



ADMINISTRATION / PERSONNEL COMMITTEE

420 N Front St.

Suttons Bay, MI 49682

Wednesday, June 8, 2022 at 8:10 am

There will also be a Zoom link (which can be found on our website at [www.suttonsbayvillage.org](http://www.suttonsbayvillage.org)) for those members of the public wishing to participate via remote attendance.

AGENDA

Call to Order


1. Reports (staff)
  - a. Treasurer Report
2. Public Comments  
Please limit remarks to no more than three (3) minutes or less.
3. Committee Business
  - a. VSB Report 2022-27 Blight Ordinance
  - b. VSB Report 2022-32 Short Term Rental Capping
4. Status Update – Other Committees
  - a. VSB Report 2022-31 F/V Contract-3 Way Stop Sign
  - b. VSB Report 2022-33 Mowing Contract
  - c. VSB Report 2022-34 Waterwheel Park
  - d. Consumer Street Light Discussion
5. Public Comments/Written Communication
6. Committee Member Comments
7. Announcements
8. Adjournment

GL NUMBER	DESCRIPTION	2022 ORIGINAL BUDGET	2022 AMENDED BUDGET	YTD BALANCE 04/30/2022	AVAILABLE BALANCE	% BDGT USED
<b>Fund 101 - General Fund</b>						
<b>Revenues</b>						
101-000-402.000	Current Property Taxes	726,000.00	726,000.00	0.00	726,000.00	0.00
101-000-404.000	Leased Land Tax Revenue	4,000.00	4,000.00	0.00	4,000.00	0.00
101-000-410.000	Personal Property Tax Revenue	16,000.00	16,000.00	0.00	16,000.00	0.00
101-000-476.000	Permits and Fees	5,000.00	5,000.00	5,175.00	(175.00)	103.50
101-000-566.000	Grant Revenue	1,250.00	1,250.00	1,250.00	0.00	100.00
101-000-573.000	LOCAL COMMUNITY STABILIZATION	3,300.00	3,300.00	0.00	3,300.00	0.00
101-000-574.000	State Shared Revenue	55,000.00	55,000.00	10,107.00	44,893.00	18.38
101-000-577.000	State Revenue-Liquor	3,000.00	3,000.00	82.50	2,917.50	2.75
101-000-632.000	Bahle Park Rental	1,500.00	1,500.00	900.00	600.00	60.00
101-000-633.100	Motor Vehicle Leases	108,975.00	108,975.00	0.00	108,975.00	0.00
101-000-665.000	Interest Earnings	1,000.00	1,000.00	412.69	587.31	41.27
101-000-695.000	Miscellaneous Income	0.00	0.00	4,219.85	(4,219.85)	100.00
<b>TOTAL REVENUES</b>		<b>925,025.00</b>	<b>925,025.00</b>	<b>22,147.04</b>	<b>902,877.96</b>	<b>2.39</b>
<b>Expenditures</b>						
101	Village Council	26,080.00	26,080.00	486.80	25,593.20	1.87
171	Village Manager	39,185.00	39,185.00	11,061.17	28,123.83	28.23
215	Village Clerk	11,770.00	11,770.00	4,000.68	7,769.32	33.99
253	Treasurer	24,615.00	24,615.00	6,542.80	18,072.20	26.58
265	Village Hall	50,916.00	50,916.00	12,581.34	38,334.66	24.71
345	Police	88,875.00	88,875.00	19,288.18	69,586.82	21.70
441	Public Works	100,825.00	100,825.00	18,888.45	81,936.55	18.73
443	Motor Pool Department	102,725.00	102,725.00	31,280.60	71,444.40	30.45
448	Streetlighting	14,500.00	14,500.00	3,954.65	10,545.35	27.27
701	Zoning & Planning	76,025.00	76,025.00	11,313.50	64,711.50	14.88
751	Parks & Recreation	154,875.00	154,875.00	24,334.68	130,540.32	15.71
999	Transfers to Other Funds	310,100.00	310,100.00	0.00	310,100.00	0.00
<b>TOTAL EXPENDITURES</b>		<b>1,000,491.00</b>	<b>1,000,491.00</b>	<b>143,732.85</b>	<b>856,758.15</b>	<b>14.37</b>
<b>Fund 101 - General Fund:</b>						
<b>TOTAL REVENUES</b>		<b>925,025.00</b>	<b>925,025.00</b>	<b>22,147.04</b>	<b>902,877.96</b>	<b>2.39</b>
<b>TOTAL EXPENDITURES</b>		<b>1,000,491.00</b>	<b>1,000,491.00</b>	<b>143,732.85</b>	<b>856,758.15</b>	<b>14.37</b>
<b>NET OF REVENUES &amp; EXPENDITURES</b>		<b>(75,466.00)</b>	<b>(75,466.00)</b>	<b>(121,585.81)</b>	<b>46,119.81</b>	<b>161.11</b>
<b>Fund 202 - Major Street</b>						
<b>Revenues</b>						
202-000-528.000	FEDERAL GRANT REVENUE	32,000.00	32,000.00	0.00	32,000.00	0.00
202-000-574.000	State Shared Revenue	82,000.00	82,000.00	33,933.95	48,066.05	41.38
202-000-665.000	Interest Earnings	500.00	500.00	110.38	389.62	22.08
202-000-691.000	Contributions - Other Funds	90,000.00	90,000.00	0.00	90,000.00	0.00
202-000-692.000	Contrib fr Gov Units - County	32,500.00	32,500.00	37,464.42	(4,964.42)	115.28
<b>TOTAL REVENUES</b>		<b>237,000.00</b>	<b>237,000.00</b>	<b>71,508.75</b>	<b>165,491.25</b>	<b>30.17</b>
<b>Expenditures</b>						
000		233,370.00	233,370.00	23,210.51	210,159.49	9.95
<b>TOTAL EXPENDITURES</b>		<b>233,370.00</b>	<b>233,370.00</b>	<b>23,210.51</b>	<b>210,159.49</b>	<b>9.95</b>

