ELY TOWNSHIP

"An Ordinance Regulating Short Term Rentals in the Township of Ely"

Ordinance Number 2026-2

SECTION 1: PURPOSE

A. Ely Township ("Township") wishes to reconcile the many interests and concerns that relate to Short-Term Rentals.

B. Short-Term Rentals can provide a community, and even a state-wide benefit, by expanding the number and type of lodging facilities available near its recreational features, and they can assist owners of homes by providing revenue which may be used for maintenance upgrades, and deferred costs.

C. However, Short-Term Rentals, if not appropriately regulated and licensed, can impose nuisances on residents and visitors in the Township such as impacts from traffic and parking, noise, and welfare issues related to the number of persons staying in a Short-Term Rental.

D. For the foregoing reasons, the purpose of the following regulations is to create a licensing and regulatory scheme for Short-Term Rentals to authorize such activities within the Township, but likewise to impose safeguards to protect the general health, safety, and social welfare of Township residents and visitors including those within authorized Short-Term Rentals.

SECTION 2: APPLICABILITY

This Ordinance applies to all Dwelling Units in Ely Township and Owners of those dwellings wherein the dwelling is rented as a Short-Term Rental. No Short-Term Rentals may occur in the Township unless in conformity with the provisions of this Ordinance.

SECTION 3: DEFINITIONS

A. Bedroom: A separate room that is used or intended to be used specifically for sleeping purposes, having a door for ingress and egress and a Code approved egress window. A Bedroom must be a habitable space of not less than seventy (70) square feet of floor area for single habitation and 50 additional square feet for each additional person; not less than (7) feet in one dimension, including height, not located in an attic or basement without egress, meeting all standards in applicable building, residential, and fire codes, and not a room by design intended to serve another purpose such as a kitchen, dining area, den, or family rooms and living rooms.
B. Capacity: Capacity is the number of overnight Occupants permitted in a Short-Term Rental under this Ordinance and as listed on the Rental Certificate issued by Ely Township.
C. Rental Certificate: A Short-Term Rental Certificate duly issued by Ely Township demonstrating authorization of a Short-Term Rental
D. Dwelling Unit: One or more rooms with bathroom and principal kitchen facilities designed as a self-contained unit for occupancy by one household living, cooking, and sleeping purposes

E. Parking Space: For purposes of this Ordinance, a Parking Space shall be a minimum of 9 feet by 20 feet, located off-street, outside of a road right-of-way, and in one of the following locations: in a garage or carport; or within a paved or gravel driveway; or within a paved or gravel parking pad
F. Local Contact Person: A local property manager, owner, agent, or caretaker of the owner of a Short-Term Rental, who is available to respond to rental and neighborhood questions or concerns, or any agent of the owner authorized by the owner to take remedial action and respond to any violation of this Ordinance and/or complaints
G. Occupant: Any person who is an overnight guest in the Short-Term Rental, including the renter, does not include guests of the Occupant or renter who are visiting between the hours of 8:00 a.m. and 10:00 p.m.
H. Owner: Any person or entity holding legal or equitable title to the premises (or portion thereof) used as a Short-Term Rental
I. Short-Term Rental: A Dwelling Unit in which overnight accommodations are provided or offered to transient guests for compensation, often advertised and booked through Airbnb, VRBO/HomeAway, FlipKey, or similar websites, including but not limited to VacationRentals.com, and Booking.com. A Short-Term Rental shall not be considered or construed to be a multiple occupancy dwelling (e.g., a rented apartment or duplex), motel, hotel, boarding or rooming house
J. Special Events: In association with a Short-Term Rental, a wedding, outdoor party, family reunion, bachelor or bachelorette parties, or similar gathering or activity that exceeds the maximum number of Occupants allowed under a Rental Certificate

SECTION 4: SHORT-TERM RENTAL OWNERS REQUIREMENTS
A Rental Certificate is required prior to the renal of any Short-Term Rental.

