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May 1, 2019

HB 4046 – Short-term rentals

Prior to 2019, Village of Spring Lake ordinances prohibited short-term rentals (STR). While we were aware that short-term rentals existed, we turned a blind-eye to them, as they had not been problematic. Short-term rentals *were* part of our rental inspection program, so we were confident the rentals were safe to occupy. Everything was fine....until it wasn't. We had one STR that started generating complaints. Hordes of people were occupying a small, lake-front property with 2 only parking spaces. Complaints ranged from renters urinating off a neighbor's dock, to lighting off fireworks on prohibited days, to commandeering a neighbor's water trampoline. The straw that broke the camel's back was when a contiguous neighbor, a Vietnam veteran with diagnosis PTSD who has been a well-known and respected member of our Village, was fishing off the pier next to the short-term rental, when the renters began harassing him. This is when Council was forced to address the STR issue. The property owners who operate reputable STRs asked Council if they could assist with the crafting the new ordinance; Council agreed. Several thoughtful, intelligent, well-spoken individuals worked with Village staff, the Planning Commission and Village Council to draft language that we felt everyone could live with. There is now a minimum lot size requirement, along with required on-site parking, and minimum room size (no more converting large walk-in closets into "bedrooms"). At every turn, property owners have complimented the Village on the process to obtain public comment and seek input from both landlords and neighbors, with the understanding that we have to balance the property rights off both sides of the equation. On Tuesday, April 23, 2019 the first 2 STR applications were approved by the Planning Commission. Within a year, we went from an ordinance that *prohibited* short-term rentals to an ordinance that *allows* short-term rentals with rules that benefit all property owners. We are a community of 2,323 people who know what is best for our residents. We do not need people in Lansing mandating what will and will not work for our water-front community. What works in East Lansing or Traverse City will likely not apply to Spring Lake; we are simply too different for you to assume that "one size fits all". Spring Lake, like many other communities, have gone about addressing short-term rentals in a very orderly and thoughtful manner. This legislation is an attack on local democracy, and if enacted sets the stage for many more zoning preemptions.

Sincerely,

Christine Burns
Village Manager



Tribune file photo/Becky Vargo

1/1 A big crowd turned out to hear Spring Lake Township discuss short-term rentals.



VILLAGE OF SPRING LAKE

Village loosens its short-term rental rules

MARIE HAVENGA • APR 3, 2019 AT 7:00 AM

mhavenga@grandhaventribune.com

Unlike neighboring communities who recently have been tightening the screws on short-term rental uses, the Village of Spring Lake is loosening its regulations.

Continued on pages 2 + 3

In the past, short-term rentals were not allowed in the village. At all. In any zoning district.

Village officials were aware that some people were renting homes on a short-term basis, but the village chose not to police these violations unless there were complaints.

"It was not listed as a permitted use, so it had been prohibited that way," explained village planner Jennifer Howland.

After a series of meetings with landlords and residents, the Village Council voted late last month to allow short-term rentals in residential districts. The vote was unanimous.

"In certain zoning districts, if you want a short-term rental, you have to apply for a special-use permit with the (village's) Planning Commission," Howland said. "... Most of the areas where there's a residential use, it's allowable."

Which means short-term rentals are allowed in almost every area of the village, except in the eastern entryway district and office districts. The application fee is \$425.

Howland said both the Planning Commission and the Village Council expressed interest in changing the village's short-term rental rules.

"There was a group of well-spoken residents in the community that were supportive of it and we didn't really have any negative comments in the process," she said. "It went very smoothly. The group of people most involved in the process were well organized and they came to the meetings together and had one or more spokespeople."

According to village statute, a rental for less than 28 days in any calendar year is considered a short-term rental. The new ordinance has no minimum stay requirement, meaning someone could rent a home for just one night.

Howland, who is also the planner for the City of Grand Haven, said it appeared to be a more difficult process for Grand Haven, which recently restricted rights of property owners when it comes to short-term rentals.

"With the village, it didn't get much opposition, if any," she said. "As long as it reflects the wishes of the community, then I'm happy."

