

**CITY OF GROSSE POINTE PARK  
COUNTY OF WAYNE  
STATE OF MICHIGAN ORDINANCE**

**Ordinance No. 245**

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GROSSE POINTE PARK BY  
REVISING AND AMENDING CHAPTER 22, BY ADDING ARTICLE 5 SHORT TERM  
RENTAL LICENSING REQUIREMENTS**

**THE CITY OF GROSSE POINTE PARK ORDAINS:**

**SECTION 1. AMENDMENT**

Chapter 22, of the City’s Code of Ordinances, is hereby amended by adding Article 5 “Short-Term Rental Licensing” to read as follows:

**Article 5 – Short-Term Rental Licensing**

**Sec 22-101. – Purpose**

The purpose of this Article is to secure the public health, safety and general welfare of City residents and property owners as well as visitors to the City, by regulating short-term rental properties to prevent nuisances and safety hazards that interfere with City residents’ or property owners’ rights to conduct normal, daily activities without unreasonable interference and to provide safe and healthy living arrangements for visitors who rent property on a short-term basis.

**Sec 22-102. – Definitions**

As used in this Article, the following words and phrases shall have the meanings herein ascribed to them:

- a. *Advertise* means listing a short-term rental for rent on any short-term rental booking platform or otherwise soliciting rentals of the premises.
- b. *Booking transaction* means, any contractual agreement between a guest and an owner relative to a short-term rental.
- c. *Dwelling* means any house, room, or apartment which is wholly or partly used or intended to be used for living, sleeping, cooking, and eating.
- d. *License* means a short-term rental license issued by the City to the owner of a premises authorized to be used as a short-term rental. No licensee shall acquire by virtue of having been granted a license, a right of automatic renewal, nor shall any licensee have or acquire a property or liberty interest in or expectation of an initial or renewed license. All licenses terminate upon transfer of ownership, and may not be assigned, transferred, or hypothecated, in whole or in part.
- e. *Licensee* means the owner(s) holding a license.
- f. *Maximum Occupancy* means the maximum number of allowable occupants for the premises.
- g. *Nuisance* means an offensive, annoying, unpleasant, or obnoxious thing or practice, a cause or source of annoyance, especially a continuing or repeated invasion of any physical characteristics of activity or use across a property line which can be perceived by or affects an individual, or the

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generation of an excessive or concentrated effects from movement of people or things including but not limited to: noise; dust; smoke; odor; glare; fumes; flashes; vibration; objectionable effluent; noise from a congregation of people, particularly at night; passing traffic; or invasion of street frontage by traffic generated from an adjacent premises which lacks sufficient parking and vehicle circulation facilities.

- h. *Occupant*. Means a non-owner living in, sleeping in, or otherwise having possession of a premises.
- i. *Owner* means a person holding legal or equitable title to the premises. An owner may designate an agent to perform duties or receive notice under this Chapter.
- j. *Person* means any individual, company, partnership, corporation, limited liability company, trust or other entity having the legal capacity to own or lease real property. For the purpose of this Article, a parent company, holding company, subsidiary, ancillary or auxiliary company or any related entity shall be considered the same entity as their related entities.
- k. *Premises* means real property, and all fixtures and improvements, including the dwelling, located on it.
- l. *Short-Term Rental Platform* means one or more portals, listing services, or websites through which a person may collect or receive a fee, directly or indirectly, for facilitating booking transactions. A platform shall include a service that merely posts advertisements for short-term rentals.
- m. *Rent or Rental* means to permit, provide for, or offer possession or occupancy of a dwelling on a premises on which the owner does not reside for a period of time to a person who is not the owner, pursuant to a written or unwritten agreement.
- n. *Short-term rental* means the rental or subletting of any dwelling on a premises for a term of 28 days or less.
- o. *Short-term rental operation* means listing the property on any short-term rental platform or the utilization of a property as a short-term rental.
- p. *Special Event Venue* means the place where a meeting or event of a specific type takes place and/or is held (i.e. – weddings, showers, and other parties/gatherings) that exceed the defined building/room capacity of the dwelling and/or structure.
- q. *Transfer of Ownership* has the meaning ascribed to it by MCL 211.27a or any subsequent sections or statutes of the same import.

