### Village of Spring Lake Council Work Session

January 9, 2023  
7:00 p.m.  
102 West Savidge Street (Upstairs Conference Room)  
Spring Lake, MI 49456  
www.springlakevillage.org

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Minutes of the December 12, 2022 Work Session and December 19, 2022 regular meeting are attached for review. Should you wish to make edits, please share that information with Chris Burns or Jordan Schwing prior to December 15.

| 7:27 p.m. | **Public Comment**                    |

Council Meetings are open to the public, and as such, the public is invited to speak at the end of each meeting. Each speaker should ask to be recognized by the chair, must state their name and address for the record and should limit their comments to 3 minutes.

| 7:30 p.m. | **Adjourn**                            |
MEMORANDUM

Date: January 5, 2023
To: Village Council
From: Cassandra Hoisington – Village Planner
Subject: STR Moratorium Update: Revised Rental Ordinance, Zoning Ordinance Amendments, Short Term Rental Overlay Map, and Rental Certificate Fees.

BACKGROUND

Village Council members will recall the May 2022 meeting, at which time a moratorium was established that restricted any new short term rental (STR) permits from being issued. A joint meeting with Village Council and the Planning Commission occurred in June, which provided direction for the creation of a Short Term Rental Committee that would be responsible with reviewing the existing ordinances and providing the recommended revisions.

The Short Term Rental Committee consisted of Village Planners Hoisington and Thibault, Assistant to the City Manager Stepanian, Council President Pro-Tem Te-Pastte and three community members – Robert Mersereau, Samantha Verplank, and Shannon McMaster. During the moratorium, the Short Term Rental Committee met four times which resulted in the creation of a Short Term Rental Overlay Zone Map and revisions to both the Zoning Ordinance and Rental Ordinance.

The Planning Commission reviewed the amendments to the Zoning Ordinance and the Short Term Rental Overlay Zone Map at the December 15, 2022 meeting and recommended Village Council approve the documents. The final draft copies of the revised ordinances are provided in the meeting packet for Village Council review.

short term rental overlay map

The STR Committee reviewed different techniques with the goal being to limit the impact of short term rentals. After internal discussion and review with the Village Attorney, an overlay zone was determined to be the most appropriate form of regulation.

The Short Term Rental Overlay Zone is separate from the underlying zoning district, which will remain unchanged. Those properties within the overlay zone will still be held to the underlying zoning district standards, but are also eligible to apply for a short term rental.
In the creation of the map, priority was placed on limiting the impact of STRs and preserving traditional neighborhoods. Properties included in the overlay zone generally have the following features:

- Adjacent to or part of the Central Business District (CBD) or downtown region.
- Street frontage on Exchange Street or Savidge Street.
- Higher concentration of properties without a Principal Residence Exemption (AKA Homestead Exemption).

A copy of the Short Term Rental Overlay Zone Map is also provided in the meeting packet. Those properties shown in green would be eligible to become a short term rental through the Special Land Use process.

Upon adoption of the map, existing STR properties that are located outside of the overlay zone would become legally non-conforming uses. This means the use may continue in perpetuity even through property transfers so long as the property continues to be used as a short term rental. However, if the use is abandoned the property would no longer be entitled for use as a short term rental.
**AMENDMENTS TO THE ZONING ORDINANCE**

The most significant amendment to the Zoning Ordinance is the creation of a chapter for Short Term Rentals. Instead of being included within the Special Land Use Chapter, a separate chapter will be created for the regulation of STRs.

As drafted, short term rentals will remain as a special land use for Single Family Residential (SFR) and Community Commercial (C) Zoning districts and would reinstate the Special Land Use for properties in Multi-Family Residential (MFR) and CBD Zoning districts. This is proposed to ensure all property owners go through the same review and feedback process.

Other changes include the following:

- Require parking location information for those properties that do not have on-site parking available.
- Add pools and hot tubs to structures needing to meet the applicable zoning district’s minimum required setback.
- Specify that properties that do not qualify as a short term rental (minimum of 28 day rental period) are not considered short term rentals.
- Amended the definition of a short term rental for updated language.

**AMENDMENTS TO THE RENTAL ORDINANCE**

The majority of changes in the rental ordinance pertain to updated language and definitions, but revisions also include significant new regulations for short term rentals. The following sections state important regulatory changes, but are not inclusive of all the proposed changes.

**Exceptions from Registration**

Provides certain situations that are not considered to be a rental, and therefore do not require a rental certificate of compliance or registration. These include dwelling sales, estate representative, transitional housing, family occupancy, situations where the state has exclusive authority, and housing as a condition of employment.

**STR Performance Standards**

Property owners of short term rentals are responsible for the following requirements:

- Providing the renter with a copy of the rental certificate, applicable Village ordinances, local agent information, and the maximum occupancy.
• Displaying a copy of the certificate of compliance in a location visible from the street.
• Providing local agent information to property owners within 300 feet of the property.
• Ensuring occupants do not create a nuisance.
• Limiting the advertised and actual occupancy in compliance with the International Property Maintenance Code.

### Violations and Penalties Applying to STRs

Direction from the joint meeting and within the STR Committee was to provide better direction for enforcement action. In addition to the underlying penalties and fees for general violations, the draft ordinance provides for specific violations and penalties that apply to short term rental properties as described below:

*In addition to the provisions in § 271-5, the Owner or Responsible Local Agent of a Short Term Rental shall be subject to fines and penalties. Each day that a violation continues constitutes a separate violation. Notwithstanding any other provision of this Code of Ordinances, violations of this chapter are subject to the following fines.*

A. **Short Term Rental of unregistered Dwellings:** The fine for leasing an unregistered Dwelling in violation of this chapter is $1,000 for a first violation and $1,500.00 for each subsequent violation.

B. **Maximum occupancy:** The fine for exceeding the maximum occupancy in violation of § 271-27.E is $500 for a first offense and $1,500.00 for each subsequent offense.

C. **Other provisions:** Fines for other violations of this chapter are as follows: $100 for a first offense, $500 for a second offense, and $1,500.00 for each subsequent offense.

### Revocation of a STR Certificate of Compliance

Upon finding a violation has occurred, the Village Manager or designee may revoke the certificate of compliance as described below:

A. **Upon a finding by the Village Manager or designee of a first violation within any 12 month period, the certificate of compliance may be suspended for up to 30 days during which time the Premises shall not be Rented.**

B. **Upon a finding by the Village Manager or designee of a second violation within any 12 month period, the certificate of compliance shall be suspended for 60 days during which time the Premises shall not be Rented.**

C. **Upon a finding by the Village Manager or designee of a third violation within any 12 month period, the certificate of compliance shall be revoked and the Owner shall not again be issued a license for a period of 24 months, during which time the Premises shall not be Rented.**
Appeal Rights for Short Term Rentals

The draft ordinance also provides appeal rights for short term rental owners whose application was denied or whose license has been suspended or revoked. The appeal shall be heard by the Village Council and provide notice to all property owners within 300' of the subject property of when the meeting shall occur.

If in disagreement with the decision of Village Council, the owner may appeal to Circuit Court.

RENTAL CERTIFICATE FEE

Upon reviewing the cost of comparable STR management services by third-party companies (Hamari and Granicus), it was determined that it would be more cost efficient to maintain review and regulation by Village staff. The services offered by the third-party companies would cover a majority of the work involved, but leave gaps that Village staff would need to fill in the day to day operations.