Having short-term rentals available could bring more visitors to the community.

"Of course, it's a great community," Howland said of the village. "It's a very walkable area. I'm sure people would want to visit here. There are several property owners in town who are interested in renting out their homes to visitors. It's nice to have visitors. It could increase the vibrancy of the community in the summer months."

Village President Mark Powers said overhauling short-term rental rules has been a long process.

"This is the one we've done to death," he said. "It's gone through all the hoops and backflips we'd expect from the show. Everyone feels like they had some input. We will not be overly restrictive, nor are we going to turn into some sort of Fort Lauderdale in the spring. The process worked out quite well."

Christine Burns

From: Robert Mersereau <mersereb@yahoo.com>
Sent: Wednesday, April 24, 2019 7:24 AM
To: Jennifer Howland; Maryann Fonkert; Christine Burns; Lukas Hill
Cc: Rob Mersereau
Subject: Thanks for making the Short Term Rental process work!

We appreciate the efforts of everyone involved in making Short Term Rental legal in Spring Lake. This process has been a good example of local government at work!

Bob and Rob Mersereau

Christine Burns

From: Jennifer Howland <jhowland@grandhaven.org>
Sent: Friday, April 26, 2019 9:32 AM
To: Patrick McGinnis; Christine Burns
Subject: FW: Meeting attendance?

We don't often have applicants take the time to say "thank you" so I am passing this along. It's referencing a SLV PC meeting earlier this week when I noticed Drorit wasn't present yet.

From: dgelbard@charter.net [mailto:dgelbard@charter.net]
Sent: Thursday, April 25, 2019 9:04 PM
To: Jennifer Howland
Subject: RE: Meeting attendance?

Hi Dear Jennifer,

I cannot begin to describe how much I appreciated your help on Tuesday by texting and emailing me about the meeting attendance. You knew that if I do not show up then something is wrong so you took the extra step to reach me. This kindness is not something you expect and again I wanted to express how much I appreciate it. Indeed I had a super stessfull month with house renovation and preparation for 26 family members who visited close to a week for the holiday. They left Tuesday, the same day of the meeting and it left me very little time to review the "right of way" and prepare other topics before the meeting.

Again, I am so grateful for your kindness and very happy from the outcome.

It was worth all the investēd effort.

Best regards to you and to your loved ones.

Drorit

ORDINANCE NO. 352

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND THE VILLAGE OF SPRING LAKE ZONING ORDINANCE ADOPTED BY THE VILLAGE OF SPRING LAKE, OTTAWA COUNTY, MICHIGAN TO ADD CERTAIN DEFINITIONS; TO DESCRIBE WHERE SHORT-TERM RENTALS ARE ALLOWED; TO DESCRIBE REQUIREMENTS FOR SHORT TERM RENTALS; AND TO ESTABLISH AN EFFECTIVE DATE.

THE VILLAGE OF SPRING LAKE, COUNTY OF OTTAWA, STATE OF MICHIGAN, ORDAINS:

Section 1. Amend the Definitions in the Village of Spring Lake Zoning Ordinance. The Zoning Ordinance adopted by the Village of Spring Lake is amended by adding the following definitions to Section 390-7 of the Zoning Ordinance in alphabetical order.

Dwelling Owner

A person holding legal or equitable title to a dwelling.

Rent Or Rental

The permission, provision, or offering of possession or occupancy of a dwelling with some type of remuneration paid to the dwelling owner for a period of time by a person who is not the dwelling owner, pursuant to a written or verbal agreement.

Short Term Rental

The rental of any dwelling for a term of less than twenty-eight (28) days in any calendar year; the definition does not include the use of campgrounds, hotel rooms, transitional housing operated by a non-profit entity, group homes such as nursing homes and adult foster care homes, hospitals, or housing provided by a substance-abuse rehabilitation clinic, mental-health facility, or other health-care related clinic.

Section 2. Amend the Special Land Uses Allowed in the Single Family Residential-A District (SFR-A District) of the Village of Spring Lake Zoning Ordinance. The Zoning Ordinance adopted by the Village of Spring Lake is amended to add Section 390-70.C to the Zoning Ordinance as follows.

