

**VILLAGE OF FORESTVILLE
SANILAC COUNTY, MICHIGAN**

SHORT-TERM VACATION RENTALS ORDINANCE

An ordinance to amend the Village of Forestville Zoning Ordinance to regulate the location of and establish standards governing short term rental properties within the Village, for the purpose of maintaining the small-town character of the VILLAGE OF FORESTVILLE.

THE VILLAGE OF FORESTVILLE ORDAINS:

Section 13.17 SHORT-TERM RENTALS

A. Definitions

1. Short-term Rental ("STR") – Non-owner Occupied: A dwelling unit that is rented for use by any person other than primary owner for no more than 29 days in a calendar year.
2. Short-term Rental – Owner Occupied: A private residence offering sleeping accommodation for rent in which the owner resides while renting no more than two (2) rooms to no more than four (4) lodgers for no more than seven (7) consecutive days. Anytime the rental is utilized, the owner must be at the premises.
3. Existing Short-Term Rentals: All short-term rentals shall be licensed with the Village as stipulated in this ordinance. Short -term rentals which are in operation prior to the adoption of this ordinance shall register for a short-term rental license through the Short-Term Rental Administrator (STRA) within sixty (60) days of the effective date of this ordinance and shall be subject to compliance with all requirements of this ordinance. To be considered as an EXISTING Short-Term Rental, the owner must provide documentation that the dwelling was rented between July 1, 2023 and August 1, 2024.

B. Regulations

1. License Required: No person or entity shall or can operate an STR without a valid license. STR is considered the rental of a dwelling unit for compensation for a term of one to twenty-nine (1-29) interrupted or uninterrupted nights in a calendar year.
2. Compliance with Codes: The short-term rental must meet all applicable zoning ordinance, building, health and safety codes. All short-term rentals must also comply with all Village of Forestville existing codes, ordinances, and regulations.
3. Zoning Districts: Short-term rentals otherwise in compliance with the terms of this section shall be considered a permitted use in all zoning districts within the Village.

The total number of dwellings approved and licensed as Short-Term Rentals in the Village of Forestville, will not exceed four (4) total homes/dwellings.

4. Inspection: All approved and licensed short-term rentals must be inspected. The inspection must be conducted by a licensed/certified building inspector in the State of Michigan. The inspection must be a full property (including all outbuildings, garages, sheds) and STR dwelling inspection.
5. Expansion: Once approved as a short-term rental, a dwelling used as a short-term rental shall not be expanded or undergo construction to be materially altered in any way.
6. Local Agent: Each short-term rental shall have a designated local agent, as defined in this ordinance.
7. Attics and Basements: No attic or basement shall be counted for the purpose of determining the maximum number of occupants in a short-term rental, unless the attic or basement has adequate egress as required by the Michigan Construction Code, Michigan Residential Code and applicable Fire Codes.
8. Sleeping Accommodations: No accessory building or structure shall be used for the purposes of sleeping accommodations, unless such structure is in compliance with applicable building codes and is connected to a sanitary sewer system permitted by the Sanilac County Environmental Health Department. In no circumstance shall any car, recreational vehicle, boat, motor home, trailer, tent or similar temporary or portable structure or vehicle be used for the purposes of sleeping accommodations.
9. Maximum Occupancy: The following occupancy requirements shall apply:
 - a. The overnight occupancy of a short-term rental shall not exceed two (2) occupants per bedroom, which meets the applicable egress requirements for occupancy in the Michigan Construction Code, subject to any other local, state, or federal requirements.
 - b. In addition to the maximum occupancy specified in subsection (a) above, a short-term rental may have a total number of people on site, including occupants and non-overnight occupants (allowed to be present at most from sunrise to sunset), up to 1.5 times the maximum number of occupants allowed by subsection (a) above.
10. Parking
 - a. Required parking shall be provided in the driveway of the STR dwelling. No long term (over 6 hours) or overnight parking on the streets of The Village.
 - b. Parking spaces shall be based upon the approved maximum occupancy of the STR. With no more than 4 vehicles parked in any driveway for the rental period.
11. Recreational Vehicles and Equipment Storage: Tents, Boats, Trailers, RV units, motorhomes, pop-up trailers are all considered alternate living or camping structures

and are prohibited on the STR property. Also prohibited on a STR property are ATVs, off-road motorized vehicles, commercial vehicles, flatbed or box trucks.

