

**CITY OF IMLAY CITY
LAPEER COUNTY
STATE OF MICHIGAN
ORDINANCE NO. 116.00**

An ordinance amending Title XI (Business Regulations) of the Code of Ordinances by adding thereto a new Chapter 116 entitled "Short Term Rental Ordinance" and to prescribe penalties for violations thereof.

THE CITY OF IMLAY CITY ORDAINS THAT:

Section 1. Amendment of Title XI of the Code of Ordinances.

The City Commission hereby amends Title XI of the Code of Ordinances by adding thereto a new Chapter 116 to read as follows:

CHAPTER 116: SHORT TERM RENTALS

- 116.01 Purpose
- 116.02 Definitions
- 116.03 Licensing Requirements
- 116.04 Number of New Licenses and Procedure
- 116.05 Regulations
- 116.06 License Suspension or Revocation
- 116.07 Violations

§ 116.01 PURPOSE.

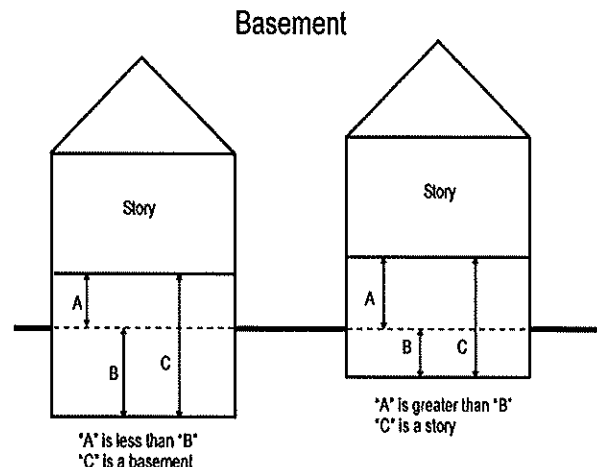
- (A) The City Commission declares the short-term rental of dwelling units in the City of Imlay City provides value to our local economy. The City Commission recognizes the importance of available housing units for full-time residents. The City Commission has enacted this regulatory ordinance to strike a regulatory balance between the interests of community residents, business owners, visitors, and property owners.
- (B) The City has different expectations for noise, occupant loads, and transient activity in its residential neighborhoods than it does in other zoned districts. The renting of a home on a short-term basis is substantially more like a business than traditional residential use.

§ 116.02 DEFINITIONS.

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

BASEMENT. That portion of a building which is partly or wholly below grade but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling. A basement shall not be counted as a story. (See figure)

BEDROOM. 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 do not qualify as bedrooms: kitchens, dining areas, gathering spaces such as living rooms, family rooms and attics or basements without egress meeting standards in applicable building, residential and fire codes.

DWELLING UNIT. A building, or enclosed portion thereof, designed for occupancy by one (1) or more persons for residential purposes and having independent living, eating, sleeping, cooking, and sanitary facilities. A dwelling unit shall include both manufactured units (mobile homes and modular homes) and site-built units.

GOOD NEIGHBOR GUIDELINES. Materials prepared by the City that are to be displayed in a visible location within the short-term rental units. Materials may contain a summary of critical ordinances, trash and other useful utility data and safety information, including:

- (A) A summary of the City Ordinances and all applicable penalties;
- (B) A reminder that the short-term rental may be operating in a residential neighborhood and that the neighbors may not be vacationing;
- (C) A statement informing the occupant(s) that neighboring property owners may contact the local agent, police department, City, or City designee to report any issues relating to the property.

LOCAL AGENT. An individual designated to oversee the short-term rental of a dwelling unit in accordance with this ordinance. This individual is required to respond to calls and complaints. The local agent must live or maintain a physical place of business within forty-five (45) miles of the dwelling unit used for short-term rentals. A property owner who meets these criteria may be the local agent.

SHORT TERM RENTAL. A dwelling unit, or a group of rooms located within dwelling unit that may be subordinate to the principal use of a dwelling unit as a single-family dwelling and forming a single habitable space having facilities which are used or intended to be used for sleeping, cooking, eating, and bathing purposes, rented on a daily, weekly, or other basis for less than fourteen (14) days per rental period. A short-term rental is not a bed and breakfast, a motel or hotel, or a boarding house.

HOUSING CODE OFFICIAL. The rental inspector designated by the City Manager to oversee the enforcement of this Ordinance.

§ 116.03 LICENSING REQUIREMENTS.

