

**STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF BLOOMFIELD**

ORDINANCE NO. 653

An ordinance to amend Chapter 42, Zoning, of the Code of Ordinances of the Charter Township of Bloomfield to regulate rentals of real property in the Township.

THE CHARTER TOWNSHIP OF BLOOMFIELD ORDAINS:

PREAMBLE

The Township finds it necessary to distinguish between rental and short term rental of dwellings within the Township of Bloomfield as a matter to preserve the public health, safety and welfare of the community. The Township has enacted this ordinance in an attempt to strike an appropriate balance between the interests of community residents, visitors to the community, and real property owners wishing to engage in rental of dwellings for more than 30 days. Conversely, the transient nature of short term rentals can lead to neighborhood complaints of excessive noise, disorderly conduct, traffic and parking issues. In their public policy determination to preserve and retain the peaceful and quiet enjoyment of the residential community character of the Township, the Township finds that there are some uses, because of their very nature, are recognized as having serious operational characteristics when under certain circumstances have a deleterious effect upon neighborhood areas, as well as the community as a whole. Relying on such facts, the Township has concluded that regulation of this use is necessary to ensure the public health, safety and welfare of the Township. While also recognizing the evolution of residency within the community, the Township finds it necessary to add the definition of Rent or Rental unit, and to identify the terms of rentals that are found nondetrimental in the one family and multiple family districts.

Section 1 of the Ordinance

Article 2. Definitions of Chapter 42, Zoning, is hereby amended to add a definition “rent or rental unit” and shall read as follows:

69. **Rent or Rental Unit** means to provide for, or offer possession or occupancy of a dwelling for thirty (30) days or more in which the Owner does not reside for a period of time to a person who is not the legal owner of record, pursuant to a written or oral agreement. Rent or a rental unit for a term less than thirty (30) days, also known as a short term rental, is considered a commercial use and shall be expressly prohibited. The definition does not include group homes such as nursing homes, and adult foster care homes, or other health-care related facilities within the home.

(The existing definitions 69 through 92 to be renumbered accordingly)

Section 2 of the Ordinance

Article 3, Zoning Districts, Section 42-3.1.1 R-1 One-Family Residential is hereby amended to add Section 42-3.1.1 B. ix.

- ix. Rent or rental unit. (See definition).

Article 3, Zoning Districts, Section 42-3.1.2 R-2 One-Family Residential is hereby amended to add Section 42-3.1.2 B. ix.

- ix. Rent or rental unit. (See definition).

Article 3, Zoning Districts, Section 42-3.1.3 R-3 One-Family Residential is hereby amended to add Section 42-3.1.3 B. ix.

- ix. Rent or rental unit. (See definition).

Article 3, Zoning Districts, Section 42-3.1.4 RM Multiple-Family Residential is hereby amended to add Section 42-3.1.4 B. vii.

- vii. Rent or rental unit. (See definition).

Article 3, Zoning Districts, Section 42-3.1.14 PRD Planned Residential Development is hereby amended to add Section 42-3.1.14. C. vi.

- vi. Rent or rental unit. (See definition).

Section 3 of the Ordinance

Should any section, subdivision, sentence, clause or phrase of this ordinance, be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part as invalidated.

Section 4 of the Ordinance

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

Section 5 of the Ordinance

The provisions of this Ordinance shall take effect immediately upon publication.

Section 6 of the Ordinance

This Ordinance is hereby declared to have been adopted by the Township Board of the Charter Township of Bloomfield at a meeting thereof duly called and held on the 14th day of January, 2019, and ordered to be given publication in the manner prescribed by the Charter Township of Bloomfield.

CERTIFICATION

I hereby certify that the foregoing Ordinance was adopted by the Board of Trustees of the Charter Township of Bloomfield at a meeting held on January 14, 2019, and that the original of this Ordinance is on file in my office.

Janet Roncelli, Township Clerk

Introduced: December 10, 2018
Published: December 16, 2018
Adopted: January 14, 2019
Published: January 20, 2019