12. Exterior Signage: No advertisement signage for a short-term rental is permitted on or around the property.
13. Events: Weddings and private parties of any kind are strictly prohibited.
14. Pets: A maximum of two pets are permitted, either canine or feline. Dogs must be in a fenced area or always leashed. Cats must be kept indoors only unless accompanied by their owner.
15. Fireworks and Fire-pits: Fireworks are not allowed, except in accordance with Michigan Fireworks Safety ACT, Act 256 of 2011, MCL 28.457. No "Campfire" shall be lit, unless in an approved fire pit or fire ring. Nothing herein prevents the owner of a short-term rental from establishing more stringent rules.
16. Nuisances: Short-term rentals shall not cause a nuisance to any other property due to noise, odor, lighting or traffic. Patios, decks, or similar areas for congregating must be screened or buffered with a fence, wall or landscape to minimize sounds and light. In addition, The Village of Forestville quiet hours during weekdays are 10 p.m. until 8 a.m., and weekends, 11:00 p.m. until 9 a.m. If law enforcement or a Village designated security official are called to the property for disturbance issues, the STR owner will be charged a \$250.00 (two hundred and fifty dollars) fee, payable within 7 business days to the Village Hall Clerk. If left unpaid, the STR license to operate will be immediately revoked and operations must cease, until the fee is paid in full.

C. Short-term Rentals- Owner-Occupied

1. In addition to standards governing short-term rentals in general, owner-occupied short-term rentals are subject to the following requirements.
 - a. Shall not employ anyone who does not reside at the dwelling.
 - b. Shall be operated entirely with the principal dwelling.
 - c. The dwelling shall have a minimum of two (2) exits, all bedrooms shall have code-compliant egress windows and smoke detectors in working order.
 - d. Shall not use more than twenty-five (25) percent of the total square footage of the dwelling unit and no more than two (2) occupants per bedroom, with no more than two (2) bedrooms. At no time shall the number of total guests exceed (4) lodgers.
 - e. Shall not generate traffic volumes greater than normally associated with residential use.
 - f. Shall operate in such a manner that all needed parking is provided on-site and not in the street. If additional on-site parking is needed it shall be approved by the

zoning administrator and designed and installed in such a way as is common in single family neighborhoods. If outdoor lighting is installed for the parking locations, it must be approved by the zoning administrator and shall not exceed typical residential installation and be located in such a way as to screen neighboring properties.

D. Short-term Rentals – Non-owner Occupied

1. In addition to standards governing short-term rentals in general, non-owner-occupied short-term rentals are subject to the following requirements.
 - a. Shall provide a local agent, residing within 30 miles of the property. This agent, if not the Owner, shall be the responsible party for the property and provide 24-hour contact phone number(s) that will be made available to the police, Village of Forestville, and all adjoining property owners.
 - b. All sleeping areas shall be operated entirely within the principal dwelling. No accessory building shall be used as sleeping areas.
 - c. Shall not involve the construction or alterations not customarily found in a dwelling.
 - d. Dwelling shall have a minimum of two (2) exits, all bedrooms shall have code compliant egress windows and smoke detectors in working order.
 - e. Total Number of Guests:
 - i. Overnight Guests: At no time shall the number of overnight guests exceed twelve (12) lodgers, excluding those under the age of four (4).
 - ii. Daytime Guests: The maximum number of total guests and shall not exceed up to eighteen (18) persons, excluding children under four (4) years of age.
 - iii. No more than two adult lodgers per bedroom of each dwelling. This means that in order to accommodate a maximum of twelve (12) lodgers, the dwelling must have no less than six bedrooms.
 - f. Shall not generate traffic volumes greater than that normally associated with residential use.
 - g. Shall operate in such a manner as that all needed parking is provided on-site and not in the street. If additional on-site parking is needed it shall be approved by the STR administrator and designed and installed in such a way as is common in single family neighborhoods. If outdoor lighting is installed for the parking locations, it must be approved by the zoning administrator and shall not exceed typical residential installation and be located in such a way as to screen neighboring properties.
 - h. Each short-term rental must maintain a guest register.

E. Licensing Process

1. Applicants for short-term rental licenses must be submitted by the property owner(s). Licenses expire at midnight, on March 31st of each calendar year. A floor plan (drawn at a minimum scale of ¼ inch per foot) of a dwelling unit shall be submitted

with the initial application for the operation of a short-term non-owner-occupied dwelling.

