

NOTICE OF ADOPTION

The City of Wyandotte Code of Ordinances has been amended as follows:

Amendment #1546

**AN ORDINANCE ENTITLED
AN ORDINANCE TO ADD TO
CHAPTER 181: RENTAL DWELLINGS AND UNITS
OF THE WYANDOTTE CODE OF ORDINANCE**

THE CITY OF WYANDOTTE ORDAINS:

Intent and Purpose.

Short-term rental of dwelling units provides value to the local economy. However, short term rentals can also bring negative effects to the year-round quality of neighborhoods, housing stock, and public health and safety. This ordinance has been enacted to create a balance between the interests of community residents, business owners, visitors, and property owners, and is determined necessary for the health, safety and welfare of the City to adopt this article regulating the use of property as a short-term rental.

Section 1. Add Short Term Rentals to Chapter 181: RENTAL DWELLINGS AND UNITS to read as follows:

SHORT-TERM RENTALS

§181.030 Definitions.

For the purpose of this chapter, the following shall mean:

Bedroom means a room intended for sleeping or placement of a bed separated from other spaces in the dwelling unit by one or more functional doors. The following spaces, which must be included in every dwelling unit, do not qualify as bedrooms: Kitchens; dining areas; gathering spaces such as living rooms, dens, family rooms, and attics or basements without egress meeting standards in applicable building, residential, and fire codes.

Calendar year means January 1st to December 31st.

Dwelling unit means a self-contained unit within a building that is designed for human occupancy and provides complete living facilities, including permanent provisions for sleeping, eating, cooking, and sanitation. "Dwelling unit" does not include bed and breakfasts, hotels and motels, and boarding houses.

License means an annual short-term rental license duly issued by the City of Wyandotte in accordance with the provisions of this chapter.

Local agent or Responsible Local Agent shall be as defined in the City of Wyandotte Code of Ordinances §181.005 Responsible Local Agent.

Maximum occupancy means the maximum number of allowable tenants for a short-term rental, as established by this chapter.

Short-term rental means a property that offers the rental of a dwelling unit for compensation for more than 28 days total per calendar year for terms no greater than 29 consecutive nights.

§181.031 Licensing.

An owner of any property located within the City of Wyandotte shall not rent, or allow to be rented, a dwelling unit as a short-term rental unless the owner has obtained a Short-Term Rental License for that dwelling unit in accordance with the requirements of this chapter.

(A) A Short-Term Rental License shall only be issued to a dwelling or rental unit which has a current Certificate of Approval or Certificate of Compliance.

(B) The City Council, by Resolution, may lower or amend the number and location of Short-Term Rental Licenses issued at any time, but not to the detriment of existing licensed short-term rentals.

(C) License applications for short-term rental units shall be processed on a first come, first served basis.

(D) Application form. The Short-Term Rental Application form shall be available at the Department of Engineering and Building Wyandotte City Hall and on the City of Wyandotte Website. A person seeking a Short-Term Rental License under this chapter shall submit a complete Short-Term Rental Application to the Department of Engineering and Building. The application shall be forwarded to the City Engineer, or his/her duly authorized representative, for review and appropriate action. The application shall include all

of the information specified on the Short-Term Rental Application form and any other information deemed reasonably necessary to determine whether the short-term rental standards and regulations under this chapter have been met. The license application form shall contain the following information, and other items as the city may deem necessary, for compliance with this chapter:

- (1) Name, permanent address, email, and telephone number of the property owner, and name, email and telephone number of the responsible local agent for the short-term rental unit;
- (2) The street address of the short-term rental unit, along with other identification if more than one dwelling unit shares the same street address;
- (3) The number of bedrooms in each dwelling unit;
- (4) The number of available on-site parking spaces on-site;
- (5) A signed statement certifying that each dwelling unit has a fire extinguisher, each bedroom has a working smoke alarm, each floor has a working carbon monoxide detector, and that the local agent will check these devices for proper location and operation prior to each new lease agreement.

(E) Application fee. An application shall be accompanied by an application fee as established and set forth by the City Council.

(F) Complete application. Submittal of an application does not mean an application is considered complete. If an applicant submits an incomplete application, a license will not be issued.