A proposed annual rental certificate fee of $500 was recommended by the Short Term Rental Committee. This was calculated by estimating staff costs based on the number of short term rentals, with contingency for unexpected cost increases. This may be adjusted for future years as the cost of service and the number of STRs fluctuate.

The revised rental fee and the proposed penalty fees are addressed in the provided resolution for Village Council's review.

SAMPLE MOTIONS

If the Village Council is supportive of the proposed ordinances and STR Overlay Map the following motions can be offered:

- Motion to approve and adopt the Zoning Text Amendment and Overlay Zone Map addressing Short-Term Rentals.
- Motion to approve and adopt the Regulatory Ordinance addressing Short-Term Rentals.

Please contact me with any questions.
REGISTRATION OF RENTAL UNITS RESTATED ORDINANCE
VILLAGE OF SPRING LAKE, MICHIGAN

ord. no. _____ eff. _____________

AN ORDINANCE TO REGULATE THE RENTAL OF PROPERTY IN THE VILLAGE OF SPRING LAKE; TO ESTABLISH PENALTIES AND SANCTIONS FOR VIOLATIONS OF THIS ORDINANCE; AND TO ESTABLISH AN EFFECTIVE DATE.

THE VILLAGE OF SPRING LAKE, OTTAWA COUNTY, MICHIGAN,
ORDAINS:

Section 1. Code Amendment. Chapter 271 of the Village of Spring Lake Code of Ordinances is restated in its entirety as follows.

§ 271-1. Findings and statement of purpose.

These standards in this chapter are intended to ensure compatibility with the other permitted uses and the residential character of the neighborhoods in which Rental Units are located. All Rental Units shall meet the standards contained in this chapter and shall be so located and constructed that the average neighbor, under normal circumstances, will not be aware of their existence.

These standards are also to provide for and protect the welfare of full-time residents and to discourage the purchasing of property for vacation rental uses when it would be inconsistent with the neighborhood in which the property is located.

§ 271-2. Rental registration and certificate of compliance required.

All Rental Units shall be registered and licensed with the Village prior to commencement of any Rental activity related to them.


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

BEDROOM – A room which is intended, arranged, and designed to be occupied by one or more persons primarily for sleeping purposes.

DWELLING – a building or portion of a building providing complete, independent living facilities for one or more persons, including permanent provisions for living, eating, cooking, sanitation, and one or more separate Bedrooms for sleeping.

FAMILY – as defined in Chapter 390, Zoning, of the Code of Ordinances, but also including any relative of that Family or of a member of that Family.

LANDLORD – Any person who owns or controls a Rental Unit and rents such unit, either
personally or through a Responsible Local Agent, to any other person.

LONG TERM RENTAL – The Rental or subletting of any Dwelling for a term of at least 28 days.

OCCUPANT(S) – An individual living in, sleeping in, or otherwise having possession of a space.

OWNER – The legal or equitable title holder of a Rental Unit or the premises within which the Rental Unit is situated.

PREMISES – The property, including any land and the improvements on the land, such as a building or other designated structure, on which the Rental is located or is proposed.

RENT or RENTAL – To permit, provide for, or offer possession or occupancy of a Dwelling, in which the Owner does not reside for a period of time, to a person who is not the legal Owner of record, pursuant to a written or unwritten agreement.

RENTAL UNIT – Any Dwelling containing one or more Bedroom, including but not limited to hotels, motels, bed-and-breakfast establishments, boardinghouses, or sleeping rooms, which are rented pursuant to an oral or written agreement, for monetary or other consideration, by the Owner or the Responsible Local Agent to any other person, whether by day, week, month, year, or any other term, when the renter is not acquiring an ownership interest in the Rental Unit.

RESPONSIBLE LOCAL AGENT – A person or other representative of an Owner; the agent's place of residence shall be within 60 miles of the Village. The agent shall be designated by the Owner as responsible for operating the Rental Unit in compliance with the ordinances adopted by the Village. All official notices of the Village may be served on the Responsible Local Agent, and any notice so served shall be deemed to have been served upon the Owner. An Owner may be the Responsible Local Agent if the Owner meets the residency requirement.

SHORT TERM RENTAL – The Rental or subletting of any Dwelling for a term of less than 28 days. This definition does not include the use of campgrounds, hotel rooms, transitional housing operated by a non-profit entity, group homes such as nursing homes and adult foster care homes, hospitals, or housing provided by a substance-abuse rehabilitation clinic, mental-health facility, other health-care related clinic, or housing for farm labor.

§ 271-4. Fees.

 Fees for registration of Rental Units, inspections, and certificates of compliance shall be as established by resolution of the Village Council.

§ 271-5. Violations and penalties.

 Any person who violates, disobeys, omits, neglects, or refuses to comply with or resists the enforcement of this chapter shall be responsible for a municipal civil infraction, subject to § 1-2. Increased civil fines may be imposed for "repeated violations," which means a second or subsequent municipal civil infraction violation committed by a person within any twelve-month period and for which a person admits responsibility or is determined to be responsible. The increased civil fine for repeat violations is set forth in § 1-2.
§ 271-6. Rental registration and designation of Responsible Local Agent required.

A. No Owner shall lease, Rent, or otherwise allow a Rental Unit to be occupied unless the Rental Unit is registered with the Village, unless the Rental Unit has been issued a certificate of compliance per this chapter, and unless a Responsible Local Agent is designated for the Rental Unit. The Responsible Local Agent shall be legally responsible for operating the registered Rental Unit in compliance with the ordinances adopted by the Village, shall be responsible for providing access to the Rental Unit for the purpose of making any and all inspections necessary to ensure compliance with the ordinances adopted by the Village, and shall accept all legal notices or service of process with respect to the Rental Unit. The Responsible Local Agent shall maintain a list of the names and number of Occupants of each Rental Unit for which the agent is responsible.

B. The Responsible Local Agent shall be available to accept telephone calls at all times that the Dwelling is rented. The Responsible Local Agent shall have a key to the Rental Unit and be capable of being physically present at the Premises within one hour to address issues, unless arrangements are made for another person to address issues within the same timeframe.

§ 271-7. Registration term and renewal of existing Rental Units.

Owners shall register any and all Rental Units within the Village and shall designate a Responsible Local Agent. Registration shall be completed immediately for each Rental Unit, before it is rented out, and renewed before each following January 1, except the first January 1 following initial registration. It shall be the responsibility of the Owner to reregister the Rental Unit. Upon registration, a certificate of compliance shall then be obtained pursuant to § 271-12.

§ 271-8. Change in registration information.

The Owner shall reregister a Rental Unit within 30 days after any change occurs in registration information. A new Owner shall immediately reregister the Rental Unit as provided in this chapter.


An Owner shall reregister a Rental Unit for each calendar year except the first full calendar year.

§ 271-10. Application for registration.