- (A) All short term rentals, shall be licensed with the City as stipulated in this ordinance.
- (B) The advertisement or rental of an unlicensed short-term rental, is prohibited.
- (C) Licenses shall be issued by calendar year.
- (D) All short-term rental licenses shall expire January 31 and must be renewed prior to January 31 of that year.
- (E) When a short-term rental property is sold, the license will expire at sale and is not transferable; licenses will revert to the City after expiration, sale, revocation or twelve (12) months of non-activity and will be redistributed according to this ordinance.
- (F) The City Clerk shall develop a form(s) to properly carry out this ordinance. The license application form shall collect not less than the following:
 - (1) Name, address and telephone number of the property owner and/or local agent for the dwelling unit;
 - (2) The street address of the dwelling unit, along with other identification if more than one dwelling unit has the same street address;

- (3) The number of bedrooms in each dwelling unit and in the dwelling as a whole;
 - (4) A statement certifying that the property owner or a local agent will provide at least one copy of the good neighbor guidelines as approved by the City to the renters each time the dwelling unit is rented and
 - (5) A list of all websites and other media where unit is advertised.
- (G) Prior to the issuance of a license, the City of Imlay City Housing Code Official or designee shall conduct an inspection of the proposed short-term rental to determine compliance with the standards herein and all applicable zoning, building, health and safety codes. A license shall not be issued without a satisfactory determination by the Housing Code Official. A request for a renewal license shall also require a satisfactory inspection by the Housing Code Official.
- (H) After inspection by the Housing Code Official, and upon determination that a short-term rental applicant has met all requirements of this ordinance, a license shall be issued by the City Clerk.
- (I) There shall be a fee collected prior to the issuance of a license. The City Commission shall set such fee by resolution, which may vary depending on the type of property, dwelling, or other distinction the City Commission may deem advisable.

§ 116.04 NUMBER OF LICENSES AND PROCEDURE.

- (A) New applications will be considered in order received. The number of licenses available for short term rentals within the City in locations designated by the City of Imlay City Zoning Ordinance and shall not exceed five (5).
- (B) Licenses that have a valid license and are in good standing with the City shall have first priority in receiving a license for the following calendar year. Licenses shall expire every January 31 and require an annual renewal, regardless of when the previous license was granted.
- (C) The remaining balance of licenses may be issued to applicants who have submitted a complete application. If the number of applications, including renewal applications, exceeds five (5), then the City will process the applications on a first come first served to determine which of the new applicants shall receive a license.

§ 116.05 REGULATIONS.

- (A) **Compliance with codes.** The dwelling unit must meet all applicable zoning, building, health and safety codes to protect the safety of occupants.
- (B) **Compliant Size Requirements.** If the subject lot does not meet the district minimum lot area or has other dimensional requirements in the City of Imlay City Zoning Ordinance and is considered a nonconformity, it shall not be suitable for short term rental use.
- (C) **Maximum Length Stay.** The maximum length of stay of any guest(s) shall be fourteen (14) days.
- (D) **Maximum occupancy.** The maximum occupancy of a short-term rental shall not exceed the lesser of:
 - (1) Ten (10) occupants or
 - (2) No establishment shall exceed an occupancy number to provide less than two hundred and twenty-five (225) square feet of air space per occupant. The guest rooms shall be equipped with operating smoke detector alarms, lavatory, and bathing facilities available.

- (E) **Public Safety.** At least two (2) exits to the outdoors shall be provided in the short-term rental. Fire alarms shall be provided within the short-term rental in each bedroom and kitchen area.
- (F) **Attics and Basements.** An attic or basement shall not be included for the purposes of determining maximum occupancy for a short term rental, unless the owner or local agent provides written consent to City officials to inspect the premises, in order to verify whether the attic or basement meets the applicable egress requirements for occupancy in the Michigan Construction Code, the Michigan Residential Code, and all applicable State of Michigan and local fire codes.
- (G) **Fireworks/Noise.** No person within the City shall cause a noise or disturbance, which is defined as sound created by human activity with or without the use of any device, which by reason of its volume, intensity, location, or time of day impairs the health, welfare, or peace of another person of normal human sensibilities. This includes, but is not limited to, the following prohibited acts:
- (1) No fireworks shall be used on the premises of any short-term rental when it is occupied by anyone other than the owner.
 - (2) The playing of any radio, television, phonograph, or other sound reproduction device, or musical instrument in such a manner or at such a volume as to be sufficiently audible to unreasonably annoy or disturb the quiet, comfort, or repose of persons in the vicinity.
 - (3) The use of any motor vehicle, including motorcycles, in such a manner as to create an unreasonably disturbing noise, including but not limited to, the screeching of tires and the discharge into the open air of exhaust from the engine without a sufficient muffler.
 - (4) Shouting or other raucous or boisterous behavior for an unreasonable length of time.
- (H) **Parking Restrictions.** Parking may not interfere with travel on a street or with neighboring properties.
- (1) A minimum of two (2) improved off-street parking spaces for the first five (5) occupants up to maximum density shall be provided onsite, parking within a garage may count toward this requirement. If more than five (5) occupants are proposed an additional parking space is required.
 - (2) The driveway located onsite shall be at least ten (10) feet wide and shall not exceed twelve (12) feet in width. A minimum three (3) foot setback from the property line is required.
- (I) **Sidewalks.** A paved sidewalk shall be installed between the public sidewalk and the main entrance to the dwelling. If there is no public sidewalk, the rental dwelling entrance sidewalk shall be extended to the road right-of-way.
- (J) **Appearance.** There shall be no exterior alterations to the dwelling that are not customary for other principal single-family residences in the City.
- (K) **Yard Maintenance.** All improvements located in a yard, including, but not limited to walkways, driveways, parking areas, steps, fences, and walls shall be kept in good repair. All unimproved areas within yards shall be continuously maintained as mowed lawn or shall be landscaped.
- (L) **Refuse and Recyclables.** All refuse and recyclables must be stored in containers with tight fitting lids. Refuse containers shall be as provided by the City waste hauler. Refuse containers must be placed in the appropriate location for pick up on the days designated by