- C. Short term rentals.

Section 3. Amend the Special Land Uses Allowed in the Single Family Residential-B District (SFR-B District) of the Village of Spring Lake Zoning Ordinance. The Zoning Ordinance adopted by the Village of Spring Lake is amended to add Section 390-77.F to the Zoning Ordinance as follows.

- F. Short term rentals.

Section 4. Amend the Special Land Uses Allowed in the Multiple Family Residential-A District (MFR-A District) of the Village of Spring Lake Zoning Ordinance. The Zoning Ordinance adopted by the Village of Spring Lake is amended to add Section 390-84.D to the Zoning Ordinance as follows.

- D. Short term rentals.

Section 5. Amend the Special Land Uses Allowed in the Multiple Family Residential-B District (MFR-B District) of the Village of Spring Lake Zoning Ordinance. The Zoning Ordinance adopted by the Village of Spring Lake is amended to add Section 390-91.D to the Zoning Ordinance as follows.

- D. Short term rentals.

Section 6. Amend the Special Land Uses Allowed in the Community Commercial District (C District) of the Village of Spring Lake Zoning Ordinance. The Zoning Ordinance adopted by the Village of Spring Lake is amended to add Section 390-98.N to the Zoning Ordinance as follows.

- N. Short term rentals of permitted dwelling units.

Section 7. Amend the Special Land Uses Allowed in the Central Business District (CBD District) of the Village of Spring Lake Zoning Ordinance. The Zoning Ordinance adopted by the Village of Spring Lake is amended to add Section 390-115.M to the Zoning Ordinance as follows.

- M. Short term rentals of permitted dwelling units.

Section 8. Amend the Special Land Uses Allowed in the Central Business District-Core (CBD-1) of the Village of Spring Lake Zoning Ordinance. The Zoning Ordinance adopted by the Village of Spring Lake is amended to add Section 390-122.I to the Zoning Ordinance as follows.

- I. Short term rentals of permitted dwelling units.

Section 9. Amend the Special Land Uses Permitted by the Village of Spring Lake Zoning Ordinance. The Zoning Ordinance adopted by the Village of Spring Lake is amended to restate in its entirety Section 390-199.A of the Zoning Ordinance as follows.

Section 390-199 SPECIAL LAND USE SPECIFIC REQUIREMENTS.

- A. The special land uses for which specific requirements are provided are as follows:
- (1) Automobile service stations.
 - (2) Banks, credit unions, savings and loan institutions with drive through facilities.
 - (3) Bed and breakfast establishments.
 - (4) Car washes, automatic or self-service.
 - (5) Electric substations and gas regulator stations.
 - (6) Foster care group homes.
 - (7) Funeral homes.
 - (8) Gasoline sales.
 - (9) Group day care homes.
 - (10) Hotels, motels.
 - (11) Indoor commercial recreation establishments.
 - (12) Marinas.
 - (13) Restaurants, including drive-through facilities.
 - (14) Restaurants, not including drive-through facilities.
 - (15) Retail businesses, a portion of which are conducted in the open air.
 - (15A) Short term rentals.
 - (16) Tool and die machinery shops.
 - (17) Two-family dwellings.

- (18) Vehicle repair or storage establishments.
- (19) Veterinary offices.
- (20) Wholesale establishments and warehouses which sell packaged or repackaged products at retail on the premises.
- (21) Assembly operations consisting only of limited assembly, fastening, and packaging or repackaging of previously manufactured components.
- (22) Parking lots.
- (23) Adult Day Care Facilities.
- (24) Reserved for future use.
- (25) Community Support Facility.

Section 10. Amend the Special Land Use Requirements for Short Term Rentals in the Village of Spring Lake Zoning Ordinance. The Zoning Ordinance adopted by the Village of Spring Lake is amended to add Section 390-199.15A to the Zoning Ordinance.