An application for registration of a Rental Unit shall be made in such form and in accordance with such instructions as may be provided by the Village Manager or designee and shall include at least the following information:

A. The address of the Rental Unit;
B. The names and addresses of all Owners;
C. The name, address, and telephone number of the person authorized to collect rent
from the Occupants of the Rental Unit;

D. The name, local address, and telephone number of the Responsible Local Agent;

E. The number of Rental Units in each building;

F. The authorization appointing a Responsible Local Agent signed by both the Owner and the Responsible Local Agent;

G. The name, business address, and telephone number of any person who holds a lien on the Rental Unit or the Premises;

H. Determination of the Rental Unit being used for Short Term Rental or Long Term Rental purposes;

I. Verification that all state and local taxes levied and assessed against the Rental Unit that are due and payable at the time of the application have been paid (if not, the application shall be denied); and

J. Any additional information necessary to determine compliance with all Village ordinances and state law.

§ 271-11. Inaccurate or incomplete registration information.

It shall be a violation of this chapter for an Owner or a Responsible Local Agent to provide inaccurate information for the registration of Rental Units or to fail to provide information required by the Village for such registration. In those cases in which the Owner is not a natural person, the Owner information shall be that of the president, general manager, or other chief executive officer of the Owner. Where more than one natural person has an ownership interest, the required information shall be provided for each such Owner.


A. No person shall own, operate, lease, rent, or occupy a Rental Unit unless there is a valid certificate of compliance issued by the Village Manager or designee, which certificate of compliance shall be issued in the name of the Owner and issued for the specific Rental Unit. The certificate of compliance shall be displayed in a conspicuous place in each Rental Unit at all times. The certificate of compliance shall be issued only after both of the following are completed:

(1) Registration of the Rental Unit with the Village Manager; and

(2) Inspection by the Village Manager or designee demonstrating compliance with all Village ordinances and state law. This is including but not limited to the inspection stated in § 271-21.

B. Once issued, the certificate of compliance shall be valid for the current calendar year and the following calendar year unless otherwise revoked pursuant to this chapter.

C. The Village may issue a temporary certificate of compliance for any of the following reasons:

The following circumstances do not require registration or a rental certificate of compliance under this Ordinance.

A. Dwelling sales. Occupancy of up to 90 days by a prior Owner after the sale of a Dwelling under a Rental agreement following closing is permitted.

B. Estate representative. Occupancy by a personal representative, trustee, or guardian (including family members) of the estate, with or without remuneration, is permitted. The estate shall notify the Township of the Owner’s name, date of death, and name of the person occupying the premises.

C. Transitional housing. Occupancy at places of public accommodation, campgrounds, transitional housing operated by a non-profit entity, and bed-and-breakfast establishments is permitted.

D. Family occupancy. Any member of a Family, as well as that Family member’s guests, may occupy a Dwelling if that Family member’s Family owns the Dwelling. Family occupancy also exempts Dwellings when occupied by Family guests, exchange students, visitors, medical caregivers, child caregivers, any person living within a household on a permanent basis, and any other individual related by blood or affinity whose close association is the equivalent of a Family relationship, if the occupancy does not provide remuneration to the Owner.

E. Exclusive authority. Occupancy at places which the state has exclusive authority under state law to inspect and regulate is permitted.

F. Condition of employment. Occupancy as a condition of employment (e.g., parsonages) is permitted.

§ 271-14. Prerequisites for issuance of certificate of compliance.

The Village Manager or designee shall not issue a certificate of compliance unless a current Rental Unit registration is in effect, the Responsible Local Agent is properly designated, any fees for registration plus any penalties are paid in full, and any inspection as required in §§ 271-21, 271-22 and 271-23 has determined that compliance has been secured with the minimum standards and other provisions of Village ordinances and state law.


The following information shall be posted in a conspicuous place either within each Rental
Unit or in a common area shared by all Occupants of a building with multiple Rental Units:

A. A copy of the current certificate of compliance; and

B. The name, address, and telephone number of the Responsible Local Agent.


At least 30 days prior to the expiration of a certificate of compliance, the Village may notify the Owner or the Responsible Local Agent or both to reregister the Rental Unit and to arrange for a compliance inspection. The Owner shall be responsible for reregistering a Rental Unit and arranging a compliance inspection prior to the expiration date on the certificate of compliance, whether or not the Village gives notice to the Owner or the Responsible Local Agent or both.

§ 271-17. Expiration of certificate of compliance.

A. A certificate of compliance shall expire at the end of the current calendar year (except the partial calendar year after initial registration) or on the repair date stated on a notice to repair, whichever comes first.

B. Thirty days after such expiration date, it shall be unlawful for the Rental Unit in question to be occupied unless a new certificate of compliance has been issued.

C. A Rental Unit which has not been previously certified shall be deemed to have an expiration date on the date the Owner or Responsible Local Agent is notified to register the Rental Unit.


A. Thirty days after expiration of a certificate of compliance, the Village may issue a notice of expired certificate to the Owner, any Responsible Local Agent, and any Occupant of the Rental Unit. The notice shall state that:

   (1) The Rental Unit does not have a valid certificate of compliance;

   (2) It is unlawful for any vacant Rental Unit to be reoccupied or rented;

   (3) Current Occupants may no longer occupy the Rental Unit lawfully; and

   (4) Current Occupants may be entitled to escrow rent moneys as provided for under state law.

B. A placard containing this information will be posted in or on the Rental Unit. The placard may not be removed until a new certificate of compliance is issued.


A certificate of compliance shall not be required for living or sleeping accommodations in jails, hospitals, nursing homes, school dormitories, convalescent homes, retirement homes, foster homes, or temporary group shelters provided by legal not-for-profit agencies which are inspected, certified, and/or licensed by other governmental agencies.
§ 271-20. Basis for inspections.

Inspections of Rental Units may be made to obtain and maintain compliance with the standards of this chapter and state law, based upon one of the following:

A. A complaint received by the Village indicating that there is a violation of the standards or the provisions of the ordinances adopted by the Village or state law or both;

B. An observation by the Village of a violation of the standards or the provisions of the ordinances adopted by the Village or state law or both;

C. A report or observation of a Rental Unit that is unoccupied and unsecured or a Rental Unit that is fire damaged;

D. The registration, reregistration, and certification of a Rental Unit as required by this chapter;

E. The need to determine compliance with a notice or an order issued by the Village;

F. Designation by the Village Council of an area where all Dwellings, accessory buildings, or yards are to be inspected uniformly or intensively or for specific violations;

G. An emergency observed or reasonably believed to exist;

H. A request for an inspection by the Owner; or

I. As required by law when a Rental Unit is to be demolished by the Village or ownership is to be transferred to the Village.


A. Subsequent to the reregistration of a Rental Unit as required in § 271-9, the Village Manager or designee shall commence an inspection of the Rental Unit. However, the inspection shall not be required if the Rental Unit was inspected during the prior calendar year, was found to be in compliance, and the Village has no information to indicate that the Rental Unit is no longer in compliance.

B. All facilities, areas, and units governed by this chapter shall be inspected. All facilities, areas, and units inspected shall comply with the standards of the ordinances adopted by the Village and with state law. If an inspection is scheduled and neither the Owner nor Responsible Local Agent appear, an inspection fee shall be assessed against the Owner. No inspection shall be completed until the fee is paid in full.

C. For every inspection and reinspection of a Rental Unit performed to ensure conformity with this chapter, the Owner will be charged a separate fee except as provided in § 271-22.

If an inspection is initiated by a complaint and no violation is found to exist, no inspection fees will be assessed against the Owner. In all other situations the Owner shall be responsible for inspection fees.

§ 271-23. Inspection upon transfer of ownership.

A. If there is a transfer of ownership for any Rental Unit, even if Owner-occupied, and a current certificate of compliance exists, an inspection by the Village Manager or designee shall be waived.