### **Sec 22-103. – License Required**

- a. *General Regulations*: It shall be unlawful for any person to offer any premises as a short-term rental or conduct or operate a short-term rental on any premises within the City without a short-term rental license issued by the City.
- b. *Specific Regulations*: Persons seeking to operate a short-term rental must be registered with and licensed by the City prior to listing the property as a short-term rental on any short-term rental platform. All short-term rental operations shall comply at all times with the requirements of this Article.

### **Sec 22-104. – Exceptions**

This Article shall not apply to the following:

- a. *Family Occupancy*. A member of the owner’s family, as well as any guests of that family member, may occupy a premises as long as a member of that family retains ownership of the premises. The family occupancy exemption also exempts family occupancy of guest houses or

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similarly separate dwellings lawfully located on the same premises, when occupied by family guests, exchange students, visitors, medical caregivers, and child caregivers, without compensation to the owner.

- b. *House sitting*. During the temporary absence of the owner and the owner's family, the owner may permit non-owner occupancy without remuneration to the owner.
- c. *Dwelling sales*. Occupancy following closing by a prior owner after the sale of a premises for the length of time agreed to by the parties to the dwelling sale agreement.
- d. *Estate representative*. Occupancy by a personal representative, trustee, or guardian (including family members) of the estate of the owner, with or without compensation. The estate shall notify the City of the owner's name, date of death or incapacity, and name of the person occupying the premises.

### **Sec 22-105. – Licensing Procedure and Criteria**

#### a. Application

Applicants for a short-term rental license shall file an application to conduct a short-term rental operation with the City on a form provided by the City for that purpose. The application shall include the following:

- 1. The name, mailing address, and phone number of the owner(s) of the premises to be licensed.
- 2. If the owner of the property is a corporate entity, the application must identify all current members and their percentage ownership interests in the corporation or other entity. If the property owner is a trust, the application must identify all beneficiaries and trustees of the trust.
- 3. A description of the premises proposed to be used for short term rentals, including but not limited to:
  - a. Number of bedrooms
  - b. Number of bathrooms
  - c. Tax parcel ID number
- 4. A non-refundable application fee in an amount set from time to time by resolution of the City Council or its designee. If a license is granted, the application fee will be applied towards payment of the license fee.
- 5. A statement as to whether the applicant and/or property owner has ever been cited for a violation of this Article or had a short-term rental license revoked.
- 6. A nuisance response plan containing the information required by this Article.
- 7. All applicants selected to receive a license shall also file the following with the City prior to the issuance of the license:
  - a. A licensing fee in an amount set from time to time by resolution of the City Council.
  - b. A Cash Bond in the amount of \$1,500.00 which shall be held in escrow by the City while the rental license is active. The bond must be a cash bond in the form of a cashier's check and made payable to the City of Grosse Pointe Park. In the event the license is terminated without any finding of a violation under this Article, the bond shall be released to the Licensee in full, without interest. In the event the Licensee is found to be in violation of this Article, the City may declare the cash bond partially forfeited in the amount of the then outstanding violation. The bond may be reduced by \$500.00 for each successful license renewal completed at the close of a licensing period provided that no documented violations of this Article have occurred during

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that period. However, the bond shall not be reduced below a minimum amount of \$500.00, which must remain held by the City for the duration of the active license.

- c. A list of short-term rental platforms used to solicit booking transactions for the short-term rental unit, if any, shall be provided. At the time of license approval, renewal, or upon request by the City, an updated list of platforms along with corresponding printouts of URLs advertising the short-term rental shall be submitted.

### b. Inspections

1. Upon receiving a complete license application, the City will schedule an inspection of the premises with the City Building Inspector. The Building Inspector will visit the premises and assess its fitness and safety for short-term rental operations using the standards contained in this Article and those required to obtain a Certificate of Occupancy pursuant to the City Code.
2. Each licensed premises shall undergo an annual inspection at the time of the initial application and at each subsequent renewal. An inspection fee shall be charged in an amount determined by the City Council from time to time. Properties renewing their license may qualify for an extended inspection period of twenty-four-months if they meet all of the following conditions:
  - i. The property must have successfully renewed its license prior to its expiration for two consecutive years.
  - ii. The property must not have had more than one documented violation during the previous licensing period.
  - iii. No appearance tickets or enforcement letters must have been issued during the expiring licensing period.
  - iv. Any violations from the previous inspection cycle, must have been resolved in a timely manner.