GL NUMBER	DESCRIPTION	ORIGINAL BUDGET	2022 AMENDED BUDGET	YTD BALANCE 04/30/2022	AVAILABLE BALANCE	% BGDGT USED
Fund 202 - Major Street						
Fund 202 - Major Street:						
TOTAL REVENUES		237,000.00	237,000.00	71,508.75	165,491.25	30.17
TOTAL EXPENDITURES		233,370.00	233,370.00	23,210.51	210,159.49	9.95
NET OF REVENUES & EXPENDITURES		3,630.00	3,630.00	48,298.24	(44,668.24)	1,330.53
Fund 203 - Local Street Fund						
Revenues						
203-000-574.000	State Shared Revenue	48,000.00	48,000.00	29,635.37	18,364.63	61.74
203-000-665.000	Interest Earnings	100.00	100.00	42.48	57.52	42.48
203-000-691.000	Contributions - Other Funds	80,000.00	80,000.00	0.00	80,000.00	0.00
TOTAL REVENUES		128,100.00	128,100.00	29,677.85	98,422.15	23.17
Expenditures						
000		195,315.00	195,315.00	25,163.51	170,151.49	12.88
TOTAL EXPENDITURES		195,315.00	195,315.00	25,163.51	170,151.49	12.88
Fund 203 - Local Street Fund:						
TOTAL REVENUES		128,100.00	128,100.00	29,677.85	98,422.15	23.17
TOTAL EXPENDITURES		195,315.00	195,315.00	25,163.51	170,151.49	12.88
NET OF REVENUES & EXPENDITURES		(67,215.00)	(67,215.00)	4,514.34	(71,729.34)	6.72
Fund 248 - DDA Fund						
Revenues						
248-000-403.000	CAPTURED TAX REVENUE	14,000.00	14,000.00	0.00	14,000.00	0.00
248-000-665.000	Interest Earnings	5.00	5.00	12.72	(7.72)	254.40
248-000-695.000	MISCELLANEOUS INCOME	0.00	0.00	350.89	(350.89)	100.00
TOTAL REVENUES		14,005.00	14,005.00	363.61	13,641.39	2.60
Expenditures						
000		7,715.00	7,715.00	1,205.45	6,509.55	15.62
TOTAL EXPENDITURES		7,715.00	7,715.00	1,205.45	6,509.55	15.62
Fund 248 - DDA Fund:						
TOTAL REVENUES		14,005.00	14,005.00	363.61	13,641.39	2.60
TOTAL EXPENDITURES		7,715.00	7,715.00	1,205.45	6,509.55	15.62
NET OF REVENUES & EXPENDITURES		6,290.00	6,290.00	(841.84)	7,131.84	13.38
Fund 402 - Property Replacement Fund						
Revenues						
402-000-665.000	Interest Earnings	150.00	150.00	172.76	(22.76)	115.17
402-000-691.000	Contributions - Other Funds	176,050.00	176,050.00	0.00	176,050.00	0.00