(G) A Short-Term Rental Application shall not be considered accepted or complete until the City Engineer deems it to be complete. Applicants will be notified within ten (10) business days of submittal if an application is incomplete. If the applicant fails to provide all the information required by this chapter and/or fails to pay the required fee, then the application shall be deemed incomplete and will be denied by the City Engineer on that basis.

(H) Once the application is deemed to be complete, if an application complies with all the standards and regulations of this chapter and a license is available, the City Engineer shall approve the license. The approval of the license shall be based on the following:

- (1) Complete application;
- (2) Current Certificate of Approval or Certificate of Compliance, all inspections must be completed and all violations must be corrected and approved;
- (3) No outstanding Property Maintenance violations;
- (4) A written report from the Wyandotte Police Department regarding complaints, responses and actions taken by the Wyandotte Police Department at this location in the previous 365 days. Three (3) violations issued by the Wyandotte Police Department in the previous 365 days shall be cause for denial of the Short-Term Rental License.
- (5) All taxes, utilities and fees owing to the City must be paid in full.

(I) Licenses shall become void upon expiration of the Certificate of Approval or Certificate of Compliance, property transfer, or revocation by the City Engineer, according to §181.033(D). §181.032 Regulations.

(A) Compliance with codes. Short-term rental unit must meet all applicable residential building, health department, nuisance, and safety codes to protect the safety of occupants.

(B) All short-term rental owners and tenants are subject to the City of Wyandotte Code of Ordinances.

(C) Proposed short-term rental unit shall be in compliance with Chapter 181 of this code of ordinance.

(D) Short-term rentals shall be permitted in all zoning districts except I-1, I-2, I-3, and IRO.

(E) Short-term rentals in a one, two or three family dwelling shall be limited to one (1) in a five hundred (500) foot radius.

(F) Short-term rentals shall be limited to ten (10%) percent of the number of units in a multiple family complex such as an apartment building, co-op, or condominium association.

(G) A short-term rental unit shall consist of a minimum of; one (1) bedroom, one (1) full bathroom, a kitchen/dining area, and a living room.

(H) Occupancy in a short-term rental shall be conform with this Code of Ordinance §171.041 Maximum Occupancy, Paragraphs (A) and (B), with a maximum of ten (10) total occupants.

(I) Each short-term rental shall provide a minimum of two (2) off-street parking spaces which are accessed from a public street.

(J) No recreation vehicles, travel trailers, boats, tents or other temporary shelters, may be used or stored by tenants on the premises in connection with the short-term rental use.

(K) Local agent. All licensed short-term rentals shall have a designated local agent, as defined by this chapter.

(L) The property owner, or local agent, shall prohibit the short-term rental unit tenants from hosting a gathering of non-tenants at the unit.

(M) Advertising of licensed short-term rental must include the maximum occupancy permitted in the unit.

(N) The property owner or responsible local agent shall reference in, or attach to, the short-term rental lease agreement, the page “APPLICABLE CODES” attached to the attached to the Short-Term Rental Application:

APPLICABLE CODES:

Trash: Chapter 51: Garbage and Trash.

Parking: Chapter 72: Parking and Stopping Rules – General Provisions §72.001 thru §72.013;

Parking During Snow Emergencies §72.045 thru §72.049.

Animals: Chapter 90: Downriver Central Animal Control – §90.004 Animal Care Standards; Rules and Regulations §90.035 thru §90.041; Violations and Prohibitions Generally §90.055 thru §90.062; Dangerous and Potentially Dangerous Dogs §90.075 thru §90.080.

Fire Pits: §91.023 Fire Pits and Recreational Fires.

Fireworks: Chapter 93: Fireworks.

Nuisance: Chapter 94: Health and Safety; Nuisances

Noise: §153.014 Unreasonable Noise Prohibited.

Behavior: §153.015 Disruptive Behavior.

Certificate of Approval: §171.004 Inspection of Residential Dwellings Prior to Sale or Transfer.

Occupancy: §171.041 Maximum Occupancy, Paragraphs (A) and (B).

