

BLOOMINGDALE TOWNSHIP
SHORT-TERM RENTAL ORDINANCE

139 5-25

AN ORDINANCE TO REGULATE SHORT-TERM RENTAL OF RESIDENTIAL
PROPERTIES WITHIN BLOOMINGDALE TOWNSHIP AND TO PROVIDE PENALTIES
FOR VIOLATIONS THEREOF.

THE TOWNSHIP OF BLOOMINGDALE ORDAINS:

Section 1. – PURPOSE

This Ordinance is intended to protect and promote the health, safety, and general welfare of all the citizens of Bloomingdale Township by requiring the registration and certification of short-term rentals within the Township. It is also the intent of the ordinance to protect the integrity of residential neighborhoods while allowing property owners to receive remuneration from renting a dwelling to help maintain that dwelling. Additionally, this Ordinance intends to promote the health, safety, and general welfare of the citizens of Bloomingdale Township in respect to septic issues, water quality, noise pollution, debris and blight control, as well as other issues and conditions that may stem from Short Term Rentals.

Section 2. – DEFINITIONS

As used in this Ordinance,

Caretaker means an individual, other than the certificate holder, who is responsible for the oversight and care of the short-term rental.

Certificate means an annual short-term rental certificate duly issued by Bloomingdale Township.

Dwelling Unit means a building, or a portion thereof, that is used exclusively or primarily for human habitation, and which provides complete living facilities, including permanent provisions for sleeping, eating, cooking, and sanitation.

Multiple Family Dwelling means a building or structure designed and intended for use as dwellings for two (2) or more families and so arranged as to provide separate sleeping, eating, cooking, and sanitation accommodations for each family and includes each dwelling unit within the building or structure.

Renter means an occupant or renter of a short-term rental pursuant to a rental agreement. The terms “renter” and “occupant” are used interchangeably in this ordinance and refer to “renter” as it is herein defined. The term “renter” as used herein does not include non-renter visitors (guests of the renter) who are visiting between the hours of 7:00 am and 11:00 pm. ☞

Short-Term Rental means a dwelling unit that is available for use or is used for accommodations or lodging of guests, paying a fee or other compensation, for a period of less than 30 nights at a time. A short-term rental may also refer to a portion of a dwelling unit available for use or is used

for accommodation or lodging of guests, paying a fee or other compensation, wherein such portion of a dwelling meets all applicable requirements under this Ordinance.

Section 3. – APPLICABILITY

An owner of any dwelling unit located anywhere within Bloomingdale Township shall not rent or allow to be rented, a dwelling unit or a portion thereof to another person for less than thirty (30) nights at a time, unless the owner or the owner's authorized agent has obtained a short-term rental certificate for that dwelling unit in accordance with the requirements of this Ordinance.

1. Certificate Required. A certificate issued by the Township Ordinance Enforcement Officer, or other authorized Township personnel, is required prior to the rental of any dwelling unit for a period of less than thirty (30) days.
 - a. A certificate shall be valid for a period of one (1) year or until the dwelling unit is sold (the sale of the dwelling, or unit, serves to immediately nullify the certificate). Certificates will expire one (1) year from the date issued. Applicants may apply for a certificate anytime in the calendar year.
 - b. A certificate is required for each dwelling unit to be rented on a short-term basis. Any Short-Term Rental currently operating is subject to all rules, applications, fees, and must acquire all necessary permits to satisfy this Ordinance or be subject to applicable violations.
 - c. A certificate will be issued within thirty (30) days of receipt of a complete application provided the application complies with applicable requirements of this Ordinance.
 - d. A certificate holder and caretaker shall be subject to all of the standards and penalties of this Ordinance.
 - e. A certificate shall cost a fee of one hundred dollars and zero cents (\$100.00) per year, payable to the Township of Bloomingdale. This fee shall be paid annually at the time of the certificate renewal.
2. Application. An application provided by the Township for a short-term rental certificate shall include the following:
 - a. Address of property.
 - b. Property owner name(s).
 - c. Signature(s) of both property owner(s) and caretaker, if applicable.
 - d. Number of bedrooms in the dwelling unit. In the event that the rental is not a whole house rental, the total number of bedrooms in the dwelling and the number that are part of the short-term rental.

- e. Contact information includes: name, address, and twenty-four (24) hour contact phone number for the owner of the property and the caretaker, if applicable.
- i. This information must be kept up to date in the Township's records.
- ii. It is the certificate holder's responsibility to inform the Township of any change in contact information for the certificate holder and/or caretaker.
- f. A plot plan sketch of the property indicating:
 - i. locations of all buildings on the property,
 - ii. an indication of which buildings and portions of buildings are intended to be used for the short-term rental.
- g. A floor plan sketch of the dwelling indicating:
 - i. locations of bedrooms, bathrooms, kitchens, and wet bars,
 - ii. locations of exterior doors and escape windows.
- h. Locations and total number of smoke detectors, carbon monoxide detectors, and fire extinguishers.
- i. Copy of Proof of Insurance stating provider is aware that dwelling is to be used as a short-term rental.
- j. Copy of house rules provided for renters.