### c. License Duration and Limitations

1. The owner(s) of the premises described in the application shall be the only permitted short-term rental licensee but may designate a local agent for purposes of receiving notices under this Article and shall do so if required by Section 22-106(b) of this Article. In the event a local agent is designated by the owner of the premises, the owner shall provide the City with the name, address, telephone number, and email address of the local agent at the time of the submission of an application.
2. Licenses issued under this Article shall remain in effect for a period of one year from the date it was issued unless it is suspended or revoked by the City. Renewals shall be obtained in the same or substantially similar form and manner as the initial license.
3. Licenses are, non-transferrable, non-assignable and remain the sole property of the City. A license shall terminate upon a transfer of ownership of the property. In such cases, the existing short-term rental license is terminated, and a new short-term rental license must be obtained by the new owner of the property before short-term rentals may be resumed.

## **Sec 22-106. – Short-Term Rental Regulations**

Premises licensed for short-term rentals under this Article shall comply at all times with all of the following requirements:

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- a) No licensee shall advertise a short-term rental unit, unless the advertisement includes the licensee's license number and the maximum occupancy permitted in the unit. If a licensee chooses to advertise the short-term rental online (for instance on Airbnb, VRBO, or a similar website) the license holder shall post their short-term rental license number within the listing.
- b) Licensees must be available to receive notices and respond to complaints from neighbors or the City 24 hours per day, 7 days per week. Licensees who do not reside permanently within a thirty (30) minute radius of the property to be licensed shall designate in writing to the City, as part of its application, the name, physical address, phone number(s), fax number (if available) and email address of a local agent. Notwithstanding the local agent's actual authority, the local agent shall be deemed to be the licensee's authorized agent for purposes of serving notice under this Article, including service of a civil infraction citation.
- c) The address of the premises must be prominently displayed inside the main area of the dwelling so that occupants will have it available in case of an emergency,
- d) The licensee's name, address, phone number(s) and email address must be displayed prominently in the main part of the dwelling, along with the name, address, phone number(s), fax number and email address of a designated local agent, if any, and supplied in writing to all persons who rent the premises.
- e) The License along with a summary of short-term rental regulations, provided by the City, must be prominently displayed in the main part of the building.
- f) Fire extinguishers, smoke detectors and carbon monoxide detectors adequate for the dwelling, as determined by the City Building Inspector as part of the inspection of the premises, shall be provided, properly mounted and kept fully charged and in good working order at all times. Notwithstanding any inspection by the City building inspector, the fire inspector may inspect any building pursuant to the City Code.
- g) Dwellings may not be sublet by any tenant of the licensee.
- h) The licensee shall provide secure trash receptacles and must make those receptacles accessible by weekly trash removal services for occupants' use. Receptacles must be designed to prevent intrusion by animals and to ensure proper trash removal from the premises. Permanent commercial dumpsters are not allowed on any premises used for short-term rentals. All garbage, rubbish, recyclables, and yard waste must comply with Chapter 34 of the City Code, including but not limited to standards for container storage and collection.
- i) A minimum of one off-street parking space per four occupants must be provided. Occupants are required to park in the provided off-street spaces.
- j) All short-term rentals shall solely be utilized as temporary rental dwellings and may not include any activities such as yard sales, festivals, retreats, class reunions, home occupations or similar uses. Short-term rentals shall not be marketed or used as a special event venue.
- k) The number of occupants in a dwelling unit during a short-term rental shall not exceed the lesser of two (2) occupants per bedroom plus two (2) additional occupants, or the occupancy limitations set forth in Section 404 of Chapter 4 of the International Property Maintenance Code. Maximum Occupancy shall be calculated by the City.
- l) Licensees must maintain records of all bookings and rental activity. Such records shall include the actual dates of occupancy, and the total number of guests per party per stay. The licensee must submit these records at time of license renewal and shall provide them to the City upon request.