B. If there is a transfer of ownership for any Rental Unit, even if Owner-occupied, and a current certificate of compliance does not exist, an inspection by the Village Manager or designee shall be required per this chapter. If the Rental Unit is not in compliance with this chapter and state law, a notice of violation shall be issued to both the transferor and the transferee.

C. If ownership of any Rental Unit is transferred contrary to subsection A or B of this section, the certificate of compliance and Rental Unit registration shall be deemed to expire within 60 days of the transfer unless appropriate steps are taken to obtain a Rental Unit registration and certificate of compliance.

D. If there is a transfer of ownership where violations are found during the inspection, the Rental Unit registration shall become invalid. The new Owner shall register the Rental Unit within 10 days of the date of transfer of the Rental Unit. Every person holding the registration prior to the transfer shall notify the Village Manager or designee in writing of the change in the ownership of the Rental Unit. The transferring Owner of a Rental Unit whose ownership is transferred shall notify the individuals residing in that Rental Unit, including an Owner-occupied Rental Unit, before any transfer of Ownership occurs.


If the Village Manager or designee shall discover the failure of any Owner to comply with a notice of violation issued pursuant to the provisions of Village ordinances or pursuant to state law, the certificate of compliance may be revoked.

§ 271-25. Appeal of denial of registration or revocation.

Any Owner whose Rental Unit registration has been denied or whose certificate of compliance has been revoked may file an appeal to the Zoning Board of Appeals.


Upon revocation of a certificate of compliance and a determination by the Zoning Board of Appeals that a Rental Unit is not in compliance with both Village ordinances and state law, the Owner or Responsible Local Agent of the Rental Unit shall immediately vacate it. No person shall thereafter occupy the Rental Unit for sleeping or living purposes until it complies with Village ordinances and state law and has been reissued a certificate of compliance.

§ 271-27. Performance standards applying to Short Term Rental units.

In addition to the standards above, the following provisions shall apply to Short Term
Rental Units.

A. The Owner or the Responsible Local Agent of each Short Term Rental Unit shall prominently display the following information in a conspicuous place within the Rental Unit:

1. A full-size copy of the certificate of compliance inside the Rental Unit;
2. A full-size copy of applicable Village ordinance sections including, but not limited to, rental registration, trash, noise, occupancy, and parking;
3. The name and contact information for the Responsible Local Agent;
4. Notification of the maximum occupancy permitted in the Rental Unit; and
5. For a Rental Unit within a single family Dwelling, a copy of the certificate of compliance shall be posted visible from the street.

B. The Owner shall provide the Responsible Local Agent’s information in writing to the owners of real property within 300 feet of the Premises.

C. The Owner or the Responsible Local Agent of each Short Term Rental Unit shall not advertise or permit an occupancy load that is greater than the maximum occupancy load limit permitted by Village ordinance or other applicable law or regulation.

D. Occupants shall not create a nuisance. For purposes of this subsection, a nuisance includes but is not limited to any of the following:

1. Any activity that violates Village noise regulations; or
2. Any activity that violates Village or state firework regulations.

E. The maximum occupancy for any Rental Unit shall be determined by the International Property Maintenance Code as referenced in the Michigan Building Code.

§ 271-28. Short Term Rental limitations.

In any zoning district, a Rental Unit may be rented for any time period, as often as the Owner decides, subject to the limitations and all other requirements of this chapter and the limitations and requirements of the zoning chapter of this Code.

§ 271-29. Violations and penalties applying to short term rentals.

In addition to the provisions in § 271-5, the Owner or Responsible Local Agent of a Short Term Rental shall be subject to fines and penalties. Each day that a violation continues constitutes a separate violation. Notwithstanding any other provision of this Code of Ordinances, violations of this chapter are subject to the following fines.
A. Short Term Rental of unregistered Dwellings: The fine for leasing an unregistered Dwelling in violation of this chapter is $1,000 for a first violation and $1,500.00 for each subsequent violation.

B. Maximum occupancy: The fine for exceeding the maximum occupancy in violation of § 271-27.E is $500 for a first offense and $1,500.00 for each subsequent offense.

C. Other provisions: Fines for other violations of this chapter are as follows: $100 for a first offense, $500 for a second offense, and $1,500.00 for each subsequent offense.

§ 271-30. Revocation of a certificate of compliance for a Short Term Rental.

A. Upon a finding by the Village Manager or designee of a first violation within any 12 month period, the certificate of compliance may be suspended for up to 30 days during which time the Premises shall not be Rented.

B. Upon a finding by the Village Manager or designee of a second violation within any 12 month period, the certificate of compliance shall be suspended for 60 days during which time the Premises shall not be Rented.

C. Upon a finding by the Village Manager or designee of a third violation within any 12 month period, the certificate of compliance shall be revoked and the Owner shall not again be issued a license for a period of 24 months, during which time the Premises shall not be Rented.


Any Owner whose application was denied or whose license was suspended or revoked by the Village Manager or designee may, within ten days following such decision, appeal to the Village Council. The Village Council shall determine whether to affirm, reverse, or modify the decision of the Village Manager or designee in accordance with this chapter.

A. Notice. At least 14 days prior to the Village Council meeting to consider the appeal of the Owner, the Village Manager or designee shall send, by certified United States mail, written notice to the Owner of the date, time, and place at which the Village Council will consider the denial, suspension, or revocation. The Owner shall be provided an opportunity to be heard by the Village Council prior to its decision being made. All neighbors within 300 feet of the boundaries of the Premises must also be notified by United States mail of the date, time, and place of the Village Council meeting, at least ten days prior to the Village Council meeting.

B. The decision. The decision of the Village Council shall be final. The Village Clerk shall notify the Owner, in writing, of the decision of the Village Council.

C. Right to appeal. If the Village Council affirms the decision of the Village Manager or designee, denying an application or suspending or revoking a license, the Owner shall have the right to appeal the Village Council decision to the circuit court. The decision of the Village Council shall not be vacated during the pendency of any appeal to circuit court. The Owner has the right to seek a temporary vacation in circuit court.
§ 272-32. Village, state, and federal requirements.

Nothing contained within this chapter shall be construed to relieve a person of any duties and obligations imposed under any Village, state, or federal laws, rules, regulations, licenses, or permit requirements.

Section 2. Effective Date. This amendment to the Code of the Village of Spring Lake, Ottawa County, Michigan, was approved and adopted by the Village Council on ___________, 2023, following a public hearing on _____________, 2023. This amendment shall be effective upon publication as required by the Charter of the Village.
CERTIFICATE

I, Marvin Hinga, the Clerk/Treasurer for the Village of Spring Lake, Ottawa County, Michigan, certify that the foregoing Village of Spring Lake Registration of Rental Units Restated Ordinance was adopted at a regular meeting of the Village Council held on _______________, 2023. The following members of the Village Council were present at that meeting: _______________. The following members of the Village Council were absent: _______________. The Ordinance was adopted by the Village Council with members of the Council: ______________ voting in favor and ______________ of the Council voting in opposition. Notice of Adoption of the Ordinance was published in the Grand Haven Tribune on ______________, 2023.