GL NUMBER	DESCRIPTION	2022		YTD BALANCE 04/30/2022	AVAILABLE BALANCE	% BDGT USED
		ORIGINAL BUDGET	AMENDED BUDGET			
<b>Fund 402 - Property Replacement Fund</b>						
Revenues						
TOTAL REVENUES		176,200.00	176,200.00	172.76	176,027.24	0.10
Expenditures						
000		60,000.00	60,000.00	49,515.00	10,485.00	82.53
TOTAL EXPENDITURES		60,000.00	60,000.00	49,515.00	10,485.00	82.53
<b>Fund 402 - Property Replacement Fund:</b>						
TOTAL REVENUES		176,200.00	176,200.00	172.76	176,027.24	0.10
TOTAL EXPENDITURES		60,000.00	60,000.00	49,515.00	10,485.00	82.53
NET OF REVENUES & EXPENDITURES		116,200.00	116,200.00	(49,342.24)	165,542.24	42.46
<b>Fund 590 - Sewer Fund</b>						
Revenues						
590-000-476.000	Permits and Fees	5,500.00	5,500.00	0.00	5,500.00	0.00
590-000-566.000	Grant Revenue	1,250.00	1,250.00	1,250.00	0.00	100.00
590-000-600.000	Charge for Services	140,000.00	140,000.00	35,870.88	104,129.12	25.62
590-000-628.000	RTS Fees	113,800.00	113,800.00	38,626.89	75,173.11	33.94
590-000-629.000	Waste Hauler Fees	92,000.00	92,000.00	40,947.82	51,052.18	44.51
590-000-630.000	Capital Charge	163,000.00	163,000.00	55,051.25	107,948.75	33.77
590-000-659.000	Penalties	1,300.00	1,300.00	1,154.72	145.28	88.82
590-000-665.000	Interest Earnings	1,750.00	1,750.00	339.71	1,410.29	19.41
590-000-691.600	Contributions -Fr GF - Parks	10,000.00	10,000.00	0.00	10,000.00	0.00
590-000-691.800	Contributions -Fr Marina Fund	10,000.00	10,000.00	0.00	10,000.00	0.00
590-000-691.900	Contrib - GF - Public Works	5,000.00	5,000.00	0.00	5,000.00	0.00
TOTAL REVENUES		543,600.00	543,600.00	173,241.27	370,358.73	31.87
Expenditures						
537	Sewer Fund - Collection	265,860.00	265,860.00	56,711.01	209,148.99	21.33
538	Sewer - Plant	559,737.00	559,737.00	99,005.52	460,731.48	17.69
TOTAL EXPENDITURES		825,597.00	825,597.00	155,716.53	669,880.47	18.86
<b>Fund 590 - Sewer Fund:</b>						
TOTAL REVENUES		543,600.00	543,600.00	173,241.27	370,358.73	31.87
TOTAL EXPENDITURES		825,597.00	825,597.00	155,716.53	669,880.47	18.86
NET OF REVENUES & EXPENDITURES		(281,997.00)	(281,997.00)	17,524.74	(299,521.74)	6.21
<b>Fund 591 - Water Fund</b>						
Revenues						
591-000-476.000	Permits and Fees	500.00	500.00	4,001.12	(3,501.12)	800.22
591-000-600.000	Charge for Services	76,000.00	76,000.00	13,060.92	62,939.08	17.19
591-000-628.000	RTS Fees	62,000.00	62,000.00	21,512.50	40,487.50	34.70
591-000-630.000	Capital Charge	55,000.00	55,000.00	18,654.61	36,345.39	33.92
591-000-633.000	Hydrant Rental	25,000.00	25,000.00	0.00	25,000.00	0.00
591-000-659.000	Penalties	600.00	600.00	454.72	145.28	75.79
591-000-665.000	Interest Earnings	120.00	120.00	168.90	(48.90)	140.75