15A. Short term rentals:

- a. If the subject lot does not meet the district minimum lot area or has other dimensional nonconformities, the Planning Commission may deny approval, or it may condition approval on measures that mitigate potential adverse effects of operating a short-term rental on the lot.
- b. Off-street parking shall comply with these requirements in addition to any other requirements for the applicable zoning district in question.
 - ii. A minimum of two (2) off-street parking spaces located on the subject property shall be provided per unit (up to 6 occupants), plus one space for every three occupants over six, based on approved occupancy for the dwelling unit.
 - iii. Any proposed expanded parking area must be shown on the site plan and will be subject to review by the Planning

Commission and Zoning Administrator. Parking on the grass is prohibited.

- c. Outdoor areas intended for the congregating of guests (e.g., porches, decks, pools and pool decks, gazebos, fire pits, etc) must meet the following requirements, in addition to other requirements established by this Ordinance.
 - i. Fire pits shall meet the requirements of the fire code and any other applicable codes.
 - ii. Patios and decks must be a minimum of three (3) feet from any property line.
 - iii. The planning commission may require an outdoor congregating area to be fenced in or landscaped in order to help buffer the short-term rental from neighboring properties. The Village shall consider lot sizes in the area and of the short-term rental, surrounding land uses, topography, and other considerations deemed relevant by the Village.
- d. The number of overnight guests in a short-term rental shall be based on occupancy limits established by the International Property Maintenance Code. No guest may sleep on couches, the floor, in tents, or in trailers on the lot.
- e. The applicant shall submit a floorplan of the dwelling unit and a site plan of the property drawn to a scale of not less than 1/8 inch = 1 foot.
- f. No separate cooking facilities shall be allowed in sleeping rooms.

Section 11. Effective Date. The foregoing amendment to the Village of Spring Lake Zoning Ordinance was approved and adopted by the Village Council of the Village of Spring Lake, Ottawa County, Michigan on the 21st day of January 2019 after a public hearing conducted by the Village Planning Commission as is required by the of Michigan Zoning Enabling Act, as amended. This Ordinance shall be effective upon publication.

Dated: January 21, 2019

By: _____
Mark Powers, President

By: _____
Marvin Hinga, Clerk/Treasurer

CERTIFICATE

I, Marvin Hinga, the Clerk/Treasurer for the Village of Spring Lake, Ottawa County, Michigan, certify that the foregoing Village of Spring Lake Ordinance was adopted at a regular meeting of the Village Council held on January 21, 2019. The following members of the Village Council were present at that meeting: Duer, Hanks, Miller, Petrus, TePaste and Van Strate. The following members of the Village Council were absent from that meeting: President Powers. The Ordinance was adopted by the Village Council with members of the Council: **Duer, Hanks, Miller, Petrus, Tepastte and Van Strate** voting in favor and with no members of the Council voting in opposition. Notice of Adoption of the Ordinance was published in the *Grand Haven Tribune* on February 4, 2019.

Marvin Hinga, Clerk/Treasurer
Village of Spring Lake

ORDINANCE NO. 353

**AN ORDINANCE TO AMEND THE VILLAGE OF SPRING LAKE
CODE OF ORDINANCES BY RESTATING CHAPTER 271
REGARDING RENTAL UNITS, REGISTRATION OF, IN ITS
ENTIRETY**

**THE VILLAGE OF SPRING LAKE, COUNTY OF OTTAWA, STATE OF MICHIGAN,
ORDAINS:**

Section 1. Chapter 271, Rental Units, Registration of, of the Village of Spring Lake Code of Ordinances is amended in its entirety to read as follows:

§ 271-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

LANDLORD

Any person who owns or controls a rental unit and rents such unit, either personally or through a designated agent, to any other person.

OWNER

The legal or equitable title holder of a rental unit or the premises within which the rental unit is situated.

RENTAL UNIT

Any dwelling unit containing one or more sleeping units, including but not limited to hotels, motels, bed-and-breakfast establishments, boardinghouses, or sleeping rooms, which are rented pursuant to an oral or written agreement, for monetary or other consideration, by the owner or the responsible local agent to any other person, whether by day, week, month, year, or any other term, when the renter is not acquiring an ownership interest in the rental unit.