Certificate of Compliance – Rental Dwellings: Chapter 181: Rental Dwellings and Units.

(O) The property owner, or local agent, shall mail a written notice to all properties within a five hundred (500) foot radius of the short-term rental unit of its use once approved. A copy of this notification, and the address to which it has been sent, shall be submitted to the City Engineer.

§181.033 Violations and penalties.

(A) A person who violates any provision of this chapter shall be subject to this Code of Ordinances §10.999. Each day on which any violation of the chapter continues may constitute a separate offense and subject to penalties as a separate offense.

(B) Tenants of short-term rentals are subject to the City of Wyandotte Code of Ordinances, including, but not limited to, noise, fireworks, fire pits, trash, animals, and parking.

(C) Property owners of short-term rentals are responsible for violations relating to: false or misleading statements in the registration process; violations of the Wyandotte Code of Ordinances without limitation, including property maintenance violations; short-term rental local agent not responding to complaint/call within specified time period; and advertising and/or hosting greater occupancy than permissible.

(D) Short-term rental licenses may be revoked under the following circumstances:

(1) A first owner violation of §181.033(B) and/or §181.033(C) within any calendar year, shall result in a written warning. A second owner violation of §181.033(B) and/or §181.033(C) within the same calendar year, shall result in a municipal fine as set by resolution of the Wyandotte City Council.

(2) A third owner violation of §181.033(B) and/or §181.033(C) within the same calendar year shall result in revocation of the license until the end of the calendar year. A minimum 14-day notice will be given to an owner for any revocation. As of one day following the notice of the third violation, no additional bookings may be made of the short-term rental through the year-end. If there is a short-term rental license waiting list, revocation of a license will cause the property owner to be placed at the bottom of the waiting list.

(E) The property owner and/or agent may appeal the revocation of the short-term rental license as follows:

(1) Appeal procedure. Upon a determination by the Building Official that the short-term rental license of a dwelling unit is subject to revocation pursuant to §181.033(D), the Building

Official shall issue a notice to the owner and agent of the licensed short-term rental stating that the city intends to revoke the license.

- (2) The notice shall inform the owner and local agent of a right to a hearing to show cause as to why the license should not be revoked. If a hearing is requested within fourteen (14) days of the service of the notice, the city shall schedule the hearing and notify the owner and agent in writing of a time and place for that hearing.
- (3) At the hearing, the owner and/or agent may present evidence that the violations have been corrected, or that the property owner and agent should not be held responsible for the violations due to extenuating circumstances. Extenuating circumstances may include circumstances that the owner or the owner's agent could not reasonably anticipate and prevent, and could not reasonably control.
- (4) The Building Official shall independently determine whether there is competent, material and substantial evidence establishing a violation, and/or whether there is competent, material and substantial evidence establishing that extenuating circumstances exist.

Section 2. Interpretation.

Nothing in this Ordinance or in the Code hereby adopted shall be construed to affect any suitor proceeding in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy or any character be lost, impaired or affected by this Ordinance.

Section 3. Severability.

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 4. Conflicting Ordinance.

All prior existing ordinances adopted by the City of Wyandotte inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

Section 5. Effective Date.

This Ordinance shall take effect fifteen (15) days from the date of its passage by the Wyandotte City Council and the Ordinance or its summary shall be published in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption. A copy of this Ordinance may be inspected or obtained at the City of Wyandotte Clerk's Office, 3200 Biddle Avenue, Wyandotte, Michigan.

On the question, "SHALL THIS ORDINANCE NOW PASS?", the following vote was recorded:

CERTIFICATION

We, the undersigned Robert A. DeSana and Lawrence S. Stec, respectively, the Mayor and City Clerk of the City of Wyandotte, do hereby certify that the foregoing Ordinance was duly passed by the City Council of the City of Wyandotte, at a regular session on Monday, October 14, 2024.

Robert A. DeSana, Mayor
Lawrence S. Stec, City Clerk

The effective date of this Ordinance is October 29, 2024. A copy of this Ordinance may be purchased or inspected at the City of Wyandotte Clerk's Office, 3200 Biddle Avenue, Wyandotte, Michigan, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Publication Date: October 23, 2024