GL NUMBER	DESCRIPTION	2022 ORIGINAL BUDGET	2022 AMENDED BUDGET	YTD BALANCE 04/30/2022	AVAILABLE BALANCE	% BGDGT USED
<b>Fund 591 - Water Fund</b>						
Revenues						
591-000-691.600	Contributions -Fr GF - Parks	5,000.00	5,000.00	0.00	5,000.00	0.00
591-000-691.800	Contributions -Fr Marina Fund	5,000.00	5,000.00	0.00	5,000.00	0.00
591-000-691.900	Contrib - GF - Public Works	1,800.00	1,800.00	0.00	1,800.00	0.00
<b>TOTAL REVENUES</b>		<b>231,020.00</b>	<b>231,020.00</b>	<b>57,852.77</b>	<b>173,167.23</b>	<b>25.04</b>
Expenditures						
000		303,850.00	303,850.00	59,150.31	244,699.69	19.47
<b>TOTAL EXPENDITURES</b>		<b>303,850.00</b>	<b>303,850.00</b>	<b>59,150.31</b>	<b>244,699.69</b>	<b>19.47</b>
<b>Fund 591 - Water Fund:</b>						
<b>TOTAL REVENUES</b>		<b>231,020.00</b>	<b>231,020.00</b>	<b>57,852.77</b>	<b>173,167.23</b>	<b>25.04</b>
<b>TOTAL EXPENDITURES</b>		<b>303,850.00</b>	<b>303,850.00</b>	<b>59,150.31</b>	<b>244,699.69</b>	<b>19.47</b>
<b>NET OF REVENUES &amp; EXPENDITURES</b>		<b>(72,830.00)</b>	<b>(72,830.00)</b>	<b>(1,297.54)</b>	<b>(71,532.46)</b>	<b>1.78</b>
<b>Fund 594 - Marina Fund</b>						
Revenues						
594-000-631.000	Pump outs	3,200.00	3,200.00	0.00	3,200.00	0.00
594-000-642.000	Gas Sales	140,000.00	140,000.00	0.00	140,000.00	0.00
594-000-642.100	Gas Sales - Tax Exempt	1,500.00	1,500.00	0.00	1,500.00	0.00
594-000-646.000	Sale of Ice	1,500.00	1,500.00	0.00	1,500.00	0.00
594-000-649.000	Waiting List	2,400.00	2,400.00	2,720.00	(320.00)	113.33
594-000-653.000	Transient Fees	95,000.00	95,000.00	12,783.00	82,217.00	13.46
594-000-653.100	Marina Day Use	2,000.00	2,000.00	0.00	2,000.00	0.00
594-000-654.000	Slip Fees	280,000.00	280,000.00	300,929.00	(20,929.00)	107.47
594-000-659.000	Penalties	0.00	0.00	221.20	(221.20)	100.00
594-000-665.000	Interest Earnings	200.00	200.00	466.14	(266.14)	233.07
<b>TOTAL REVENUES</b>		<b>525,800.00</b>	<b>525,800.00</b>	<b>317,119.34</b>	<b>208,680.66</b>	<b>60.31</b>
Expenditures						
000		696,150.00	696,150.00	81,992.36	614,157.64	11.78
<b>TOTAL EXPENDITURES</b>		<b>696,150.00</b>	<b>696,150.00</b>	<b>81,992.36</b>	<b>614,157.64</b>	<b>11.78</b>
<b>Fund 594 - Marina Fund:</b>						
<b>TOTAL REVENUES</b>		<b>525,800.00</b>	<b>525,800.00</b>	<b>317,119.34</b>	<b>208,680.66</b>	<b>60.31</b>
<b>TOTAL EXPENDITURES</b>		<b>696,150.00</b>	<b>696,150.00</b>	<b>81,992.36</b>	<b>614,157.64</b>	<b>11.78</b>
<b>NET OF REVENUES &amp; EXPENDITURES</b>		<b>(170,350.00)</b>	<b>(170,350.00)</b>	<b>235,126.98</b>	<b>(405,476.98)</b>	<b>138.03</b>
<b>TOTAL REVENUES - ALL FUNDS</b>						
<b>TOTAL EXPENDITURES - ALL FUNDS</b>						
<b>NET OF REVENUES &amp; EXPENDITURES</b>						