RESPONSIBLE LOCAL AGENT

A person or other representative of an owner; the agent's place of residence shall be within 60 miles of the Village. The agent shall be designated by the owner as responsible for operating the rental unit in compliance with the ordinances adopted by the Village. All official notices of the Village may be served on the responsible local agent, and any notice so served shall be deemed to have been served upon the owner. An owner may be the responsible local agent if the owner meets the residency requirement.

§ 271-2. Fees.

Fees for registration of rental units, inspections, and certificates of compliance shall be as established by resolution of the Village Council.

§ 271-3. Violations and penalties.¹

Any person who violates, disobeys, omits, neglects, or refuses to comply with or resists the enforcement of this chapter shall be responsible for a municipal civil infraction, subject to § 1-2. Increased civil fines may be imposed for "repeated violations," which means a second or subsequent municipal civil infraction violation committed by a person within any twelve-month period and for which a person admits responsibility or is determined to be responsible. The increased civil fine for repeat violations is set forth in § 1-2.

[1] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

RAB Revised Date 02/06/19

§ 271-4. Registration and designation of responsible local agent required.

No owner shall lease, rent, or otherwise allow a rental unit to be occupied unless the rental unit is registered with the Village, unless the rental unit has been issued a certificate of compliance per this chapter, and unless a responsible local agent is designated for the rental unit. The responsible local agent shall be legally responsible for operating the registered rental unit in compliance with the ordinances adopted by the Village, shall be responsible for providing access to the rental unit for the purpose of making any and all inspections necessary to ensure compliance with the ordinances adopted by the Village, and shall accept all legal notices or service of process with respect to the rental unit. The responsible local agent shall maintain a list of the names and number of occupants of each rental unit for which the agent is responsible.

§ 271-5. Registration term and renewal of existing rental units.

Owners shall register any and all rental units within the Village and shall designate a responsible local agent. Registration shall be completed immediately for each rental unit, before it is rented out, and renewed before each following January 1. It shall be the responsibility of the owner to re-register the rental unit. Upon registration, a certificate of compliance shall then be obtained pursuant to § 271-10.

§ 271-6. Change in registration information.

The owner shall re-register a rental unit within 60 days after any change occurs in registration information. A new owner shall immediately re-register the rental unit as provided in this chapter.

§ 271-7. Re-registration.

An owner shall re-register a rental unit for each calendar year.

§ 271-8. Application for registration.

An application for registration of a rental unit shall be made in such form and in accordance with such instructions as may be provided by the Village Manager or his or her designee and shall include at least the following information:

- A. The address of the rental unit;
- B. The names and addresses of all owners;
- C. The name, address, and telephone number of the person authorized to collect rent from the individuals occupying the rental units;
- D. The name, local address, and telephone number of the responsible local agent;
- E. The number of rental units in each building;
- F. The authorization appointing a responsible local agent signed by both the owner and the responsible local agent;
- G. The name, business address, and telephone number any person who holds a lien on the rental unit or the real property on which the rental unit is located;
- H. The length of the lease for the rental units; and
- I. Verification that all state and local taxes levied and assessed against the rental unit that are due and payable at the time of the application have been paid (if not, the application shall be denied).

§ 271-9. Inaccurate or incomplete registration information.

It shall be a violation of this chapter for an owner or a responsible local agent to provide inaccurate information for the registration of rental units or to fail to provide information required by the Village for such registration. In those cases, in which the owner is not a natural person, the owner information shall be that of the president, general manager, or other chief executive officer of the organization. Where more than one natural person has an ownership interest, the required information shall be provided for each such owner.

§ 271-10. Certificate of compliance required.

No person shall own, operate, lease, rent, or occupy a rental unit unless there is a valid certificate of compliance issued by the Village Manager or his or her designee, which certificate of compliance shall be issued in the name of the owner and issued for the specific rental unit. The certificate shall be issued for each building containing a rental unit. The certificate of compliance shall be displayed in a conspicuous place in each rental unit at all times. The certificate of compliance shall be issued only after both of the following are completed:

- A. Registration of the rental unit with the Building Department; and
- B. Inspection by the Village Manager or his or her designee demonstrating

compliance with all ordinances adopted by the Village and state law.