2. All applicants for an owner occupied or non-owner-occupied short-term rental license will be required to pay an annual fee of \$350.00. Applicants must provide the following supplemental information:
3. Application. The STR Administrator shall develop the application form to properly carry out this ordinance. Short term rental applicants must complete and submit the application, provide any required supplemental information, and pay the associated fee. At a minimum, the license application form shall require the submittal of the following information:
 - a. Name, address, telephone number and email address of the property owner and/or local agent or the short-term rental unit.
 - b. The street address of the short-term rental unit.
 - c. The number of bedrooms and a floor plan of the dwelling.
 - d. A plot plan showing the location of the short-term rental unit, parking, and any other structures on the property.
4. Number of Licenses
 - a. Short-term rental licenses shall be processed and approved on a first come, first served basis. This will be determined by the date and time the application for a short-term rental license is submitted, accompanied by a valid Certificate of Inspection, to the STR Admin and associated application fee is paid. An incomplete application for a short-term rental license shall not lose its priority for approval unless the applicant fails to correct any deficiencies within fourteen (14) calendar days after being notified of such deficiencies by the STR Admin.
 - b. Licensees who have a valid license and are in good standing with The Village of Forestville, shall have priority in receiving a renewal license.
 - c. Once the total number of short-term rental licenses issued pursuant to this ordinance reaches the maximum limit, the STR Admin shall not accept or approve any additional applications for short term rental licenses until an existing license expires or is revoked, or voided, thus creating an available license.
 - d. The Village Council shall develop a policy which is made available to the public for providing notice of available short term rental licenses and for receiving and approving applications for the same once the number of active short term rental licenses falls below the maximum limit established by the Village Council.
 - e. A short-term rental license may not be transferred from one dwelling unit to another dwelling unit.
 - f. A new license application will be required if the property is sold or conveyed to a new owner. If the new owner applies for a license within 30 days of the sale or transfer of ownership, and all other requirements are met, the license may be transferred to the new owner.

- g. The Village Council shall set short term rental registration fees and annual license renewal fees by resolution, which may vary depending on the type of property, dwelling, or other distinction the Village Council may deem advisable.
5. Inspection: Prior to the issuance of a license, the certified inspection of the proposed short-term rental to determine compliance with the standards and all applicable zoning, building, health, and safety codes, must be conducted. The STR license shall not be issued without the owner producing a certificate of satisfactory inspection completion.
 6. Approval and Issuance: After inspection and upon determination that a short-term rental applicant has met all requirements of applicable ordinances and regulations, a license shall be issued by the STR Admin.
 7. License Period and Renewal: Licenses are approved for a one-year period. The license period shall begin April 1st of a calendar year and shall end at midnight on March 31st of the following calendar year. No license will be issued until the required registration fee is paid.
 - a. The STR Admin. shall review renewal applications. A renewal shall be granted upon determination that the following standards are met:
 - i. Completion of the renewal application and payment of the associated renewal fee.
 - ii. Continued compliance with the provisions of this ordinance.
 - iii. A review inspection by the STR Admin shall be required every three years, unless an earlier inspection is required by the Village officials in accordance with this ordinance.

F. License Suspension or Revocation

1. Once a license has been issued, it may be revoked, suspended, or not renewed by the STR Administrator. Reasons for revoking or suspending of a license include, but are not limited to:
 - a. Failure to comply with the provisions of this ordinance or any other rules or regulations promulgated by the Village.
 - b. Maintenance of a nuisance on the premises.
 - c. Nonpayment of real and/or personal property taxes, fees, liens, renewal fees or any other fees owed to the Village.
 - d. A demonstrated history of excessive calls for public safety (police, fire, and ambulance).
 - e. Evidence that the applicant has made or provided false information in the application or has otherwise become disqualified for the issuance of a short-term rental license in accordance with the procedures for issuing a license.
2. Upon such revocation, the STR Admin. shall provide written notice to the license holder by personal service or first-class mail at the address listed in the application

stating the reasons for the revocation. Immediately upon such notice of revocation, the license shall become null and void.

3. A licensee whose license is suspended or revoked may appeal to the Village Council by filing a written notice of appeal with the STR Admin. within fourteen (14) days after the date of the written notice of revocation was issued. The Village Council/Board shall hear and determine the appeal and its decision shall be final. The standards to be applied by Council in considering an appeal are as follows:
 - a. The decision to revoke was arbitrary or capricious.
 - b. The decision to revoke was based on an erroneous finding of a material fact.
 - c. The decision to revoke constituted an abuse of discretion.
 - d. The decision to revoke was based on an erroneous interpretation of the applicable ordinances or regulation.
4. It shall be unlawful for any person to operate a short-term rental while the license is suspended or revoked.

G. Violations

1. Any person who violates any provision of this ordinance, including the continued operation of a short term rental after the license for that short term rental has been suspended or revoked as provided in this ordinance, shall be responsible for a municipal civil infraction and shall be subject to a fine of not more than one thousand five hundred dollars (\$1,500.00). Each day this ordinance is violated shall be considered as a separate violation.
2. The Village of Forestville STR Administrator, deputies of the Sanilac County Sheriff, and other persons appointed by the Village Council, are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this ordinance to appear in court.
3. 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.
4. 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 the nuisance per se or any other violation of this ordinance.