		<b>VILLAGE OF SUTTONS BAY</b>	
		<b>REPORT VSB -2022-27</b>	
Prepared:	May 31, 2022	Pages:	1 of 1
Meeting:	June 8, 2022	Attachments:	<input checked="" type="checkbox"/>
Subject:	Blight Ordinance Discussion		

**PURPOSE**

To discuss the 4<sup>th</sup> DRAFT of the (attached) blight ordinance.

**OVERVIEW**

Please find attached the final draft of the Blight Ordinance. This process has been moving forward for a couple years albeit at a slow pace. These Ordinances are typically associated with communities that suffer from numerous abandoned and dilapidated buildings in their neighborhoods and not small vibrant communities such as ours. One must only travel our neighborhoods to see that property values, pride and community investment all play a role in our healthy community.

It is important to understand that the Blight Ordinance looks at the safety of the structure. An empty building that does not pose a safety concern or meet the qualifications of an unsafe structure is not likely to be considered blighted.

**ACTION REQUESTED**

Please review the Ordinance and provide any questions. If the Committee is satisfied with the language and procedures outlined, we will pass it on for review.

VILLAGE OF SUTTONS BAY  
LEELANAU COUNTY, MICHIGAN

ORDINANCE NO. XX  
BLIGHTED AND UNSAFE STRUCTURES  
ORDINANCE

An Ordinance enacted pursuant to the authority of Public Act 3 of 1895, MCL 67.1. to promote the health, safety and welfare of the people of the Village of Suttons Bay, Leelanau County, Michigan by regulating the maintenance and safety of certain buildings and other structures; to define the classes of buildings and other structures affected by this ordinance; to establish administrative requirements and prescribe procedures for the maintenance of certain buildings and other structures; to establish remedies, provide for enforcement, and fix penalties for the violation of this ordinance.

THE VILLAGE OF SUTTONS BAY ORDAINS:

It is the intent of this ordinance to prevent the physical deterioration of structures, neglect of property and abandonment of structures or property that over time create a negative economic, physical or unsafe condition upon the neighborhoods and businesses of the community and constitute a threat to human health, safety and public welfare.

SECTION 1 – DEFINITIONS

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Enforcing officer – The Leelanau County Sheriff’s Office and the Village of Suttons Bay Zoning Administrator are empowered to perform the duties and functions as described in this Ordinance.

Unsafe structure: A structure which has any of the following defects or is in any of the following conditions:

1. A structure, because of dilapidation, decay, damage, faulty construction, or otherwise which is unsanitary or unfit for human use;
2. A structure that has light, air, or sanitation facilities which are inadequate to protect the health, safety, or general welfare of those who live or may live within;
3. A structure that has been physically compromised to the extent that the structure is inhabitable or threatens the integrity of the structure’s safety.
4. A structure, or part thereof, which is likely to partially or entirely collapse, or some part of the foundation or underpinning is likely to fall or give way so as to injure persons or damage property;

5. A structure that is in such a condition so as to constitute a nuisance, as defined by this Ordinance;
6. A structure that is hazardous to the safety, health, or general welfare of the people of the Village by reason of inadequate maintenance, dilapidation, or abandonment;
7. A structure that has become vacant, dilapidated, and open at door or window, leaving the interior of the structure exposed to the elements or accessible to entrance by trespassers or animals or open to casual entry;
8. A structure that has settled to such an extent that walls or other structural portions have less resistance to winds than is required in the case of new construction by the Construction Code applicable to the structure;
9. A structure that has been damaged by fire, wind, flood, or by any other cause to such an extent as to be dangerous to the life, safety, health, or general welfare of the people living in the Village;
10. A structure that has become damaged or structurally compromised to such an extent that the cost of repair to place it in a safe, sound, and sanitary condition exceeds 50 percent of the assessed valuation of the structure, at the time when repairs are to be made.