The certificate of compliance shall be valid for the current year and the following calendar year, unless otherwise revoked pursuant to this chapter.

§ 271-11. Biennial inspections.

Subsequent to the registration of a rental unit as required in § 271-4, the Village Manager or his or her designee shall commence an inspection of the rental unit. However, the inspection shall not be required if the rental unit was inspected during the prior calendar year, was found to be in compliance, and the Village has no information to indicate that the rental unit is no longer in compliance. Once the rental unit is deemed to be in compliance with all ordinances adopted by the Village and state law, per an inspection in the current calendar year or the prior calendar year, a certificate of compliance shall be issued.

§ 271-12. [Reserved.]

§ 271-13. Prerequisites for issuance of certificate of compliance.

The Village Manager or his or her designee shall not issue a certificate of compliance unless a current rental unit registration is in effect, the responsible local agent is properly designated, any fees for registration plus any penalties are paid in full, and inspection as required in § 271-11 and § 271-14 has determined that compliance has been secured with the minimum standards and other provisions of the ordinances adopted by the Village and with state law.

§ 271-14. Inspections.

All facilities, areas, and units governed by this chapter shall be inspected. All facilities, areas, and units inspected shall comply with the standards of the ordinances adopted by the Village and with state law. If an inspection is scheduled and the owner or responsible local agent fails to appear, an inspection fee shall be assessed against the owner or the responsible local agent or both. No inspection shall be completed until the fee is paid in full.

§ 271-15. Posting.

The following information shall be posted in a conspicuous place either within each rental unit or in a common area shared by all occupants of a building:

- A. A copy of the current certificate of compliance; and
- B. The name, address, and telephone number of the responsible local agent.

§ 271-16. Revocation of certificate of compliance.

If the Village Manager or his or her designee shall discover the failure of any owner to comply with a notice of violation issued pursuant to the provisions of the

ordinances adopted by the Village or pursuant to state law, the certificate of compliance may be revoked.

§ 271-17. Appeal of denial of registration or revocation.

Any owner whose rental unit registration has been denied or whose certificate of compliance has been revoked may file an appeal to the Zoning Board of Appeals.

§ 271-18. Circumstances requiring vacation of unit.

Upon revocation of a certificate of compliance and a determination by the Zoning Board of Appeals that a rental unit is not in compliance with this chapter or state law, the owner or responsible local agent of the rental unit shall immediately vacate it. No person shall thereafter occupy the rental unit for sleeping or living purposes until it complies with this chapter and has been reissued a certificate of compliance.

§ 271-19. Expiration of certificate of compliance.

A certificate of compliance shall expire at the end of the next calendar year or on the repair date stated on a notice to repair, whichever comes first. Sixty days after such expiration date, it shall be unlawful for the rental unit in question to be occupied unless a new certificate of compliance has been issued. A rental unit which has not been previously certified shall be deemed to have an expiration date on the date the responsible local agent is notified to register the rental unit.

§ 271-20. Notification of expired certificate.

Sixty days after expiration of a certificate of compliance, the Village may issue a notice of expired certificate to the owner, any responsible local agent, and the occupant of the rental unit. The notice shall state that:

- A. The rental unit does not have a valid certificate of compliance;
- B. It is unlawful for any vacant rental unit to be reoccupied or rented;
- C. Current tenants may no longer occupy the rental unit lawfully; and
- D. Current tenants may be entitled to escrow rent moneys as provided for under state law.

A placard containing this information will be posted on the rental unit. The placard may not be removed until a new certificate of compliance is issued.

§ 271-21. Renewal of certificate of compliance.

At least 30 days prior to the expiration of a certificate of compliance, the Village shall notify the owner or the responsible local agent or both to re-register the rental unit and to arrange for a compliance inspection. The owner shall be

responsible for re-registering a rental unit and arranging a compliance inspection prior to the expiration date on the certificate of compliance.