H. Severability & Conflict

1. Severability. This ordinance and its various paragraphs and clauses are hereby declared to be severable. If any paragraph or clause is adjudged unconstitutional or invalid, the remainder of this ordinance shall not be affected thereby.

2. Conflict. If any part of this ordinance is found to be in conflict with any other ordinance or with any other part of this ordinance, the most restrictive or highest standard shall prevail. If any part of this ordinance is explicitly prohibited by federal or state statute, that part shall not be enforced.

EFFECTIVE DATE. This ordinance shall become effective twenty days after publication in a newspaper of general circulation within the Village of Forestville.

At a regular meeting of the VILLAGE OF FORESTVILLE COUNCIL held on Sept. 11, 2024, and Cyr moved for adoption of the foregoing ordinance and K. Kolomak supported the motion.

Voting for: 5 Ayes
Voting against: 0 Nays

The President declared the ordinance adopted.

 _____, Tim Sielaff, President

Certification

Cheryl Becker certifies that the foregoing is a true copy of Ordinance No. 41 which was enacted by the Village of Forestville Council at a regular meeting held on Sept. 11, 2024.

Cheryl Becker _____, Cheryl Becker, Village Clerk

**NOTICE OF ADOPTION
VILLAGE OF FORESTVILLE
SANILAC COUNTY, MICHIGAN**

NOTICE IS HEREBY GIVEN, that pursuant to MCL 125.3101, *et seq.*, at a regularly scheduled meeting held on September 11, 2024, the Village Council of the Village of Forestville adopted the following, Section 13.17 of the Forestville Zoning Ordinance:

SHORT-TERM VACATION RENTALS ORDINANCE

An ordinance to amend the Village of Forestville Zoning Ordinance to regulate the location of and establish standards governing short term rental properties within the Village, for the purpose of maintaining the small-town character of the VILLAGE OF FORESTVILLE.

The effect of this ordinance is to regulate the manner in which Short-Term Vacation Rentals may be licensed and operated within the Village. Said regulations include, in part, an application process for licensure, licensing fees, a maximum number of permitted units, enforcement action, and penalties for violations. Said ordinance further requires that any short-term rental property operating within the Village of Forestville prior to its effective date shall register with the Village Short-Term Rental Administrator within 60 days of its effective date.

This Ordinance shall become effective 20 days after publication of this synopsis. The complete text of the Ordinance is on file in the office of the Village Clerk located at 5605 Cedar Street, P.O. Box 36, Forestville, Michigan 48434 and is available for public inspection during regular Village office hours.

Cheryl Becker, Village Clerk
Village of Forestville

VILLAGE OF FORESTVILLE

Municipal Hall · 5605 Cedar Street · P O Box 36 · Forestville MI 48434
(989) 864 - 3447

Short Term Rental Dwelling Registration Form

Application fee of \$350.00 (Non-Refundable) due with submission

(Please complete one application for each rental unit)

Short Term Rental Dwelling Unit Address: _____

Property Owner: _____

Owner's Address: _____

Owner's Phone(s): _____

Owner's E-mail: _____

Secondary Contact: _____

Secondary Contact's phone(s): _____

Number of Bedrooms: _____

Maximum number of occupants permitted: _____

Length of typical anticipated rental period per reservation: _____ days

Number of off-street parking spaces available on site: _____

A designated "agent" is required if the above identified owner does not reside within 30 miles of the village limits.

Agent's Name (other than owner): _____

Agents Phone Number(s): _____

Agents Address: _____

Agents E-mail: _____

AFFIDAVIT

The Signer(s) of this form does hereby state, warrant, certify and affirm the following:

- (1) All of the information on the attached registration form is true.
- (2) Each dwelling unit will have an operating smoke detector in each bedroom and an operating carbon monoxide detector on each floor. These appliances will be maintained every ninety (90) days at a minimum.
- (3) Contact information will be posted in at least two prominent locations in the dwelling and will include:
 - * Street address of dwelling
 - * Owners name and phone number(s) and
 - * Secondary contact' name and phone number(s)
- (4) This registration form is accurate and complete.

Owner's Signature: _____ Date: _____

By signing above, the owner/agent of the dwelling for a short term rental shall in no way impact the zoning of the subject property and shall not prevent the Village from enforcing Zoning Ordinance regulations and limitations on said property. Or any other applicable code of the Village.

Office Use Only

This residential unit is approved:

Village Official: _____ Date: _____