the waste hauler. Recycling containers and proper removal are the responsibility of the owner.

- (M) **Pets.** All pets shall be confined to the property or on a leash at all times. Pets that cause frequent or long continued noise that disturb the comfort or repose of any person in the vicinity of the short-term rental shall be found in violation of this ordinance.
- (N) **Advertising.** No person shall advertise a short-term rental unless the property fully complies with this ordinance.
- (O) **Local agent required.** All rentals shall have a designated local agent.
- (P) **Contact information posted.** A notice shall be posted in a prominent location within the rental stating the name of the local agent and a 24-hour telephone number with which the agent can be reached.

§ 116.06 LICENSE SUSPENSION OR REVOCATION.

- (A) Once a license has been issued, it may be revoked, suspended or not renewed by the City Clerk for failure to comply with the provisions of this ordinance and any rules or regulations promulgated by the City. Immediately upon such revocation, the City Clerk shall provide written notice to the license holder by personal service or first-class mail at the address listed in the application stating the reasons for the revocation. Immediately upon such revocation, the license shall become null and void.
- (B) A license holder whose license is suspended or revoked may appeal to the City Commission by filing a written notice of appeal with the City Clerk within fourteen (14) days after the date of the written notice of revocation was issued. The City Commission shall hear and determine the appeal and its decision shall be final.
- (C) It shall be unlawful for any person to operate a short-term rental while the license is suspended or revoked.

§ 116.07 VIOLATIONS.

- (A) An owner of a short-term rental who violates this chapter is responsible for a civil infraction and subject to penalties as provided in Chapter 35, Municipal Civil Infractions.

Section 2. Severability.

This Ordinance and its various sections, paragraphs and clauses are hereby declared to be severable. If any section, paragraph, or clause is adjudged unconstitutional or invalid, the remainder of this amendatory ordinance shall not be affected thereby.

Section 3. Conflict.

If any part of this Ordinance is found to be in conflict with any other Ordinance or with any other part of this Ordinance, the most restrictive or highest standard shall prevail. If any part of this Ordinance is explicitly prohibited by federal or state statute, that part shall not be enforced.

Section 4. Publication, Recording and Filing.

This ordinance shall be published once after its adoption in full in the Tri-City Times, a newspaper of general circulation in the City of Imlay City and the City Clerk shall file a certified copy of the ordinance with the Michigan Secretary of State promptly after its adoption.

Section 5. Effective Date.

This ordinance shall take effect immediately upon publication.

CERTIFICATION OF MAYOR AND CITY COMMISSION

We hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the City Commission of the City of Imlay City, Lapeer County, Michigan, at a meeting held on the October 21, 2025.

We hereby further certify that the following City Commission Members were present at the meeting: Mayor Barbara Yockey, Mayor Pro Tem Bob Tanis, Commissioner Stu Davis, Commissioner Joe DeLuca, Commissioner Al Ramirez, Commissioner Luke Stempien

Absent: Commissioner Tom Blount

We further certify that Commissioner Stempien moved for the adoption of the Ordinance, and that motion was supported by Commissioner DeLuca.

We further certify that the following City Commission Members voted for the adoption of the Ordinance:

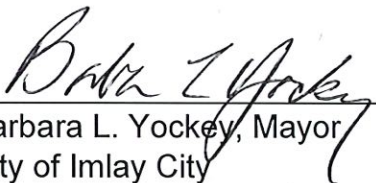
ROLL CALL VOTE

Ayes: Stempien, DeLuca, Tanis, Ramirez, Yockey

Nays: Davis

Absent: Blount

MOTION CARRIED


Barbara L. Yockey, Mayor
City of Imlay City


Dawn E. Sawicki-Franz, Clerk/Treasurer
City of Imlay City

First Reading: October 7, 2025
Second Reading: October 21, 2025
Date of Publication: October 29, 2025