

**RESOLUTION/CITY OF ST. JOHNS  
RESOLUTION #36-2021**

A RESOLUTION BY THE ST. JOHNS CITY COMMISSION OPPOSING STATE LEGISLATION THAT WOULD REDUCE LOCAL CONTROL OVER SHORT-TERM RENTALS WITHIN THE CITY

At a regular meeting of the City Commission of the City of St. Johns, held on December 13, 2021 in the City of St. Johns, Clinton County, commencing at 6:00 p.m.

Present: Eric Hufnagel, Bob Craig, Jean Ruestman, Brad Gurski  
Absent: Tammy Kirschenbauer

The following resolution was offered by Commissioner Ruestman and supported by Commissioner Craig.

**WHEREAS**, the State of Michigan legislature is considering enacting House Bill 4722 and Senate Bill 446, which would eliminate a city'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 is 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 depend on zoning ordinances 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 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 city'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 municipal governing bodies 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 City of St. Johns, the Michigan Municipal League, and the Michigan Association of Planning oppose the proposed legislation to preempt local control over short-term rentals found in House Bill 4722 and Senate Bill 446.

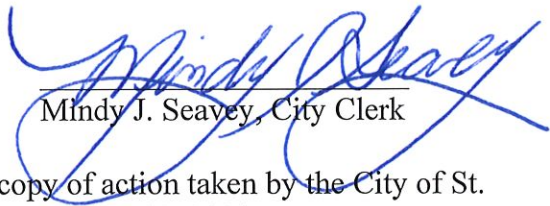
A vote on the foregoing resolution was taken and was as follows:

AYES: Hufnagel, Craig, Ruestman, Gurski

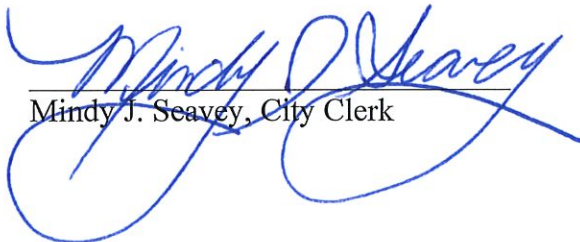
NAYS: None

Resolution declared adopted.

  
Eric Hufnagel, Mayor

  
Mindy J. Seavey, City Clerk

This certifies that the foregoing is a true and complete copy of action taken by the City of St. Johns City Commission at the regular meeting held on December 13, 2021.

  
Mindy J. Seavey, City Clerk