

ORDINANCE NO. 1258

CITY OF FERNDALE
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND CHAPTER 7, BUSINESS REGULATIONS AND LICENSES GENERALLY, OF THE FERNDALE CITY CODE, ARTICLE VII, PUBLIC LODGING HOUSES AND MULTIPLE DWELLINGS, SECTION 7-157, GENERAL REQUIREMENTS.

THE CITY OF FERNDALE ORDAINS:

Part I. The City of Ferndale Code of Ordinances, Section 7-157 of the Ferndale Code is amended as follows:

Sec. 7-157. General requirements.

(1) Septic/Solid Waste.

a. The Short Term Rental Unit must be connected to the City's water and sanitary sewer system.

b. Disposal of solid waste must be disposed of consistent with the City's garbage and refuse ordinance. Garbage, refuse, or recycling shall be stored completely within designated refuse containers. The Owner or Owner's authorized agent of the Short Term Rental Unit shall provide sufficient trash storage containers and service to accommodate the demand of the occupants. Owner shall be responsible for placement and retrieval of garbage and refuse containers consistent with City's waste removal schedule.

(2) Occupancy.

a. The overnight occupancy of a Short Term Rental Unit shall be limited to no more than two (2) adult (meaning over eighteen years of age) people per bedroom. The total overnight occupancy of a Short-Term Rental Unit shall not exceed eight (8) people.

b. The occupancy of a Short Term Rental Unit shall, at no time, exceed the occupancy limit for the home, unit, apartment, condominium or similar residential building provided for in the Residential Building Code, as adopted by the City.

c. Parking of recreational vehicles, tents, RV's, are prohibited at Short Term Rental Units.

- d. Licensee shall not advertise any Short Term Rental Unit as containing any more than the number of bedrooms identified on the license.
 - e. Licensee shall not advertise a Short Term Rental Unit as available to more guests than the occupancy limit identified on the license.
- (3) Noise. Information regarding the City's noise ordinance shall be provided in writing to occupants and the Owner and Owner's authorized agent of the Short Term Rental Unit shall inform occupants of noise requirements and provide a copy or reference to City's noise ordinance.
- (4) Parking. Parking shall not restrict access by emergency vehicles or the traveling public and shall not impede any ingress or egress on any street, alley or highway. In addition, parking shall not encroach on any neighboring properties.
- (5) Property Contact Information. The Owner or the Owner's Authorized Agent shall keep on file and shall notify each occupant, in writing, of the contact information for the Owner or Owner's Authorized Agent who shall be available 24 hours a day, seven (7) days a week, whenever a Short Term Rental Unit is being rented, with a copy to the City. The Owner or the Owner's Authorized Agent shall respond to an occupant regarding any issue or complaint raised within one (1) hour of any such point of contact or call from occupant. The Owner or the Owner's Authorized Agent shall post a copy of the Short Term Rental Unit license in a conspicuous place within the Short Term Rental Unit.
- (6) License Fees. License fees shall be established by the City Council by Resolution for Residential Short Term Rental Units and Non-Residential Short Term Rental Units. A Short Term Rental Unit that obtains a license required under this ordinance that does not actually let or rent out such Short Term Rental Unit for more than fourteen (14) days in the calendar year shall be eligible, upon proof of such utilization to the City, for a refund of a portion of its license fee in an amount established by City Council by Resolution.
- (7) License Transfer. The Short Term Rental Unit license shall not be transferrable upon any change in ownership of the licensed property.
- (8) The Short Term Rental Unit shall be subject to the International Property Maintenance Code adopted by the City, as amended.
- (9) The Short Term Rental Unit owner or the owner's authorized agent shall maintain a record of the name, mailing address, e-mail address and telephone number of the principal renter of any Short Term Rental Unit for one (1) year from the occupancy.
- (10) The Short Term Rental Unit shall be subject to the City's sign ordinance.
- (11) Occupants of Short Term Rental Units are subject to all City codes and ordinances regulating the use of residential property.

Part II. Savings Clause.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law enforced when they are commenced.

Part III. Severability.

The various parts, sections and clauses of this ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

Part IV. Repeal.

All regulatory provisions contained in other City ordinances which are inconsistent with the provisions of this ordinance, are repealed.

Part V. Effective Date; Publication.

This ordinance shall become effective upon publication of a notice in a newspaper circulated in the City, stating the date of the enactment and the effective date of the ordinance, a brief notice as to the subject matter of this ordinance, and such other facts as the city clerk shall deem pertinent and that a copy of the ordinance is available for public use and inspection at the office of the city clerk.

MADE, PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FERNDALE, OAKLAND COUNTY, MICHIGAN, THIS 26th DAY OF APRIL, 2021.

DocuSigned by:
Mayor Melanie C. Piana

MELANIE PIANA, MAYOR

DocuSigned by:
Marne McGrath

MARNE MCGRATH, CITY CLERK

Date of Adoption: March 26, 2021

Date of Publication: March 22, 2021

CERTIFICATE OF ADOPTION

I certify that the foregoing is a true and complete copy of the ordinance passed at a meeting of the Ferndale City Council held on the 22 day of March, 2021.

DocuSigned by:
Marne McGrath

MARNE MCGRATH, CITY CLERK

CITY OF FERNDALE
NOTICE OF ADOPTION
ORDINANCE 1258

The City of Ferndale has adopted Ordinance No. 1258, amending Chapter 7, Business Regulations and Licenses Generally, Article VII, Public Lodging Houses and Multiple Dwellings to add Division 3. Short-Term Rental Licensing, of the City of Ferndale. This ordinance shall be effective upon publication. A true copy of the ordinance may be inspected or obtained at the office of the City Clerk to the Code of Ordinances of the City of Ferndale.

MARNE MCGRATH, CITY CLERK