§ 271-22. Exceptions to requirement of certificate of compliance.

A certificate of compliance shall not be required for living or sleeping accommodations in jails, hospitals, nursing homes, school dormitories, convalescent homes, retirement homes, foster homes, or temporary group shelters provided by legal not-for-profit agencies which are inspected, certified, and/or licensed by other governmental agencies.

§ 271-23. Basis for inspections.

Inspections of rental units may be made to obtain and maintain compliance with the standards of this chapter and state law, based upon one of the following:

- A. A complaint received by the Village indicating that there is a violation of the standards or the provisions of the ordinances adopted by the Village or state law or both;
- B. An observation by the Village of a violation of the standards or the provisions of the ordinances adopted by the Village or state law or both;
- C. A report or observation of a rental unit that is unoccupied and unsecured or a rental unit that is fire damaged;
- D. The registration, re-registration and certification of a rental unit as required by this chapter;
- E. The need to determine compliance with a notice or an order issued by the Village;
- F. Designation by the Village Council of an area where all dwellings, accessory buildings, or yards are to be inspected uniformly or intensively or for specific violations;
- G. An emergency observed or reasonably believed to exist;
- H. A request for an inspection by the owner; or
- I. As required by law when a rental unit is to be demolished by the Village or ownership is to be transferred to the Village.

§ 271-24. Complaint-initiated inspections.

If an inspection is initiated by a complaint and no violation is found to exist, no inspection fees will be assessed against the owner. In all other situations the owner shall be responsible for inspection fees.

§ 271-25. Reinspection.

For every inspection and reinspection of a rental unit performed to ensure conformity with this chapter, the owner will be charged a separate fee except as provided in § 271-24.

§ 271-26. Inspection upon transfer of ownership.

- A. If there is a transfer of ownership for any rental unit, even if owner-occupied, and a current certificate of compliance exists, an inspection by the Village Manager or his or her designee shall be waived;
- B. If there is a transfer of ownership for any rental unit, even if owner-occupied, and a current certificate of compliance does not exist, an inspection by the Village Manager or his or her designee shall be required per this chapter. If the rental unit is not in compliance with this chapter and state law, a notice of violation shall be issued to both the transferor and the transferee;
- C. If ownership of any rental unit is transferred contrary to Subsection A or B of this section, the certificate of compliance and rental unit registration shall be deemed to expire within 60 days of the transfer unless appropriate steps are taken to obtain a rental unit registration and certificate of compliance;
- D. If there is a transfer of ownership where violations are found during the inspection, the rental unit registration shall become invalid. The new owner shall register the rental unit within 10 days of the date of transfer of the rental unit. Every person holding the registration prior to the transfer shall notify the Village Manager or his or her designee in writing of the change in the ownership of the rental unit; or²
- E. The transferring owner of a rental unit whose ownership is transferred shall notify the individuals residing in that rental unit, including an owner-occupied rental unit, before any transfer of ownership occurs.

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

Section 5. Effective Date. This Ordinance shall take effect upon publication.

VILLAGE OF SPRING LAKE

Dated: March 18, 2019

By: _____
Mark Powers
Its: President

By: _____
Marvin Hinga
Its: Clerk

CERTIFICATE

I, Marvin Hinga, the Clerk/Treasurer for the Village of Spring Lake, Ottawa County, Michigan, certify that the foregoing Spring Lake Village Rental Registration Ordinance was adopted at a regular meeting of the Village Council held on March 18, 2019. The following members of the Village Council were present at that meeting: Duer, Hanks, Miller, Petrus, Powers, TePaste and Van Strate. There were no members of the Village Council absent. The Ordinance was adopted by the Village Council with members of the Council Duer, Hanks, Miller, Petrus, Powers, TePaste and Van Strate voting in favor, and no members of the Council voting in opposition. Notice of Adoption of the Ordinance was published in *The Grand Haven Tribune* on March 27, 2019.

Marvin Hinga, Clerk/Treasurer
Village of Spring Lake

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