence or commercial use, located either in the principal structure or an accessory building, such as a garage. An accessory dwelling commonly has its own kitchen, bath, living area, sleeping area, and usually a separate entrance.

“Good Neighbor Guide” means a document containing guidelines developed by the Village to provide information to STR occupants as to neighborly conduct expected of those transiently staying in the Village, consistent with what is generally expected of all residents.

“Local 24-Hour Contact Person” means a local Owner or Agent of the owner who is available and authorized to respond to tenant, Village and neighborhood questions or concerns and to take remedial action if necessary.

“Owner” means the legal or equitable title holder of the tax parcel on which a STR is located.

“Occupant” means an individual over the age of 4 (four)-temporarily residing in a Dwelling Unit or Accessory Dwelling Unit operating as a STR.

“Short-Term Rental (STR)” means to permit, provide for, or offer possession or occupancy of a Dwelling Unit or an Accessory Dwelling Unit for commercial use for a period of time less than thirty (30) consecutive days in exchange for consideration.

“Special Event” means a gathering that occurs and causes significant disruption to neighbors and the surrounding community.

“Parcel” means a parcel of property to which the Property Assessor has assigned a distinct ad valorem property tax identification number.

“Village” shall refer specifically to the Village of Empire.

Section 2. Applicability

A. This ordinance applies to all residential Dwelling Units and Accessory Dwelling Units in the Village and to the owners of those dwellings wherein the dwelling is rented for a period of less than 30 consecutive days.

B. This ordinance does not apply to legally permitted or non-conforming Bed & Breakfasts, motels, hotels or resorts as defined in the Village Zoning Ordinance.

C. This ordinance does not apply to rental units wholly contained within a dwelling occupied by an on-site owner.

D. No STR may occur in the Village unless in conformity with the provisions of this Ordinance.

E. This Ordinance does not affect additional or more-restrictive requirements placed on the use of property (or a portion thereof) imposed by deeds, restrictive covenants, association rules, regulations, by-laws, rental agreements, etc.

Section 3. License Required

No owner shall permit or allow a dwelling unit or accessory dwelling unit to be used as a STR nor enter into a STR agreement within the Village without first obtaining a license from the Village pursuant to the requirements of this ordinance.

A. Duration. A short-term rental license shall be valid for the calendar year such license was obtained (January 1 until December 31).

B. Transferability. A STR license may not be transferred from one dwelling unit to another dwelling unit nor from one owner to another.

C. A Cap on the number of STRs permitted in the Village shall be set by the Village Council.

Section 4. Registration and Fee Requirements

An Owner seeking a license under this Ordinance shall submit a complete registration to the Village Zoning Administrator or his/her designee and pay such fee determined from time to time by resolution of the Village Council. The Registration shall be on a

form prepared by the Village and shall, without limitation, include all information reasonably necessary for the Zoning Administrator or their designee, to determine whether the applicable standards for approval have been met.

Section 5. Standards of Approval.

The Zoning Administrator or their designee shall approve, or approve with conditions, a registration for a STR License only upon a finding that the dwelling unit complies with all of the following applicable standards:

A. Maximum Overnight Occupancy - Maximum overnight occupancy for STR shall be up to a maximum of two (2) persons per sleeping room or bedroom , plus two (2) additional persons per property, up to a maximum of twelve (12) persons, excluding children under four (4) years of age.

B. Per Parcel Limit on Number of Dwelling Units. Only one dwelling unit/ accessory dwelling unit shall be used as a short-term rental per parcel, except that when a parcel lawfully contains more than one dwelling unit/accessory dwelling unit, each separate dwelling unit/accessory dwelling unit may be used as short-term rental provided that each such dwelling unit/accessory dwelling unit is separately licensed under this ordinance.

C. Parking.

The owner shall minimally comply with applicable parking requirements under the Village Zoning Ordinance Section 3.16.1. Boats, recreational vehicles, trailers and similar personal property may not be parked, stored, or used in an unimproved front yard area of the licensed premises.

D. Health, Fire and Safety Codes

The licensed premises shall meet all applicable health, fire and safety codes at all times. This includes codes related to smoke alarms, carbon monoxide detectors, fire extinguishers, and egress windows. The Sanitary Waste System shall have been permitted by the Benzie-Leelanau Health Department.

E. Designated Local 24-Hour Contact Person

1. 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.

2. The Owner will provide the phone number of the Local 24-Hour Contact Person to all immediately adjacent neighbors along the subject property's boundaries. An Owner meeting the requirement may designate themselves as the Local 24-Hour Contact Person.

F. Trash. Provisions for trash disposal must be provided. Trash must be contained in properly sealed receptacles. There must be no overflow that will be attractive to vermin.

G. **No Special Events** are allowed on STR property.

H. The owner shall provide a renter access to the **Good Neighbor Guide**.

I. **Certification by Owner.** As part of the registration, the owner shall certify that the foregoing standards have been met. The Village may deny or revoke a license if the statements or representations made on the application are determined by the Zoning Administrator/ designee to be false or materially misleading. The applicant may appeal the Village Zoning Administrator's decision to the Village Council.

Section 6. Violations

A. Violations as Municipal Civil Infractions. Any person who violates any provision of this Ordinance shall be responsible for a Class C municipal civil infraction. Each day that a violation occurs constitutes a separate offense.

B. For a first violation within any calendar year, the penalty is a written notice of violation.

C. After notice and opportunity to correct the first violation further violations within the same calendar year shall be subject to Municipal Civil Infraction Notices, Citation, Actions, and fines as provided in the Village Ordinances 107(Section 5, Subsection A) and Ordinance 149, treating the first such further violation as the first one under such ordinance.

D. Revocation of License. The Village may revoke the STR License for any dwelling or accessory dwelling unit which is the site or subject of at least three (3) separate incidents or violations of this Ordinance (occurring on three (3) separate days) within a calendar year. An owner may appeal a decision to revoke a license to the Village Council within 30 days of the date the written note of revocation was issued.

Section 7. Enforcement Officials. The Village Zoning Administrator or his/her designee and law enforcement officials of the Leelanau County Sheriff's Department are hereby designated as authorized officials who are empowered to issue municipal civil infraction notices or citation pursuant to this Ordinance.

Section 8. Civil Action. In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Village may initiate proceedings in the circuit court to abate or eliminate a violation of this Ordinance,

Section 9. Severability. 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.

Section 10. Effective Date.

This Ordinance shall become effective thirty (30) days after publication.

Sue Palmer, President, Village of Empire

Derith Smith, Clerk, Village of Empire

Adoption Date:
Publication Date:
Effective Date:

DRAFT