



Township Ordinances

ORDINANCE 68 RENTALS

An Ordinance to regulate rental of dwellings within Chocolay Township.

THE CHARTER TOWNSHIP OF CHOCOLAY ORDAINS:

Section 1 Title

This Ordinance shall be known and cited as the Chocolay Township Rentals Ordinance.

Section 2 Purpose

The purpose of this Ordinance shall be to provide for and protect the public health, safety and welfare of persons within Chocolay Township by establishing regulations pertaining to rental of registered dwellings within Chocolay Township and to provide for penalties for the violation of this Ordinance.

Section 3 Definitions

For the purpose of this Ordinance, the following definitions shall be used:

Word or Phrase	Definition
Dwelling, Registered Rental	A dwelling unit providing temporary accommodations for periods of one day or more for a fee. This definition does not include bed and breakfasts, campgrounds, group day care facilities, group day care homes, hospitals, hotels, mobile homes in mobile home parks, mobile home parks, nursing homes or resorts.
Owner / Agent	Property owner or designated agent for the property where a registered rental dwelling is located

Section 4 Registration

The Township will use the registration of rental dwellings as an effective resource to promote responsible property management and provide a tool for prompt contact with Owner / Agents from police, fire, emergency and other government personnel when issues or emergencies develop.

The annual registration is used to update Owner / Agent information, remove a sold property, remove registered rentals, or add a newly acquired property as a rental.





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Section 5 Registration Requirements

General requirements of rental dwelling registrations are as follows:

- The Owner / Agent must provide current owner and management company information, including email addresses, contact numbers, and alternate contact numbers on the registration form.
- An alternate contact must be designated on the registration form to respond to calls from police, fire, emergency and other government personnel when attempts to contact the owner / agent have failed or the Owner / Agent is unavailable to respond in a timely manner. The designated alternate contact person must be located in the Township or within twenty - five miles of the Township's boundaries.
- The Owner / Agent must maintain a current list of the rental occupants. Upon request by police, fire, emergency and other government personnel, the owner / agent is required to present the list of occupants to the requesting agency.
- Incomplete or inaccurate information submitted on a registration application will result in denial of the registration application.
- A new Owner / Agent of a rental property must register the property within thirty days following execution of any deed, land contract or other instrument conveying an ownership interest in the property.
- An affidavit must be filed with the Township when a rental ceases to operate; otherwise, the property will be considered in rental status.
- The Owner / Agent must provide a copy of the latest version of the Township Information document to anyone renting the property. It is suggested that the owner maintain proof of delivery of the Township Information document to the renter.

Section 6 Registration Renewal

The renewal of rental property registration will occur annually between March 1 and April 30. A rental dwelling's Owner / Agent must submit a current and accurate registration of the rental property to the Township annually. The owner / agent must also update the Township registration record if the rental is removed, the property is sold, or the property is acquired through a purchase or transfer.

A renewal form will be sent to the last known address of the property owner prior to the start of registration period to ensure timely completion of the renewal form. For that reason, it is crucial that any changes of ownership or mailing address be reported to the Township to ensure receipt of a correct renewal notice.

Section 7 Prohibition

Any person who rents or offers to rent a property dwelling without first applying and registering the property as required in Section 5 of this Ordinance will be subject to a civil penalty as indicated in Section 8 of this Ordinance.





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No Owner / Agent will be permitted to re-register a property if the Owner / Agent, rental occupant(s) or guests of either are found responsible for three violations of Chocolay Township Ordinances, state law, or any combination thereof, occurring at the property as a result of three separate incidents within the previous registration year.

Chocolay Township will send written notification to the Owner / Agent by ordinary first class mail following an alleged Ordinance violation occurring at the property. It will be the responsibility of the Owner / Agent to request additional information, if desired, regarding the disposition or outcome of each alleged Ordinance violation occurring at the property. It is unlawful to rent, receive rental income from, or offer to rent a dwelling on a property within the Township's boundaries without first registering the property, unless exempted below.

The following are exempted from the registration requirement:

- Bed & breakfast
- Campground
- Group day care facility
- Group day care home
- Hospital
- Hotel / motel
- Mobile home in a mobile home park
- Mobile home park
- Nursing home
- Resort

Section 8 Penalty

An Owner / Agent who violates this Ordinance shall be responsible for a municipal civil infraction and shall pay a fine of not more than two hundred fifty dollars (\$250.00) for each violation plus costs. Each day during which a violation occurs or continues shall be deemed a separate offense.

An Owner / Agent of any Registered Rental Property at which three violations of Chocolay Township Ordinances, state law, or any combination thereof, occurs within the previous registration period, as set forth in Section 7, shall be responsible for a municipal civil infraction, shall pay a fine of not more than two hundred fifty dollars (\$250.00) for each violation plus costs, and shall be prohibited from re-registering the property as a rental dwelling for a period of not less than one year.

The Township may also seek injunctive relief against all persons or entities who violate this Ordinance and such other relief as may be available by law or equity, and which may include but shall not be limited to an order requiring, prohibiting, suspending, or revoking the registration or re-registration of a rental dwelling.





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Section 9 Enforcement

This Ordinance shall be administered, enforced, and citations for violation issued by the Chocolay Township Police Department, the Ordinance Enforcement Officer of the Township, any authorized local official as defined under Chapter of the Revised Judicature Act of 1961, as amended, MCL 600.8701, et seq., or by such other person(s) as designated by the Township Board from time to time.

Section 10 Severability

The phrases, sentences, sections and provisions of this Ordinance are severable and the finding that any portion hereof is unconstitutional or otherwise unenforceable shall not detract from or affect the enforceability of the remainder of this Ordinance.

Section 11 Repeal

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 12 Effective Date

This Ordinance shall take effect immediately upon publication.