Marvin Hinga, Clerk

Village of Spring Lake
RESOLUTION NO: 2023 - 01

RESOLUTION TO REVISE SHORT TERM RENTAL PERMIT FEES AND ADD NEW PENELTY FEES

WHEREAS, the Village annually adopts a budget which includes a fee schedule; and

WHEREAS, short term rentals are allowed as special land uses in the Single-Family Residential District and Community Commercial District and as permitted uses in the Multiple-Family Residential District and the Central Business District; and

WHEREAS, the Village finds in prudent to establish a fee schedule commensurate with the expenses involved in operating the short term rental program; and

WHEREAS, the registration fees proposed by the Village are less than the quotes provided by several companies who provide contract short term rental services; and

WHEREAS, the Village Council finds it reasonable to establish specific penalty fees for violations of the Village Code.

WHEREAS, the proposed short term rental and rental violation penalty fee schedule would be revised as follows, with all other fees remaining as-is;

<table>
<thead>
<tr>
<th>Short Term Rental Registration</th>
</tr>
</thead>
<tbody>
<tr>
<td>$500</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Short Term Rental Violation Fee Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Short Term Rental of Unregistered Dwelling</td>
</tr>
<tr>
<td>Exceeding the Permitted Maximum Occupancy</td>
</tr>
<tr>
<td>All Other Violations (i.e. Parking, Noise, Etc.)</td>
</tr>
</tbody>
</table>
NOW, THEREFORE, IT IS RESOLVED:

The Village of Spring Lake hereby adopts the revised short term rental and rental violation penalty deed schedule as presented, and will take effect on __________, 2023.

CERTIFICATE

I, Marvin Hinga, Village Clerk, do hereby certify that the foregoing is a true and original copy of a resolution adopted by the Village of Spring Lake at a Regular Meeting thereof held on the 16th day of January 2023.

RESOLUTION 2023 - 1 DECLARED ADOPTED.

Dated: January 16, 2023

______________________________
Marvin Hinga, Clerk
Village of Spring Lake

CERTIFICATE

I, the undersigned, the qualified and acting Clerk of the Village of Spring Lake, Ottawa County, Michigan, certify that the foregoing is a true and complete copy of a Resolution adopted by the Village Council at a meeting of the Village Council held on the 16th day of January, 2023. I further certify that public notice of the meeting was given pursuant to and in full compliance with Michigan Act 267 of 1976, as amended, and that the minutes of the meeting were kept and will be or have been made available as required by the Act.

______________________________
Marv Hinga, Village Clerk
ORDINANCE NO. ___

ZONING TEXT AMENDMENT AND MAP ORDINANCE

AN ORDINANCE TO AMEND THE VILLAGE OF SPRING LAKE ZONING ORDINANCE, CHAPTER 390 OF THE CODE OF THE VILLAGE, TO ADD THE SHORT-TERM RENTAL OVERLAY ZONE AND TO PERMIT SHORT-TERM RENTALS IN THE VILLAGE AS A SPECIAL LAND USE IN ALL DISTRICTS; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

THE VILLAGE OF SPRING LAKE, OTTAWA COUNTY, MICHIGAN, ORDAINS:

Section 1. Overlay District. Article X of the Zoning Chapter, Chapter 390 of the Code, shall be added and shall state in its entirety as follows:

ARTICLE X SHORT TERM RENTAL/OVERLAY DISTRICT

SECTION 390-64. Intent.

The Village is committed to preserving the residential character of its neighborhoods, minimizing potential nuisances, and maintaining the Village’s small-town character. The Village intends to protect its residents and visitors from the potentially negative or harmful effects that can arise from commercial rentals, including the potential impact on the appearance, tranquility, and standard of living in the Village’s prime residential areas.

However, the Village also recognizes the potential benefits of tourism and additional lodging opportunities for visitors, as well as the financial benefit that short term rentals can bring to property owners in the Village. Therefore, the Village wishes to achieve a balance between these considerations by providing that short term rentals are allowed as special land uses, based upon a consideration of the standards in Section 390-134 and in this Short Term Rental Overlay District.

SECTION 390-65. PERMITTED USES

The uses permitted in the Short Term Rental Overlay District shall be the uses permitted in the underlying zoning district, plus Short Term Rentals as special land uses.

SECTION 390-66. DESIGN REQUIREMENTS

The design requirements of the underlying zoning district shall apply to the Short-Term Rental Overlay District.

SECTION 390-67. PROPERTY INCLUDED IN THE SHORT TERM RENTAL OVERLAY DISTRICT
The property in the Village included in the Short Term Rental Overlay District is illustrated in the diagram attached as Exhibit A, to be added to the zoning map established per Section 390-51 of this Zoning Chapter.

SECTION 390-68. SPECIAL LAND USE STANDARDS

A. The following standards shall apply to all short term rentals.

1. A short term rental must be located in the Short Term Rental Overlay District.

2. A short term rental must comply with the Village’s Registration of Rental Units Ordinance as now or subsequently amended, consisting of chapter 271 of this code.

3. The applicant shall submit a floorplan of the dwelling unit and a site plan of the property drawn to a scale of not less than 1/8 inch = 1 foot.

4. The rental unit must maintain the existing residential character of the subject property.

5. If the subject lot does not meet the underlying district minimum lot area, has other dimensional nonconformities, or has an existing non-conforming use, the Planning Commission may deny approval, or it may condition approval on measures that mitigate potential adverse effects of operating a short term rental on the lot.

6. Parking shall be located on the lot and comply with these requirements in addition to any other requirements for the applicable underlying zoning district in question.

a. For subject properties in the CC and CBD Districts where parking is not available on site, parking shall occur within those parking spaces devoted to use by the subject property.

b. The applicant shall provide parking location information on the site plan. This shall be considered the designated parking area and include the following information.

i. A minimum of two off-street parking spaces shall be provided per unit (up to six occupants), plus one space for every three occupants over six, based on approved occupancy for the dwelling unit.

ii. Any proposed expanded parking area must be shown on the site plan and will be subject to review by the Planning Commission and Zoning Administrator. Parking on the grass is prohibited.

   a) All guest parking must occur in the designated parking area.

   b) Parking and driveway materials shall be compliant with Section 390-117.A.

7. Where they exist, fire pits be a minimum of three feet from any lot lines and shall meet the requirements of the fire code and any other applicable codes.
8. The number of overnight guests in a short term rental shall be based on occupancy limits established by the International Property Maintenance Code as referenced in the Michigan Building Code. All guests shall sleep in an approved bedroom. No guest may sleep on couches, the floor, in tents, or in trailers on the lot.

9. No separate cooking facilities shall be allowed in bedrooms.

10. All short term rentals shall be subject to the following performance standards.
   a. Occupants shall not encroach on neighboring properties.
   b. Owners shall provide sufficient waste receptacles and the subject property shall be maintained free of debris and unwholesome substances. Garbage must be kept in a closed container and disposed of on a regular weekly schedule.

B. Outdoor areas intended for the congregating of guests (e.g., porches, decks, pools and pool decks, gazebos, fire pits, etc) must meet the following requirements, in addition to other requirements established by this chapter.
   a. Decks, porches, and patios which qualify as a structure must meet the minimum setback requirements as established in the underlying zoning district.
   b. At grade patios and decks, or those which do not meet the height requirement to be considered a structure, must be a minimum of three feet from any lot line.
   c. Pools, hot tubs, and similar devices must meet the minimum setback requirements as established in the underlying zoning district.
   d. If any of the above features are present on the lot and legally nonconforming in status, the Planning Commission shall require the area to be fenced in or screened with landscaping. Additionally, the Planning Commission may require any outdoor congregating area to be fenced in or landscaped in order to help buffer the short term rental from neighboring properties. The Village shall consider lot sizes in the area and of the short term rental lot, surrounding land uses, topography, and other considerations deemed relevant by the Village.