#### SECTION 2 – UNLAWFUL TO OCCUPY OR MAINTAIN

It shall be unlawful for an owner or agent to maintain or occupy an unsafe structure.

#### SECTION 3 – RESPONSIBILITY

All persons or entities who own, manage, lease, rent, or occupy any structure shall be equally responsible for keeping the structure in a clean and habitable condition and shall take all necessary precautions to prevent any structure from becoming an unsafe structure or nuisance or other condition detrimental to public health, safety, or general welfare from arising thereon.

#### SECTION 4 – RIGHT OF ENTRY

1. Where it is necessary to make an inspection to enforce the provisions of this Ordinance, or whenever the Village enforcing officer has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this Ordinance, the Village enforcing officer, shall have the right to enter private property at any reasonable hour for the purpose of making a sanitary or health survey of the structure, obtaining a sample of water, collecting other data and material pertaining to public health, or enforcing the provisions of this Ordinance.
2. If the structure or premises is unoccupied, the Village enforcing officer shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If the structure or premises is occupied the code official shall present credentials to the occupant and request entry.
3. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry.



4. It shall be unlawful for any person to resist or attempt to prevent the Village enforcing officer, from carrying out the purposes of this section.

## SECTION 5– NOTICE

The Village enforcing officer, shall issue a notice of unsafe structure when it is determined that the structure is unsafe. The intent of the notice is to inform the owner of the violations and encourage compliance.

1. Service of the notice shall be made upon the owner or agent indicated by the records of the Village assessor by:
  - a. Personally, delivering a copy to the owner or agent;
  - b. Mailing a copy by certified mail, postage prepaid, return receipt requested to the owner as indicated by the records of the assessor and posting a copy of the notice upon a conspicuous part of the structure; or
  - c. When service cannot be made by either of the above methods, by publishing the notice in a local newspaper of general circulation once a week for three consecutive weeks and by posting a copy of the notice upon a conspicuous part of the structure.
2. The written notice shall include:
  - a. Address, tax ID number, and / or a description of the real estate sufficient for identification;
  - b. The unsafe structure conditions identified and the corrections required to render the structure safe or if the Village enforcing officer, or his designee, has determined the structure cannot be made safe, indicate that the structure is to be demolished; and
  - c. Specify a reasonable time within which the corrections must be made or the structure must be demolished.
3. Placarding of Structure

If the owner or agent refuses to comply with the requirements set forth in the notice, the enforcing officer shall cause to be posted at each entrance of the structure a placard bearing the words: **Do not enter. This Structure is Unsafe and its Use or Occupancy has been Prohibited by the Village of Suttons Bay.**

### 4. Removal of Placard

The Village enforcing officer shall remove the placard whenever the structure has been made safe. It shall be unlawful for any person to deface or remove a placard without the approval of the Village.

### 5. Prohibited Use

It shall be unlawful for any person to occupy a placarded structure or part thereof, or for any owner or any person responsible for the structure to allow anyone to occupy the placarded structure.

## SECTION 6 - EMERGENCY MEASURES

When in the opinion of the Village enforcing officer, there is an actual and immediate danger of failure or collapse of a structure or any part of a structure which would endanger life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, the Village enforcing officer, or designee, is hereby authorized and empowered to order and require the occupants to vacate the structure immediately and the provisions of this Ordinance relating to notice are not applicable. The Village enforcing officer, shall cause to be posted at each entrance to the structure a notice reading as follows:

**Do not enter. This Building is Unsafe and its Use or Occupancy has been Prohibited by the Village of Suttons Bay.**

## SECTION 7 – TEMPORARY SAFEGUARDS

When, in the opinion of the Village Manager, or his designee, there is an actual and immediate danger of collapse or failure of a structure or any part of a structure which would endanger life, or when any structure or a part of a structure has fallen and life is endangered by the occupation of the structure, the Village Manager, or his designee, may cause the necessary work to be done to make the structure or part of the structure temporarily safe. The cost of making the structure or any part of the structure temporarily safe shall be a lien against the real property and shall be reported to the property assessor, who shall assess the costs against the property on which the structure is located.

