

RESOLUTION

BINGHAM TOWNSHIP – LEELANAU COUNTY

RESOLUTION NO. 2020-1019-01

At a regular meeting of the Bingham Township Board on Monday, October 19, 2020, held by Electronic Remote Access, the following Resolution was offered:

Resolution made by _____ and seconded by _____:

Whereas, on October 19, 2020, the Bingham Township Board adopted Ordinance No. 2020-1019-01, The Bingham Township Short Term Rental Ordinance, and

Whereas, the Short-Term Rental Ordinance contains a provision that the Bingham Township Board may establish procedures for administering this ordinance, and

Whereas, the Short-Term Rental Ordinance contains a provision that the Bingham Township Board may establish a permit fee for permits issued under this ordinance,

NOW, THEREFORE BE IT RESOLVED that the Bingham Township Board establishes the following procedures and fees for implementing the Short-Term Rental Ordinance:

1. **Enforcement Date:** Bingham Township will commence enforcement of the Short-Term Rental Ordinance on January 1, 2021. Any person advertising and/or operating a Short-Term Rental on or after that date will be required to have a Short-Term Rental Permit.
2. **Publication:** In addition to publication of the Notice of Adoption in the *Leelanau Enterprise*, the following measures shall be taken:
 - A. Bingham Township will place a notice of this ordinance in the township newsletter that is distributed with the December 2020 winter property tax bills.
 - B. Bingham Township will place the ordinance, application forms, this policy, and a log of permits on the township website.
3. **Permit Fee:** The annual permit fee for a Short-Term Rental Permit shall initially be \$300.00, based upon the anticipated costs required to administer this Ordinance. This amount may be adjusted by the township board at any time by Resolution or by an amendment to the Bingham Township Fee Ordinance.
4. **Ordinance Administration:**
 - A. The adopted ordinance states that the Bingham Township Zoning Administrator will initially be the administrator of the Short-Term Rental Ordinance.
 - B. The Bingham Township Board can at any time, by Resolution, designate another individual or firm to administer this ordinance.
 - C. In the absence of the Zoning Administrator or other individual or firm, the Bingham Township Supervisor shall have the authority to designate a temporary replacement.

- D. The Zoning Administrator shall submit a monthly written report on short-term rental permit activity and complaints to the township board.
- E. Bingham Township will consider contracting with a Short-Term Rental Compliance Monitoring Firm to help identify those properties that are advertising short term rental in Bingham Township.

5. **Initial Application Process (for 2021):**

- A. **Applications for Short Term Rental Permits for calendar year 2021 will be accepted by Bingham Township starting on Thursday, November 5, 2020 at 10:00 a.m. at the Bingham Township Hall, 7171 S. Center Highway, Traverse City, MI 49684.**
- B. Applications will be date stamped, time stamped, and numbered upon receipt.
- C. Any applications received in the mail or special delivery prior to 10:00 a.m. on Thursday, November 5, 2020 will be date stamped and numbered at 5:00 p.m. on Thursday, November 5th.
- D. Submitted applications will be reviewed for completeness, including the permit fee and the required attachments. Incomplete applications will be set-aside and will lose their place in the queue. Applicants will be notified by email within 3 business days from their submittal of an incomplete application, and will have 5 business days to correct the application before it is mailed back to the Applicant.
- E. Completed applications will be reviewed for issuance of the permit. Applicants will be notified with any questions, issues, or applications that are non-compliant. Issued permits will be sent to the Owner and Applicant via email and first-class mail.
- F. If the number of submitted applications exceeds the number of allowable permits contained in the Short-Term Rental Ordinance, a Waiting List will be established, and the Bingham Township Supervisor will be notified. The Permit Fee will be returned for applications on the Waiting List for thirty (30) days. If an Applicant on the Waiting List is notified of an opening, they will have ten (10) days to re-submit the Permit Fee.
- G. If there is a Waiting List and an existing Short-Term Rental Permit is discontinued or revoked, the Administrator will issue a permit to the next qualifying application on the Waiting List.
- H. If the ownership of a permitted short-term rental property changes, and the new owners wish to continue the short-term rental, the new owners shall submit a new application to Bingham Township within thirty (30) days after the deeds are recorded. Failure to submit a new application within the thirty (30) days will result in the permit being revoked. The Ordinance states that Short Term Rental Permits are not transferrable.

6. **Renewal Application Process for Subsequent Calendar Years:**

- A. Renewal Short-Term Rental Permits for subsequent calendar years may be applied for starting on October 1 of the current year. The permit holder will need to update any changes from the original application, submit the annual permit fee, and may need to submit updated proof of septic or holding tank pumping.
- B. Existing permit holders will have until March 1 of the permit year to submit a renewal application to keep their position on the list. If, after March 1st, a renewal application is not submitted, the permit will be considered abandoned.
- C. If, on March 2, there are less permits issued than the maximum allowable number, and there is a Waiting List, the Administrator shall issue permits to the next qualifying application(s) on the Waiting List.

Roll Call Vote:

Yes: _____

No: _____

Absent: _____

Resolution Declared Adopted by Supervisor Werner

CERTIFICATION

I, Kathy Morio, Clerk of the Township of Bingham, Leelanau County, hereby certifies that the foregoing is a true and complete copy of Resolution No. _____ adopted by the Bingham Township Board at their Regular Meeting on October, 19, 2020.

Dated October 19, 2020

Kathy Morio, Bingham Township Clerk