

PENINSULA TOWNSHIP PLANNING COMMISSION

**RESOLUTION TO RECOMMEND THE SCHEDULE OF CIVIL FINES FOR
UNLAWFUL OPERATION OF SHORT TERM RENTAL USES**

RESOLUTION NO. _____

At a meeting of the Peninsula Township Planning Commission, Grand Traverse County, Michigan, held at the Peninsula Township Hall on the ___ day of March 2025, at ____ p.m.

PRESENT: _____

ABSENT: _____

The following was moved by _____ and seconded by _____.

Whereas, the Master Plan of Peninsula Township reflects the sentiment that short term rentals are not allowed within the Township,

Whereas, Section 6.2.2 (e) of the Peninsula Township Zoning Ordinance prohibits rental of a non-owner -occupied dwelling for less than 30 days—otherwise commonly referred to as a short term rental;

Whereas, Section 4.2.1 of the Peninsula Township Zoning Ordinance states “[a]ny person, firm, association, corporation, company, or other entity which fails to comply with any Peninsula Township Ordinances, Michigan law, or any regulatory measures or conditions imposed by the Planning Commission, Zoning Board of Appeal, or Township Board shall be found in violation. If such violation has not abated, ceased to exist or otherwise been remedied within seven days after written notice of the violation has been sent, the violator will be deemed to be responsible for a municipal civil infraction as defined by Michigan statute”;

Whereas, any operation of a short term rental within Peninsula Township is a violation of the Zoning Ordinance and shall be considered a municipal civil infraction;

Whereas, the Planning Commission finds that civil fines for such infractions (as either a civil citation notice or civil infraction citation) shall be established to appropriately deter violations of this detrimental land use on the Township;

Whereas, the Commission has studied the amount of unlawful uses on the Peninsula, as well as the temporal nature of each violation when one is unlawfully renting, and determined the public health, and safety of the Township is best preserved by establishing penalties for each violation, as well as subsequent violations, consistent with the Peninsula Township ordinances; and

Whereas, the Commission acknowledges that the Township Board has the authority to determine the amount of the civil fine for each violation of the Peninsula Township ordinances, or as otherwise determined by a court of competent jurisdiction.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Planning Commission recommends that the Township Board, in its enforcement of short term rental violations, strictly consider each day a violation exists to be pursued as a separate offense of the Township ordinances.
2. The Planning Commission further recommends that the Township Board adopt a schedule of civil fines for violation notices and citations distinct from other Zoning Ordinance violations to represent an appropriate deterrent to the unlawful use as well as reflect the costs to the community for administration and enforcement of these provisions of the Zoning Ordinance.
3. The Planning Commission recommends the Township Board consider setting such schedule of civil fines as follows:

The sanction for a Municipal Civil Infraction Notice or Citation for operating an unlawful short term rental as prohibited under the Peninsula Township Zoning Ordinance shall be a civil fine in the amount as provided by herein or as ordered by a Court of competent jurisdiction:

- | | |
|-------------------------|-------------|
| a. First Offense: | \$500.00. |
| b. Second Offense: | \$750.00. |
| c. Third Offense: | \$1,500.00. |
| d. Subsequent Offenses: | \$5,000.00. |

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

Roll call vote:

Yes: _____

No: _____

The Planning Commission declared the resolution adopted.

Kevin Beard, Planning Commission Chair
Peninsula Township

CERTIFICATE

STATE OF MICHIGAN)
) ss
COUNTY OF GRAND TRAVERSE)

I, the undersigned, the duly qualified and acting Secretary for the Peninsula Township Planning Commission, Grand Traverse County, Michigan, HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Peninsula Township Planning Commission at a meeting held on the __ day of March 2025, and further certify that the above Resolution was adopted at said meeting.

Lawrence Dloski, Planning Commission Secretary
Peninsula Township