### **Sec 22-107. – Nuisance Prohibited**

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Licensed premises shall be maintained free from any nuisance. The use of any licensed premises under this Article in the creation of any nuisance is strictly prohibited and constitutes a violation of this Article. In the event the City is notified of any nuisance emanating from a licensed premises, the City will follow the enforcement provisions set forth in Sec 22-111 below.

### **Sec 22-108. – Licensee Responsibility**

The licensee and/or the licensee's local agent shall be responsible for remedying any violations of this Article, or any violation of State law or City Code, including, but not limited to, any violations by the occupants of a short-term rental and/or guests of such occupants. For any violation of the foregoing provisions of the City Code, the City may (in addition to other remedies) notify the licensee and/or local agent of such violation by telephone or return receipt email at the phone number and email address posted on the interior notice or supplied in the licensee's application. The licensee and/or local agent shall be considered to have received notice of the violation upon receiving the telephone call or when a return receipt email message is received by the City, whichever is soonest. Upon receiving notice of the violation, the licensee and/or local agent shall ensure that the violation is remedied within two (2) hours of receipt of such notice. Failure to remedy the violation within two (2) hours after receiving notice of the violation, without good cause, shall constitute a material violation of this Article and may subject the licensee to a municipal civil infraction citation and court enforcement proceedings and the penalties imposed by law. Nothing in this Section limits the City or its authorized designee's right or ability to enforce violations of the City Code against occupants.

### **Sec 22-109. – Nuisance Response Plan**

- a) Content of Nuisance Response Plans. Each nuisance response plan accompanying an application for a license required by this Article shall contain the following information and otherwise be in a form required by the City:
  - a. The mailing address and telephone number of the owner or owners of the property to be used as a short-term rental.
  - b. The name, address, and telephone number of the person or persons who will be available by telephone, and who will be responsible for promptly responding to or causing a prompt response to a nuisance complaint arising out of the occupancy or use of the short-term rental unit by tenants, their visitors, and/or their guests.
  - c. The manner of responding to or causing a response to a nuisance complaint, including but not limited to the manner in which the complainant or complainants will be notified of the response and the method of documenting prompt responses and timely corrective action.
  - d. The manner of assuring timely corrective action to remedy the conditions that caused the nuisance complaint.
  - e. The proposed maximum number of overnight occupants, with supporting documentation identifying unusual size, interior layout, parking or other physical characteristics, if any.
  - f. The number of off-street parking spaces and number of bedrooms available at the short-term rental.
- b) Amendment of Nuisance Response Plans. At any time following the issuance of a license required by this Article, the owner or owners of a short-term rental being operated pursuant to such license may change the content of the nuisance response plan approved incident to the issuance of the license by filing an amended response plan with the Building Department. Such amended response plan shall contain all of the information required by subsection (a) and shall be

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accompanied by an amended response plan fee in an amount established by resolution of the City Council.

- c) Notice of Nuisance Response Plan. Promptly following the approval and issuance of a license required by this Article, or the approval of an amended response plan in the manner provided for by this Article, the Building Department shall cause notice of the availability of the nuisance response plan provided to the City by the licensee to be:
  - a. Mailed by first class mail addressed to the owner or occupant of every property, any part of which is located within a 200-foot radius of the property that is to be used and occupied as a short-term rental; and
  - b. Posted on the city's internet website for short-term rental nuisance response plans, so that all such plans are available to all members of the public on the city's website.

