

Oakland County Association of Township Supervisors
Oakland County, Michigan

RESOLUTION
LOCAL CONTROL OVER SHORT-TERM RENTALS

The Membership of the Oakland County Association of Township Supervisors, County of Oakland, State of Michigan, was balloted on the 25th day of May 2021, regarding the following Resolution, which was supported and unanimously adopted by all 21 Supervisors of the Oakland County Association of Township Supervisors. The 21 Township Supervisors who unanimously approved this resolution represent an estimated 41% of the Oakland County population.

The Oakland County Association of Township Supervisors Hereby Endorses a Resolution to Oppose Legislation that would Reduce Local Control Over Short-Term Rentals.

RESOLUTION

WHEREAS, the State of Michigan Legislature is considering enacting House Bill 4722 and Senate Bill 446, which would eliminate a township's ability to zone short-term rentals by preempting local zoning authority to regulate short-term rentals; and,

WHEREAS, House Bill 4722 and Senate Bill 446 define short-term rentals as a single-family residence, a dwelling unit in a 1-to-4 family house, or any unit or group of units in a condominium, for terms of not more than 30 consecutive days; and

WHEREAS, many times, commercial interests purchase multiple homes in a community for the sole purpose of renting them on a short-term basis—daily, weekly or monthly—for investment purposes with no intent for the owner to ever occupy the residential property; and

WHEREAS, a home being rented on a short-term basis of less than 30-days, and for profit, is similar in business nature to that of hotel, which are not permitted in single-family residential neighborhoods; and

WHEREAS, House Bill 4722 and Senate Bill 446 classify short-term rentals as a residential property rather than a commercial property; and,

WHEREAS, as a residential property, the bills state short-term rentals are a permitted use in all residential zones, are not subject to a special use or conditional use permit, and are not a commercial use; and,

WHEREAS, short-term rentals are not the same as owner-operated or long-term rental homes, and often create issues with increased parking, noise, garbage, and an overall party-like atmosphere, and therefore do not belong in single-family residential neighborhoods; and

WHEREAS, local governments count on zoning to shape their communities and preserve the quality of life so important to their residents; and

WHEREAS, local units across the state have enacted regulations to ensure there are no detrimental impacts from short-term rentals on safety and quality of life in neighborhoods; and

WHEREAS, each community has accomplished this in a manner that best meets the needs of residents and short-term rentals, which should not be undermined and replaced with a one-size-fits-all approach from the state; and

WHEREAS, the Housing Code regulates building standards and not the use of the property, and therefore does not allow local governments to regulate short-term rentals related to zoning and protecting the health, safety, and welfare of residents, visitors, and renters; and,

WHEREAS, the bills eliminate a township's ability to regulate any issues with nonowner-occupied residences rented on a short-term basis, unless the same regulations are applied equally to all owner-occupied residences; and

WHEREAS, the short-term rentals – an unregulated commercial lodging rental – would not be subject to the same tax and inspection requirements as other commercial lodging facilities, and they would be uncapped in single-family residential zones without any local regulation; and

WHEREAS, if enacted, the bills will negatively impact the property rights of others in the zoned area, as residents do not purchase property in a residentially zoned area anticipating a future commercial or industrial business next door, and

WHEREAS, locally elected township boards are best positioned to balance the unique needs of their community when addressing zoning issues and to protect the health, safety and welfare of residents, visitors and renters.

NOW, THEREFORE, BE IT RESOLVED, that the Oakland County Association of Township Supervisors (OCATS), representing all Oakland County Townships and 41% of Oakland County's population support the position espoused by the Michigan Townships Association, the Michigan Municipal League, and the Michigan Association of Planning opposing the proposed legislation to preempt local control over short-term rentals found in House Bill 4722 and Senate Bill 446.

A roll call vote on the foregoing resolution was taken and was as follows:

AYES: 21

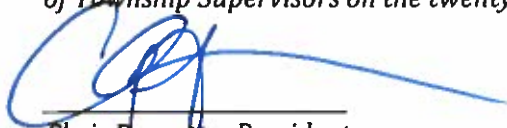
NAYS: 0

ABSTENTIONS:

RESOLUTION DECLARED UNANIMOUSLY ADOPTED.

Certification

I, Chris Barnett, President of the Oakland County Association of Township Supervisors, do hereby certify that the foregoing constitutes a true and complete copy of a Resolution adopted by the Oakland County Association of Township Supervisors on the twenty-fifth day of May, 2021.



Chris Barnett – President
Oakland County Association of Township Supervisors