Rental Certificate Issuance: A Rental Certificate issued by the Township shall be valid for a period of (1) year unless revoked by the Township or in an ownership interest change occurs related to the real property hosting a Short-Term Rental. Rental Certificates will be issued after review and receipt of a complete and approved application. The Rental Certificates shall indicate the maximum number of Occupants that can be accommodated at the rental in accordance with the standards listed in this Ordinance (see Ordinance Definition of Capacity). A Rental Certificate and Rental Certificate holder shall be subject to all the standards and penalties of this Ordinance. It is the Rental Certificate holder's responsibility to inform the Township of any change in caretaker or contact information for the Rental Certificate holder or caretaker. The number of bedrooms shall be as certified by the applicate, based on the definitions found in this Ordinance. Local Contact Person or Each Owner of a Short-Term Rental must designate a Local Contact Person who has access and authority to assume management of the unit an take remedial measures to address any violations or this Ordinance.

The Local Contact Person must be available twenty-four (24) hours a day during any rental period of a Short-Term Rental and be within forty-five (45) minutes travel time of the property (or portion thereof) used for a Short-Term Rental. An Owner meeting the requirements of the above-mentioned

may designate themselves as the Local Contact Person. If the owner does not live in Marquette County, the local contact person must be through a real estate management company. The Local Contact Person's name, contact number, and Rental Certificate number shall be posted outside on prominent place of the Short-Term Rental.

Rental Certificate Number: The unique Short-Term Rental Certificate number issued by the Township shall be included in any advertisement for the rental unit as shall the approved Capacity of the Short-Term Rental as authorized by this Ordinance.

A. Waste: Unless connected to a public sewer system, the owner of the property hosting the Short-Term Rental shall ensure that a properly sized and functioning septic system is maintained. Failure or operational deficiency of the sewage waste disposal system shalt be grounds for immediate revocation of the Rental Certificate authorizing the Short-Term Rental. A Short-Term Rental may not utilize Porta Johns and similar methods of handling waste.
B. Application: An application provided to the Township for a Rental Certificate shall include the following at a minimum: Address of property; Property owner name(s); Signature of Property owner(s), and Local Contact Person; Number of Bedrooms in the Short-Term Rental and the Capacity of the Short-Term Rental as defined by this Ordinance; Number of Parking Spaces as outlined in this Ordinance; Sketch of the property indicating location of the swelling, driveway or other points of access, and designated Parking Space meeting the definition of a Parking Space under this Ordinance. Such sketch shall also include a sketch of the Short-Term Rental's floor plan including drawings of intended Bedrooms; and Contact information including: name, address, and 24-hour contact phone number for the owner of the property and the Local Contact Person; and Evidence that an applicant owns the property to be used as a Short-Term Rental and the property can be used for such purposes (such as a deed or lease) or that such an applicant has permission from an owner of the property to operate a Short-Term Rental; and any additional information reasonable required by the Township to determine whether to grant a Rental Certificate.
C. Rental Certificate (Capacity): A Rental Certificate issued by the Township shall indicate the maximum number of renters or overnight Occupants or otherwise the Short-Term Rental's approved Capacity. The Township/Planning Commission has the right to limit the number of Short-Term Rentals in the Township at any time.
D. Limits on Short-Term Rentals: A parcel may only host one Short-Term Rental.
E. Review and Application Form: Applications under this Ordinance will be reviewed by anyone designated by the Township Board, to review such applications. Such persons are authorized to develop application and renewal application forms that applicants must use to submit an application for a Rental Certificate.
F. Application Fee: An application fee for a Rental Certificate will be tow hundred fifty dollars ($250.00)
G. Inspection Fee: An Inspection fee shall be two hundred fifty dollars ($250.00) per unit.
H. Incomplete Applications: The Township will not review any portion of an incomplete application for a Rental Certificate.

I. Renewal: Holders of Rental Certificates must renew such certificates after expiration to continue use of a Short-Term Rental by submitting a new application form including the required application fee of one hundred dollars ($100.00) per unit.
J. Modification: Any changes in conditions related to a Short-Term Rental in the Township (e.g., changed Capacity, parking, Local Contact Person, etc.) require submission and approval of a new application for a Rental Certificate and the payment of a new application fee.
K. Notice to Adjacent Property Owners: Upon issuance of a Rental Certificate, the Owner or Local Agent must mail or deliver a copy of this Ordinance, the street address and the maxima Capacity of the Short-Term Rental, and the name and 24-hour telephone numbers of the Owner and the Local Agent to all property owners within three hundred (300) feet of the Short-Term Rental

SECTION 5: SHORT-TERM RENTAL OCCUPANTS (REGULATIONS PERTAINING TO)