C. The following site modifications are subject to review and approval by the Planning Commission as an amendment to the special land use; otherwise, these modifications shall void the approval of the existing special land use:
   a. Any structural expansion of the dwelling that increases the square footage of the dwelling, including the addition of a new decks and patios; or
   b. Alteration of the interior of the dwelling in a manner that results in an increased number of sleeping rooms.

D. If the conditions of approval for a special land use permit allowing a short term rental are not satisfied, the Village shall send written notification to the owner, explaining the alleged violations. If the alleged violations are not promptly resolved,
the Village may schedule a public hearing before the Planning Commission pursuant to Section 390-136.

E. Failure to comply with the provisions of this Section or Chapter 271 of the Code of Ordinances shall void the approval of the existing special land use.

Section 2. Rental Regulations. Section 390-10 of the Zoning Chapter, Chapter 390 of the Code, shall be added and shall state in its entirety as follows:

SECTION 390-10 RENTAL REGULATIONS

A. Rentals that are longer than and thus do not qualify as short term rentals are permitted by right in all zoning districts, as long as the use of the rented property is permitted by the terms of this Chapter.

B. Notwithstanding any other provision in this Section or in this Chapter, all rental property in the Village must comply with all other Village ordinances, all Ottawa County requirements, and all applicable state and federal laws.

Section 3. Definition of Short Term Rental. Section 390-7.19 of the Zoning Chapter, Chapter 390 of the Code, shall be amended to include the following definition:

SHORT TERM RENTAL: The rental or subletting of any Dwelling for a term of less than 28 days. This definition does not include the use of Campgrounds, hotel rooms, transitional housing operated by a non-profit entity, group homes such as nursing homes and adult foster care homes, hospitals, or housing provided by a substance-abuse rehabilitation clinic, mental-health facility, other health-care related clinic, or housing for farm labor.

Section 4. Short-Term Rentals as a Special Land Use in the Multi-Family Residential (MFR) District. Sections 390-59.A and 390.59.B of the Village of Spring Lake Zoning Ordinance shall be restated in their entirety as follows:

A. Land, buildings and other structures in this zoning district may only be used for the following purposes by right:
   1. Adult foster care family homes.
   2. Day care, family.
   3. Home occupations.
   4. Multiple-family dwellings.
   5. Single-family dwellings.
   6. Two-family dwellings.
   7. Parks and public facilities.
   8. Short-term rentals.

B. The following special land uses may be approved by the Planning Commission subject to the applicable general and specific standards in Article XVIII:
   1. Accessory dwellings
2. Adult foster care small and large group homes
3. Adult foster care congregate facilities
4. Bed and breakfast establishments
5. Day care, group
6. Senior assisted living facilities
7. Short term rentals

Section 5. Short-Term Rentals as a Special Land Use in the Central Business District (CBD). Sections 390-70.A of the Village of Spring Lake Zoning Ordinance shall be restated in their entirety as follows:

A. Land, buildings and other structures in this zoning district may only be used for the following purposes by right:
   1. Convenience stores
   2. Financial institutions without drive-through facilities
   3. Medical clinics
   4. Office buildings
   5. Personal service establishments
   6. Professional service establishments
   7. Parks and public facilities
   8. Residential above retail or offices
   9. Restaurants without drive-through facilities
   10. Retail businesses

B. The following special land uses may be approved by the Planning Commission subject to the applicable general and specific standards in Article XVIII:
   1. Automobile gasoline stations
   2. Automobile repairs, minor
   3. Automobile repairs, major
   4. Automobile wash
   5. Farmer’s markets
   6. Financial institutions, with drive-through facilities.
   7. Funeral homes
   8. Hotels and motels
   9. Indoor recreation facilities
   10. Marinas
   11. Open air business
   12. Restaurants with drive-through facilities
13. Short term rentals of permitted dwelling units.
14. Tattoo or piercing parlor
15. Veterinary hospitals

Section 6. Effective Date.

This amendment to the Code of the Village of Spring Lake, Ottawa County, Michigan, was approved and adopted by the Village Council on ______________, 2023, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended. This Ordinance shall be effective on ______________, 2023, which date is the eighth day after publication of a Notice of Adoption and Posting of this amendment in the Grand Haven Tribune, as required by Section 401 of Act 110, as amended. However, this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.
CERTIFICATE

I, Marvin Hinga, the Clerk/Treasurer for the Village of Spring Lake, Ottawa County, Michigan, certify that the foregoing Village of Spring Lake Zoning Text Amendment Ordinance was adopted at a regular meeting of the Village Council held on ________________, 2023. The following members of the Village Council were present at that meeting: _________________. The following members of the Village Council were absent: None. The Ordinance was adopted by the Village Council with members of the Council: ________________ voting in favor and ________________ of the Council voting in opposition. Notice of Adoption of the Ordinance was published in the Grand Haven Tribune on ________________, 2023.

Marvin Hinga, Clerk
Village of Spring Lake
EXHIBIT A
SHORT TERM RENTAL OVERLAY DISTRICT

LEGEND
- OVERLAY ZONE
- Zoning District
  - Central Business District (CBD)
  - Commercial (C)
  - Multi-Family Residential (MFR)
  - Single-Family Residential (SFR)
  - Planned Unit Development (PUD)
WORK SESSION AGENDA REPORT

TO: Village President Mark Powers & Village Council Members
FROM: Chris Burns, Village Manager
DATE: December 9, 2022
RE: You Make the Difference Awards

Background: Both Scott VanStrate and Mark Miller have served the community for many years as Council Members. It is only fitting that their contributions be recognized with You Make the Difference awards.

Issues & Questions Specified: Should Council present Mark & Scott with YMTD awards?

Alternatives: Do not present them with awards.

Financial Impact: Negligible.

Recommendation: Present Mark and Scott with YMTD awards at the January 16, 2023 Council Meeting.

Attachments: None.
WORK SESSION AGENDA REPORT

TO: Village President Mark Powers & Village Council Members
FROM: Chris Burns, Village Manager
DATE: January 6, 2023
RE: 2023/2024 Budget Calendar

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Background: Each year, Council holds a strategic planning/goal setting session to give staff direction on the budget preparation. This year’s session will be held on January 14, 2023 and will again be moderated by Dr. Alan Vanderberg.

Issues & Questions Specified: Should the budget calendar be adjusted in any way?

Alternatives: Suggest changes to the format/dates for the budget process.

Financial Impact: None.

Recommendation: Council discretion.