Section 4. – SHORT TERM RENTAL STANDARDS

A short-term rental certificate shall be issued by the Bloomingdale Township Ordinance Enforcement Officer, or other designated Township personnel, when the following standards and regulations are met. In addition, after the certificate is issued, the applicant shall have a continuing duty to comply with all of the following standards and regulations while the certificate remains in effect:

1. Trash Refuse and recyclables shall be stored in appropriate containers with tight-fitting lids and shall be regularly picked up by a licensed waste hauler. Garbage shall NOT be burned. All Township Ordinances shall be observed regarding trash and blight.
2. Contact and Response The certificate holder or a caretaker representing the property owner must be available by telephone at all times and must be physically located within a thirty (30) minute travel distance of the property so one can physically respond in the event of an emergency or an issue that requires immediate attention. When notified of an issue of immediate concern, (such issues may include, but are not limited to, noise, septic issues, or quiet hour violations) the certificate holder or a caretaker shall resolve the issue within two (2) hours of notification. Issues of a non-immediate concern (such issues may include, but are not limited to, failure to include the certificate number in advertisements) shall be satisfactorily addressed within two (2) business days.

3. Identification

- a. The unique short-term rental certificate number issued by the Township shall be included in any advertisements for the rental.
- b. The street address for the short-term rental shall be signed and clearly visible from the street.
- c. Emergency signage must be purchased identifying local emergency contacts for location of Short-Term Rental

4. Quiet Hours Short-term rentals shall observe quiet hours between 11:00 pm and 7:00 am.

5. Campfires Any campfires at a short-term rental property shall

- a. Be contained within a fire ring or other comparable container.
- b. Be located no less than ten (10) feet from any structure or any combustible material and be located away from overhanging tree branches.
- c. Be located no less than ten (10) feet from any property line, sidewalk, or street.
- d. Always be under the direct supervision of an adult.
- e. Be fully extinguished prior to leaving the fire.

6. Dwelling Unit Standards. All short-term rentals must meet the following dwelling unit standards and are subject to the International Property Maintenance Code: Bloomingdale Township Ordinance #133:

- a. The short-term rental is a complete single-family dwelling unit; or
- b. The short-term rental is a portion of a dwelling unit, provided that
 - i. This is the only short-term rental on the subject parcel of land.
 - ii. The emergency contact is present on site during short-term rental of the allowed portion of a dwelling unit.
- c. The short-term rental shall not be a multiple family dwelling unit as defined under this Ordinance.

7. Compliance with Township Ordinances.

- a. The property on which the short-term rental will be operated is in compliance with all applicable regulations of the Township ordinances at the time the certificate is issued and remains in compliance with the Township ordinances at all times during the operation of the short-term rental.
- b. The certificate holder or caretaker shall provide written notification that an occupant and/or a guest of an occupant may be cited for a violation of any Bloomingdale Township Ordinances.

Section 5. – Inspections

The Bloomingdale Township Ordinance Enforcement Officer and other officials or individuals designated by the Township Board shall have the right to inspect buildings, structures, and property on which a short-term rental will be operated to determine violations of, or compliance with, this Ordinance and other Bloomingdale Township Ordinances. The Township representatives may exercise this right of inspection by consent of the person having the right to possession, the renter, the owner, or the caregiver of the building, structure, and property, or any part thereof, or by administrative search warrant.

Section 6. - Violations

1. Violations. Any of the following will be considered a violation of this Ordinance:
 - a. Failure to update information with the Township such as the caretaker's or owner's contact information in a timely manner.
 - b. Advertising a short-term rental without a valid certificate.
 - c. Failure of the certificate holder or his/her designated caretaker to be responsive at any time during the tenure of an active short-term rental.
 - d. Providing false or misleading information on the application for a short-term rental certificate.
 - e. Failure to obtain a short-term rental certificate when operating a short-term rental.
 - f. Failure to comply with any of the standards under Section 4.
2. Any person, certificate holder, or caretaker who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of up to Five Hundred and zero cents (\$500.00) Dollars. Each day this Ordinance is violated shall be considered a distinct and separate violation.
3. Fraudulent complaints: Any person who knowingly files a fraudulent, false, or fictitious complaint about a short-term rental shall be deemed to be in violation of this ordinance and may be subject to court enforcement proceedings and the penalties under Section 6.2 of this ordinance.
4. The Bloomingdale Township Board shall periodically review Short Term Rental Complaints in Bloomingdale Township and may exercise the option of establishing a fine schedule unique to Short Term Rentals.

Section 7. - Enforcement Official

The Township ordinance enforcement officer is hereby designated as the authorized official to issue municipal civil infractions directing alleged violators of this Ordinance to appear in court.

Section 8. - Civil Action

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Township may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Ordinance.

Section 9. - 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 10. - Effective Date

This Ordinance shall become effective thirty (30) days after its publication in a newspaper of general circulation within the Township.

Bloomington Township Clerk

I hereby certify the foregoing constitutes a true and complete copy of the ordinance adopted by the Bloomington Township Board of Trustees, County of Van Buren, Michigan, at a regular meeting held on May 21, 2025.

Date: May 21 2025

Bloomington Township Clerk

Published on 5/29/2025

Ordinance No. 139 5-25 was adopted on May 21, 2025 by the Bloomington Township Board as follows:

Motion By: Nelson

Supported By: Blackson

Roll Call Vote:

	<u>Yea</u>	<u>Nay</u>
Supervisor Ashbrook:	<u>4</u>	<u> </u>
Clerk Kelly:	<u>ABSTAIN</u>	<u> </u>
Treasurer Blackson:	<u>4</u>	<u> </u>
Trustee Johnson:	<u>ABSENT</u>	<u> </u>
Trustee Nelson:	<u>4</u>	<u> </u>

I certify that this true copy of Ordinance No. 139 5-25 was adopted at a Regular Meeting of the Bloomingdale Township Board on May 21, 2025 and published in the Courier Leader on May 29, 2025

Date of Township approval: May 21, 2025

Date of Publication: May 29, 2025

Effective Date: June 30, 2025

Date: May 21, 2025 Submitted By: Melanie R. Kelly
Melanie Kelly, Bloomingdale Township Clerk