### **Sec 22-110. – Violations and Penalties.**

- a. Violation. A violation of this Article is hereby declared to be a public nuisance and a nuisance per se and is declared to be offensive to the public health, safety, and welfare.
- b. Failure of Owner to Remedy Violation. An Owner who fails to timely remedy a violation of this Article shall receive a written notice of infraction and shall be subject to penalties for violation of this Article. In the event the Owner receives three (3) written notices of violation in a five (5) year period, the City shall permanently revoke his or her license. In the event the Owner does not possess a valid license in accordance with this Article, the Owner shall be subject to penalty in accordance with this Article and will be permanently banned from receiving a license in the future. If an owner receives notice of a permanent ban or revocation, he or she shall be entitled to appeal in accordance with subparagraph d below.
- c. Penalties. Any person who violates any provision of this Article shall be responsible for a municipal civil infraction and shall be subject to the penalties or sanctions stated in this subsection, plus the costs of attorney fees of the City in the enforcement. In addition, this Article shall be specifically enforceable by order of the Court to prohibit or enjoin future activities on or about the premises in violation of this Article. Each day this Article is violated shall be considered as a separate violation. Perpetrators of violations are subject to a fine in the amount as established by Resolution of the City Council.
- d. Appeal Procedure. Upon a finding by the City Code Enforcement Officer or his or her Designee of a third violation, the City Code Enforcement Officer or his or her Designee shall prepare or cause to be prepared a written notice specifying the alleged violation and the factual basis for this belief and a statement that the City intends to revoke the license or permanently ban an Owner from receiving a license in the future within 14 days.
  - a. The written notice shall inform the licensee of a right to an appeal hearing to show cause as to why the license should not be revoked by filing with the City Clerk a written notice of appeal within 14 days of service of the written notice by the City Code Enforcement Officer or his or her designee.
  - b. If an appeal hearing is requested within 14 days of service of the written notice, the City Clerk shall refer a copy of this notice and the request for appeal hearing to an appeals panel consisting of the City Manager or their designee, Director of Public Safety or their designee, and the Chair of the Planning Commission or their designee. Upon receipt of the written notice and request for appeal, the City Clerk shall confer with the appeals panel to schedule a hearing. The hearing shall be held as soon as practical, but not later than 10 business days after the filing of the notice of appeal with the City Clerk. The hearing provided for shall be conducted by the appeals panel.

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- c. Written notice of the appeal hearing including the time, date, and place of the hearing shall be served on the license or the licensee's designated agent either personally or by certified mail, restricted delivery and return receipt requested.
- d. At the hearing, the licensee shall be given an opportunity to present evidence and legal arguments. The licensee may also be represented by an attorney, and the appeals panel may request the assistance of the City Attorney. The appeals panel's decision shall be in writing and shall specify the factual evidence upon which it is based and shall be a final decision. A copy of the appeals panel's written decision shall be provided to the licensee.

### **Sec 22-111. – Enforcement**

- a. The Code Enforcement Officer or his or her designee, any police officer having jurisdiction in the City, and other person as may be appointed from time to time by the City Council are hereby designated as the authorized local officials to issue municipal civil infraction citations for violation of this Article.
- b. In addition to enforcing this Article through the use of a municipal civil infraction proceeding, the City may initiate proceedings in the Municipal Court to abate or eliminate the nuisance per se or any other violation of this Article.
- c. The remedies provided in this Article are cumulative and the City's exercise of one remedy shall not bar the exercise of other remedies available to it.

### **SECTION 2. SEVERABILITY**

This Ordinance and each of the various parts, sections, subsections, sentences, phrases, and clauses hereof are declared to be severable. If any part, section, subsection, sentence, phrase, or clause is determined to be invalid or unenforceable by a court of competent jurisdiction, it is hereby provided that the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

### **SECTION 3. RATIFICATION**

All other provisions of the code of Ordinances of the City of Grosse Pointe Park, Michigan except as herein modified or amended are hereby expressly ratified and affirmed.

### **SECTION 4. PUBLICATION**

This Ordinance shall be published in accordance with the terms, provisions, and requirements of the City Charter of the City of Grosse Pointe Park, Michigan, and in accordance with and to the extent required by the statutes of the State of Michigan.

### **SECTION 5. EFFECTIVE DATE**

This Ordinance shall take immediate effect upon publication in accordance with the provisions and requirements of the City Charter of the City of Grosse Pointe Park.

### **ORDINANCE DECLARED ADOPTED.**

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**CERTIFICATION**

I, the undersigned, the duly qualified City Clerk of the City of Grosse Pointe Park, Wayne County, Michigan, do hereby certify that the forgoing is a true and complete copy of an Ordinance duly adopted by the City Council at a regular meeting held on December 9<sup>th</sup> 2024, at which meeting a quorum was present and remained throughout, (2) that an original thereof is on file in the records of the City, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended), and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

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Bridgette Bowdler, City Clerk  
City of Grosse Pointe Park