Attachments:

Budget Calendar
<table>
<thead>
<tr>
<th>Step</th>
<th>Task/Process</th>
<th>Completion</th>
</tr>
</thead>
</table>
| Step 1 | **Budget Team Meeting**  
Review Staff Goals                      | 01/10/23    |
| Step 2 | **Council Strategic Planning & Goal Setting**  
DDA Strategic Planning & Goal Setting       | 01/14/23    |
| Step 3 | **Budget Team Meeting**  
Review DDA (236)                             | 01/20/23    |
| Step 4 | **Budget Team Meeting**  
Review Parks Budget & Forestry (101)  
Review Major Streets (202), Local Streets (203), Ottawa Country Road Millage (204) and Non-Motorized Pathways (218) | 03/06/23    |
| Step 5 | **Budget Team Meeting**  
Preliminary Taxable Value (pre BOR)                       | 03/07/23    |
| Step 6 | **Budget Team Meeting**  
Review General Fund - Remaining Departments (101)  
Review Water & Sewer (590 & 591)  
Review Fees & Rates                       | 03/09/23    |
| Step 7 | **Budget Team Meeting**  
Review Police (Fund 101 – Dept.301)                       | 03/17/23    |
| Step 8 | **Budget Team Meeting**  
Review Central Equipment (661) & Public Improvement (208)  
Review Fund Balances & Changes  
Review Preliminary Budget for Council  
Review Board of Review Changes for Taxable Values | 03/24/23    |
| Step 9 | **Budget Team Meeting**  
Final Review Before Presentation to Council                       | 04/04/23    |
| Step 10 | **Proposed Preliminary Budget to DDA**                                              | 04/13/23    |
| Step 11 | **Set Public Hearing on Water/Sewer Rates & Fees**                                     | 04/17/23    |
| Step 12 | **Budget Team Meeting**  
Discussion of Council & PC Revisions                       | 04/27/23    |
| Step 13 | **Proposed Preliminary Budget to Parks & Recreation/Tree Board**                        | 05/01/23    |
| Step 14 | **Preliminary Budget Proposed to Council**  
Water & Sewer Rates  
All Other Rates & Fees                                      | 05/08/23    |
| Step 15 | **Proposed Final Budget to DDA**                                                   | 05/11/23    |
| Step 16 | **Set Public Hearing for Budget Adoption**                                           | 05/15/23    |
| Step 17 | **Final Budget to Council**                                                       | 05/27/23    |
| Step 18 | **Council Review & Approval of Final FY23/24 Budget Amendments**                    | 06/12/23    |
| Step 19 | **FY 23/24 Budget Adopted by Council** (Public Hearing)                              | 06/12/23    |

\(^1\) Budget must be adopted no later than June 15th, per Charter.
**Background:** At the December 19, 2022 meeting, Council voted unanimously to leave the waste hauler licensing program “as is”. Staff was directed to review the Solid Waste Ordinance and come back with proposed changes at a later date. Staff was also directed to streamline the licensing process. The changes to the license were handed off to the Village Attorney. Once his review is complete, those applications will be sent to the waste haulers. It is anticipated that the 2023 licensing will be presented to Council at their February meeting.

**Issues & Questions Specified:** None.

**Alternatives:** None. Informational only.

**Financial Impact:** The cost to review the license application is unknown as this time, but likely negligible. Future costs include the ordinance amendments (also insignificant).

**Recommendation:** None. Informational only.

**Attachments:** None.
Thanks for the prompt response. It's not really a "gripe" more of a driver awareness request. It doesn't always happen that the snow gets thrown against our and our neighbor two doors down garage. But since it happened the first snow fall I thought I would send a reminder. After living in the village and on this street for more than 50 years I've been racking my brain to think of another single lane equivalency in the village. Maybe Shady Lane where some of the houses are right on the road at the curve but I think Shady Lane is a little bit wider these days. Regardless, I wouldn't even think 2 passes necessary but once the snow piles up on the road sides it gets pretty narrow and thankfully it's not really a throughway and less so in the winter. Thanks again for the prompt response. A long, long gone village president who thought it was just fine to have the two Mason street homes, one of which was his, and a Jackson Street home have driveways on Barber Court probably didn't help the situation any it's "his" original home that also has the big annoying village street light at the end of the driveway in the middle of the little block of Barber Ct....a little more history.

Krista Nisper Conway
115 Barber Ct.
Spring Lake, MI

-----Original Message-----
From: Wally Delamater <WDelamater@springlaketwp.org>
To: scokris@aol.com <scokris@aol.com>
Cc: christine@springlakevillage.org <christine@springlakevillage.org>
Sent: Tue, Dec 20, 2022 1:34 pm
Subject: 115 Barber Ct. Plowing Complaint

Krista Conway,

Thank you for sending an email with your concern. Given the magnitude of the snow removal operation, I am generally always pleased with the Departments performance. Inevitably, issues do periodically occur, we are not perfect. I did drive Barber Ct. several times this morning to evaluate your concern. First, our plow truck drivers try to be as efficient as possible and I did not find fault with their recent performance. The plow truck direction of travel in the middle of the night makes little difference on where snow ends up. Large plow trucks and the smaller pickups all have power angle plows which can rotate from left to right depending on the operators plowing decision. Barber Ct. is a two pass street. If both passes are made driving the same direction the first pass the blade would angle right and traveling the same direction the second pass the blade would angle left to the road shoulder. When streets are plowed the intent is to split the plowed snow, one pass it will be cast right and the return pass it will be cast opposite. Unfortunately it is never equal as to who will receive the most snow. We use the same process for Barber Ct. as we do on other Village streets. Depending on the operator and the snow volume I cannot guarantee that you will not receive more snow on the north side than the south side.

Thanks,

Wally Delamater
Director, Spring Lake Public Works
Never mind. I just read today’s Tribune.

Bob Pallas
415-307-9173

Here’s a link to the agenda packet. The survey results are included with the packet. If you have any further questions, please let me know.

I was hoping to listen to the discussion – pros and cons – and learning the results of the surveys.

Bob,  
My apologies for misunderstanding. Is there something in particular that you wanted to share with Council that you didn’t feel comfortable saying during public comment? I’m happy to pass along.

Fondly,

Chris
To: Christine Burns <christine@springlakevillage.org>
Subject: RE: Waste Hauling

Chris,

My question asked when the next meeting to discuss the waste hauling issue. Not when is the next meeting. No discussion took place tonight.

Bob Pallas
415-307-9173

From: Christine Burns [mailto:christine@springlakevillage.org]
Sent: Thursday, December 15, 2022 11:53 AM
To: Bob Pallas <bobpallas@earthlink.net>
Subject: RE: Waste Hauling

Hi Bob,

The next Council meeting is Monday at 7:00 p.m. at Barber School.

See you there 😊

Chris

From: Bob Pallas <bobpallas@earthlink.net>
Sent: Thursday, December 15, 2022 7:17 AM
To: Christine Burns <christine@springlakevillage.org>
Subject: Waste Hauling

Christine,

When and where is the next meeting to discuss the waste hauling issue? I would like to attend.

Bob Pallas
415-307-9173
Hi Wally,
Could you check on the lamp on Jackson, please? See description below.

Chris,
Would you like to follow up with Jennifer or is it okay that I do?

Thanks,
Tyra

---

From: Jennifer <greatlakes.girly@gmail.com>
Sent: Wednesday, January 4, 2023 7:14 PM
To: Communications <communications@springlakevillage.org>
Subject: Lamp on Jackson

Hello. I’m so sorry, but I never remember during the day to call you about this but there’s a Village lamp that’s flickering. Obviously I only notice at night. 😁 It’s on Jackson the 2nd one north of Seven Steps Up.

Something I’d like to mention is that it’s awfully nice not having Seven Steps Up’s marquee on at all hours currently. I finally can have my blinds open at night. It’s quite disruptive, most wouldn’t think so or even notice, but when it’s in your point of view watching tv and the sign changes every 3 seconds…it’s not great.

