

*Township of Birch Run  
Saginaw County, Michigan*

**ORDINANCE #2024-03**

**ADOPTION:** 10-08-2024

**PUBLICATION:** 10-16-2024

**EFFECTIVE:** 11-15-2024

**Birch Run Township**  
*Short Term Rental Ordinance*

An ordinance to amend the Birch Run Township Zoning Ordinance by amending Article 14 to add Section 14.24 to permit Short-Term Rentals (STRs) by Business License approval in the A-1, R-1 and R-2 zoning districts.

THE TOWNSHIP OF BIRCH RUN, SAGINAW COUNTY, MICHIGAN, ORDAINS:

**SECTION I – AMENDMENTS TO ZONING ORDINANCE**

The following articles of the Birch Run Township Zoning Ordinance are being amended by the addition, ~~deletion~~, or changes to the text in **red**.

**Article 14, Section 14.24 – SHORT-TERM RENTALS**

Short-Term Rentals (STRs) shall be permissible in the A-1, R-1 and R-2 Zoning Districts, subject to Business License approval:

**DEFINITION:**

A Short-Term Rental is a rental of any dwelling unit to any person for transient use for less than thirty (30) consecutive days.

- A. The regulation of Short-Term rentals as provided herein is intended to secure flexibility in the application of the requirements of this Ordinance; but such flexibility is not intended to allow the essential residential character of residential districts, in terms of use and appearance, to be changed by the occurrence of non-residential activities. Short-Term Rentals, as defined in this Ordinance, shall comply with the following conditions:
1. The number of Short-Term Rentals in Birch Run Township shall be limited to 34.

2. Owner/Operators:

- a. An individual or entity may not own or operate more than three Short-Term Rental in the Township.
  - b. The Owner/Operator must obtain a Birch Run Township Business License
3. Only one dwelling unit per parcel may be permitted for use as a Short-Term Rental.
  4. All rental lodging is to be exclusively within the dwelling unit and not in an accessory building, a recreational vehicle, camper, boat, tent, etc.
  5. Maximum occupancy in a single-family dwelling used as a Short-Term Rental shall not exceed two (2) people per bedroom plus two additional occupants.
  6. The number of off-street parking spaces at the dwelling shall be equal to the number of bedrooms plus one (1).
  7. Short-Term Rentals must meet all the applicable requirements of the Zoning District in which they are located and must meet all applicable requirements of the State Construction Code, Health Department and all other applicable regulations, ordinances, and rules.
  8. A renter may not use a Short-Term Rental for a purpose not incidental to its use for lodging or sleeping purposes. This restriction includes events that exceed the sleeping capacity of the home.

B. PENALTIES

1. Any violation of a provision of this Ordinance, any provision of any other Township Ordinance, the Noise Ordinance, Zoning Ordinance, or any other Township Ordinance or permit or approval process shall be a municipal civil infraction. Any violation of the applicable codes or regulations including but not limited to violations of the State Construction Code or health and sanitation rules or requirements of the Saginaw County Health Department shall be a violation of this Ordinance.

## C. REVOCATION

1. The Township Board shall have the authority to revoke the Business License for the Short-Term Rental, which is the site of a municipal civil infraction, resulting in a plea of responsibility (with or without explanation), a plea of guilty, a plea of no contest, or a Court's determination of responsibility or guilt by the owner or any renter. The Township Board may also consider revocation if it has been determined that the license holder, through their application and/or representations to the Township Board, have provided any misrepresentation or omission of any material fact, or false or misleading information on the license. The Zoning Administrator shall give written notice of such violations to the license holder. After 30 days, the Township Board may schedule a hearing on the revocation of the Business License and the hearing will be held according to all applicable Birch Run Township public hearing regulations.

### **SECTION II – SEVERABILITY**

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

### **SECTION III – REPEAL**

All ordinances and provisions of ordinances of the Birch Run Township Zoning Ordinance in conflict herewith are hereby repealed.

### **SECTION IV – EFFECTIVE DATE**

This amendatory ordinance shall be published as required by law and shall take effect 30 days after publication.

CERTIFICATION

ADOPTED

YEAS: D. Trinklein Jr., R. Kiessling, C. Trinklein, Watts, K. Kiessling

NAYS: Sheridan

ABSENT: Letterman

State of Michigan, County of Saginaw,

I, the undersigned Township Clerk for the Township of Birch Run, Saginaw County, Michigan, certify that the above Ordinance was adopted by the Township Board of Trustees of the Township of Birch Run on the 8<sup>th</sup> day of October 2024, and was recorded in full in the Minutes of the Meeting of the Township Board of Trustees on said date.

Dated: 10.11.2024

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Riley Kiessling, Clerk

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