A. Parking: Parking for guests in a Short-Term Rental shalt only be in identified Parking Spaces as defined in this Ordinance and submitted on an application to the Township. All parking associated with a Short-Term Rental shall be out of the roadway and entirely on-site (e.g. in a garage, on a driveway or on other improved parking area). No on-street parking shall be permitted by renter, Occupants, or included in any calculation of rental capacities in association with a Short-Term Rental.
B. Trash: Refuse and recyclables shall be stored and fully contained in appropriate containers with tight-fitting lids, or bagged and secure in caged enclosures, and shall be regularly picked up weekly by curbside service with a licensed waste hauler.
C. Special Events: A Short-Term Rental may not be used for special events such as a wedding, outdoor party, family reunion, bachelor or bachelorette parties, or similar gathering or activity, if such Special Event will exceed the Capacity of the Short-Term Rental or otherwise violate this Ordinance.
D. Capacity Limit: The maximum number of overnight Occupants shall be limited to as follows:
    a. For a Short-Term Rental having one Bedroom, the maximum number of Occupants is four persons
    b. For any Short-Term Renal with two or more Bedrooms, the maximum number of Occupants shall be determined by multiplying the number two (2) times the number of Bedrooms. Note: maximum of four (four) children under the age of thirteen (13) years shall not be counted in the capacity limit of the Short-Term Rental. For Parcels under ten (10) acres, the maximum Capacity shall not exceed ten (10) Occupants. For Parcels ten (10) acres or more, the maximum Capacity shall not exceed fourteen (14) Occupants.
E. Egress: No overnight Occupant shall be lodged in any portion of a Short-Term Rental (including Bedrooms) unless there IS both a door and an available window providing required emergency egress in conformity with applicable residential, building and fire codes within the immediate sleeping area.
F. Occupants Limited to the Short-Term Rental: Accessory structures, recreational vehicles, motor homes, and travel trailers or tents placed on a parcel hosting a Short-Term Rental shall not be included in any calculation of Capacity of the Short-Term Rental. All overnight lodging of Occupants is to be exclusively within the Short-Term Rental. Accessory

structures, recreational vehicles, motor homes, and travel trailers or tents placed on the property of a Short-Term Rental shall not be used in any manner for occupancy unless expressly permitted by state law or other Township Ordinance.

G. Noise: Noise must be limited to that which does not disturb the quiet, comfort, or repose of a reasonable Person of normal sensitivities. Quiet house shall be from 10:00 p.m. to 8:00 a.m. Quiet hours relates to any noise that would prevent sleep within neighboring properties.
H. Fireworks: The use of any fireworks shall comply with the Township Fireworks Ordinance, as amended by Ordinance No. and any other applicable local, state, and federal laws. Consistent with such regulations, consumer fireworks may only be used on the day preceding, the day of, and the day after a national holiday, and may not be used between the hours of 1:00 a.m. and 8:00 a.m.
I. Pets: Pets shall be always secured on the premises or on a leash
J. Campfires: Any campfires at a Short-Term Rental property shall conform to the Township Ordinances. In addition, the following standards also apply:
    a. Be contained within a fire ring or other comparable container
    b. Only burn locally sourced, clean, and dry wood
    c. The burning of garbage is prohibited
    d. Be located no less than 10 feet from any structure or any combustible material
    e. Be located away from overhanging tree branches
    f. Be located such that the prevailing winds will minimize smoke to adjacent residences
    g. Be under the direct supervision of an adult at all times
    h. Be fully extinguished prior to leaving the fire
K. Fire Protection Devices: A minimum of two type ABC fire extinguishers and the minimum number of battery-powered or hard-wired smoke/carbon monoxide/fire alarms as may be required by State law, annually tested and certified by the owner as functional, shall be properly installed and placed in Code mandated locations in the Short-Term Rental.
L. Notice to Occupants: The foregoing regulations shall be provided to the Short-Term Rental Occupants as part of a written rental agreement. In addition, a placard shall be posted in a prominent place in the Short-Term Rental describing the foregoing regulations, including, but not limited to, the Capacity of the Short-Term Rental, the name and contact information for the Local Contact Person, and the location of fire extinguishers, and map showing exits of the Short-Term Rental.
M. Compliance: At all times a Short-Term Rental and Occupants of a Short-Term Rental must comply with all applicable local, state, and federal laws and regulations.