## SECTION 8 – COMMENCEMENT OF LEGAL PROCEEDINGS.

1. In addition to the penalties prescribed in Section 9, if the owner or his agent refuses to abide by the requirements set forth in the notice of unsafe structure, the Village Council may, by resolution, authorize the Village attorney to initiate the appropriate legal proceedings to enjoin or abate the nuisance per se or any other violation of this Ordinance. If a Court of competent jurisdiction finds the owner or occupant of a building or structure in violation of this Ordinance, the Village may, in addition to requesting the Court to order the owner or occupant to demolish the unsafe structure and remove it from the property or to repair the unsafe structure to make it safe, request authorization for the Village to demolish the unsafe structure and remove it from the property or to repair the unsafe structure to make it safe. In the event that the Court authorizes the Village to demolish or repair the unsafe structure, the cost of demolishing or repairing the structure shall be a lien against the real property and shall be reported to the property assessor, who shall assess the cost against the property on which the structure is located.
2. In any action to enjoin or abate a violation of this Ordinance or a nuisance per se, it shall be presumed that an unsafe structure shall be ordered to be demolished in the event that the cost to repair exceeds 100 percent of the true cash value of the structure as reflected on the Village assessment tax rolls in effect prior to the unsafe structure becoming an unsafe structure.


3. Subsection (2) shall not apply to a where a structure is unsafe as a result of an event beyond the control of the owner, such as fire, windstorm, tornado, flood or other Act of God. If the structure has become unsafe because of an event beyond the control of the owner, the owner shall be given reasonable time within which to make repairs. If the owner does not make the repairs within the designated time, then the structure may be demolished by the Village and the cost of demolishing the structure shall be a lien against the real property and shall be assessed on the property on which the structure is located.

#### SECTION 9 – CIVIL INFRACTION,

Any person who violates any provision of this ordinance shall be responsible for a municipal civil infraction defined in Revised Judicature Act 236 of 1961 and shall be subject to a fine as established by the 86<sup>th</sup> District Court of not less than one-hundred (\$100) Dollars and not more than Five Hundred (\$500.00) Dollars. Each day that a violation continues to exist shall constitute a separate offense.

#### SECTION 11 – EFFECTIVE DATE

This Ordinance shall be effective on the date of publication.

		<b>VILLAGE OF SUTTONS BAY</b> <b>REPORT VSB -2022-27</b>	
Prepared:	May 31, 2022	Pages:	1 of 1
Meeting:	June 8, 2022	Attachments:	<input checked="" type="checkbox"/>
Subject:	STR Ordinance Discussion		

**PURPOSE**

To discuss the Short-Term Rental Ordinance which is currently under review.

**OVERVIEW**

As the number of STR’s in our community continue to rise and legislation to deregulate local control of continues to be at the forefront of debate, we need to address where we are and where we are headed. STR’s in the Village continue to grow in popularity as they provide an excellent return on the investment. As with anything, there needs to be a balance. All this begins with evaluating the current standards, evaluating fees, complaints, number of units etc., to determine if our standards need to be adjusted.

Being that STR’s are already permitted in the village by way of a license, a lot of what is typically debated has already been addressed. We will need to approach this review as a tiered process moving forward as some of the concerns will far outweigh others. For example, although we have just scraped the surface of this ordinance review, there is one glaring concern that we need to address first. The amount of STR’s we currently have.

Many communities who have wrestled with this topic in recent years have capped their allowable percentage to around 5%, including Bingham, passed in 2020, and Suttons Bay Township (2017) and Elmwood (2021) capped at 4%. The Village has currently reached 14% permitted and has yet to address a cap.

**ACTION REQUESTED**

To recommend capping the allowable STR’s to the current percentage and amount in existence today.