SECTION 6: SIGNS

Short-Term Rental is permitted an on-site identification sign no larger than two (2) square feet in area

SECTION 7: VIOLATIONS AND REVOCATION OF RENTAL CERTIFICATE

Any of the following will be considered a violation of this Ordinance. Failure to update information with the Township when conditions change from:

1. Application for a Rental Certificate
2. Advertising or allowing occupancy in excess of that allowed under the Rental Certificate issued by the Township; and
3. Failure of the Rental Certificate holder of his/her designated Local Contact Person to be available at any time during the tenure of an active Short-Term Rental; and providing false or misleading information on the application for a Rental Certificate, and
4. Failure to obtain a Rental Certificate when operating a Short-Term Rental; and
5. Failure to comply with any of the regulations under Section Five (5); and
6. Any violation of the terms of this Ordinance
7. Penalties
    a. Civil Infractions
        i. Any person who violates the provisions of this Ordinance shall be deemed responsible for a municipal civil infraction and subject to a civil penalty for each violation of this Ordinance, as well as the Township's fees and costs in enforcing the Ordinance as permitted by law. Each day that a violation exists shall be considered a separate violation. An Occupant, visitor, owner, Local Contact Person, and any other relevant party may all be fined for the same violations, if deemed appropriate by the Township. In addition, violation of this Ordinance may be grounds for revocation for a Rental Certificate. The civil penalties for violating this Ordinance shall be as follows:
            1. Five hundred dollars ($500.00) for the first violation within a one-year period
            2. One thousand dollars ($1,000.00) for the second violation within a one-year period
            3. Five thousand dollars ($5,000.00) for the third and any subsequent violations within a one-year period.
    b. Misdemeanors
        i. In addition to the foregoing, the third and any subsequent violations of this Ordinance within a one-year period shall constitute any misdemeanor punishable by a fine of not more than one thousand five hundred dollars ($1,500.00).

Remedies not limited: This Section shall not be construed as precluding the Township from enforcing this Ordinance in any other manner authorized by law, including without limitation, the commencement of a civil action for injunctive relief.

Revocation: Upon a determination by any individual designated by the Township that a Short-Term Rental has had two or more separate violations on the same property under the same ownership within a one-year period, he or she may issue a notice to the Owner that their Rental Certificate should be reinstated. An application for such a hearing must be made within 14 days of the notice being served. At the hearing, the Owner of a Short-Term Rental shall be permitted the opportunity of offer evidence and testimony supporting why the Township Board should reinstate a Rental Certificate. Upon revocation, Dwelling Unit cannot be re-registered or licensed for a period of one (1) year and cannot be used for Short-Term Rentals until re-registered and licensed.

Appeal Fee: An appeal fee shall be two hundred fifty dollars ($250.00) per unit. If an appeal requires more than four (4) hours of Township staff or official time, an additional fee of fifty dollars ($50.00) per hour shall be charged for each hour over four (4) hours.

SECTION 8: ENFORCEMENT
The Township Ordinance Enforcement Officer, Township Supervisor, any law enforcement officer, or any person officially authorized by the Township Board are hereby designated as authorized officials empowered to enforce this Ordinance including the issuance of municipal civil infraction citation.

SECTION 9: ENFORCEMENT PROCEDURE
When the Township becomes aware of a violation of this Ordinance, the Township may (but is not required to) send a written notice to the Owner and/or Local Contact Person of the property in violation. The notice shall describe the location of the property, describe the nature of the violation and the specific provisions of this Ordinance being violated, and may give the Owner of the Short-Term Rental a time-period to eliminate the violation without intervention by the Township. In its discretion, the Township may immediately proceed with necessary legal action to abate violations of this Ordinance (e.g., issuance of a municipal civil infraction) if deemed necessary.

SECTION 10: INSPECTIONS
The Township reserves the right to conduct lawful periodic inspections of a Short-Term Rental with our without prior notice to ensure compliance with these regulations.

No grandfathered rentals will be allowed

SHORT-TERM RENTAL FEE CHART

Fee Type	Amount	Basis/Notes
Application	$250.00	Per Unit
Inspection	$250.00	Per Unit
Renewal	$100.00	Per Unit
Appeal	$250.00	Per Unit
Additional Appeal Time	$50.00 per hour	Charged for each hour over four (4) hours of Township staff or official time