So just food for thought for the future.

Thanks for taking care of the lamp!

Happy New Year to you and the rest at the Village!

Many Thanks,

Jennifer Van Oflen
I followed up and cc'd you on the email. However, this is for your record.

Thanks,
Tyra

---

Name
James Patchett

Phone
(248) 228-0801

Email
patchett.james@gmail.com

Address
111 Maple Terrace
Spring Lake, Michigan 49456
United States
Map It

Subject
Waste Hauling

Message
Hello,
I am slightly confused about what is happening in 2023 for my waste hauler. Have we changed to single hauler? I have not seen any letters from any of the companies, and my current hauler has just charged me for Jan-Mar 2023

Thank you
James Patchett
December 18, 2022

Christine Burns
Village Manager
Village of Spring Lake
102 W. Savidge
Spring Lake, MI 49456

Dear Chris,

We have spent some time reading the proposed revision of the solid waste ordinance. Thank you for seeing that some language was put into the ordinance to monitor the ultimate destination of recyclables. We have to agree with President Powers that monthly tipping reports place added work on Village staff. We do, however, still believe that it is important to monitor where recyclables go. We are wondering if citizens might be of help in monitoring the destination of recyclables.

Every three months or so, we call our waste hauler to confirm that recyclables are being hauled to the Kent County Recycling & Education Center. Then we call or visit the Center to ask whether there is still a market for the various things we recycle. Kent County sells most of its recycling to local manufacturers who reuse materials to produce construction products or do bottling. Right now there is still a good market for metals in Michigan and other states in the Midwest. We would be happy to pass on information to you regularly if that would help.

Policies, of course, vary depending on the waste hauler. Nationally owned waste haulers have policies that cover recycling ordinances in multiple states. Company policies sometimes get generalized to accommodate all of the states serviced. So it is not a guarantee that what goes into a recycling bin ends up being recycled, we’re afraid. You have to keep checking and asking questions.

Our second thought on the proposed revisions to the ordinance is the time residents can place their waste carts on the curb. “Not before 6 p.m.” works wonderfully during the summer when it stays light until 9 or 10 p.m. In winter, when it is dark shortly after 5 p.m., it may be more difficult for the elderly contending with snow covered walkways and the lack of light. Could a slightly earlier time be included in that ordinance for the sake of safety?

With gratitude for all of the hats you wear,

Darcy & David Dye
P.O. Box 182
Spring Lake, MI 49456
1. **Call to Order**
   President Powers called the meeting to order at 7:00 p.m.

2. **Pledge of Allegiance**

3. **Roll Call**
   Present: Abbott, Duer, Miller, Petrus, Powers, TePulstte, Van Strate
   Absent: None

4. **Approval of the Agenda**
   Motion by TePulstte, second from Duer, to approve the agenda.
      Yes: 7        No: 0

5. **Consent Agenda**
   A. Consideration of a motion approving the payment of the bills (checks numbered 62547 to 62604 and electronic payments 315 to 324) in the amount of $338,565.65.
   B. Consideration of a motion to approve the minutes for the October 10, 2022 work session and the October 17, 2022 regular Council meeting.
   C. Consideration of a motion to approve the purchase of a Kage Pusher from Wolf Kubota in an amount not to exceed $9,500.
   D. Consideration of a motion to approve the purchase of a DPW Truck through the MiDeal purchasing program for an amount not to exceed $58,000.
   E. Consideration of a motion to approve the purchase of 8 replacement light poles from Kendall Electric in an amount not to exceed $28,299.
   F. Consideration of a motion to approve budget amendments for fiscal year 2022/2023.
   G. Consideration of a motion to accept a $2,000 donation for Art in the Park, allowing the donor to work with SLHS art students.
   H. Consideration of a motion to approve Resolution 2022 – 09, a Resolution of Support approving a submission of a Water Resources Division grant application.
   I. Consideration of a motion to approve an amendment to the EV Charging agreement.
   J. Consideration of a motion to approve a contract with TDS.
   K. Consideration of a motion to approve the following Board & Committee Appointments:
<table>
<thead>
<tr>
<th>Board</th>
<th>Name</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parks &amp; Recreation</td>
<td>Megan Doss</td>
<td>11/2025</td>
</tr>
<tr>
<td>Parks &amp; Recreation</td>
<td>Didier Couvelair</td>
<td>11/2025</td>
</tr>
<tr>
<td>Historic Conservation Commission</td>
<td>David Dye</td>
<td>11/2025</td>
</tr>
<tr>
<td>Historic Conservation Commission (Council</td>
<td>Patrick Roggenbau</td>
<td></td>
</tr>
<tr>
<td>Liaison)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planning Commission</td>
<td>Kristen Horine</td>
<td>11/2025</td>
</tr>
<tr>
<td>Planning Commission (Council Liaison)</td>
<td>Lesley VanLeeuwen-Vega</td>
<td></td>
</tr>
<tr>
<td>Zoning Board of Appeals</td>
<td>Erika Bauer</td>
<td>11/2025</td>
</tr>
<tr>
<td>Zoning Board of Appeals (Council Liaison)</td>
<td>Michael Duer</td>
<td></td>
</tr>
</tbody>
</table>

L. Consideration of a motion to approve Resolution 2022 – 10, a Resolution to purchase, acquire and construct improvements to the water supply system and to public notice of intent to issue revenue bonds.

M. Consideration of a motion to approve Resolution 2022 – 11, a Resolution to extend a moratorium on the issuance of Zoning Permits for short-term rentals.

Motion by TePastte, second from Duer, to approve the Consent Agenda.

Yes: 7 No: 0

6. General Business

A. Development Agreement Extension – 209 W. Exchange- Burns spoke on the development extension American Repair Maintenance (ARM) requested which was discussed during the recent Downtown Development Authority Board Work Session. Burns relayed that the Board was in favor of extension with hopes that ARM will be able to exercise the agreement sometime before 2025.

Council discussed the property as it stands and the legal costs that would be associated with extending the development agreement.

Motion by TePastte, second from Duer, to approve the development extension, with a caveat that ARM pay for the associated legal fees.

Yes: 7 No: 0

7. Department Reports

A. Village Manager – Burns update Council on the development of the Oosting Property at 102 E. Exchange and a conversation that was had with the architect, Denny Dryer; he has arranged an upcoming meeting to discuss plans for the property.

B. Assistant to the Manager

C. Clerk/Treasurer/Finance Director

D. Communications

E. DDA

F. DPW
G. Fire/911  
H. OCSO  
I. Water/Sewer  
J. Zoning  
K. Minutes from Various Board & Committees  
1. DDA (10/13/22 & 10/27/22)  
2. Planning Commission (09/12/22)  
3. Historic Conservation Commission (07/25/22 & 08/30/22)  
4. Parks & Recreation (09/06/22)  

8. Old Business and Reports by the Village Council – N/A  
9. New Business and Reports by Village Council – N/A  
10. Status Report: Village Attorney – N/A  
11. Statement of Citizens  
   Debra Holdmann, 214 Douglas Ct, expressed her concerns for the Village switching to a single waste hauler in the future. She also questioned if factors like customer service were being taken into consideration, as well as cost. 
   
   Laura Trotter, 302 N. Division, expressed confusion as to what lead to the Council discussing the transition to a single waste hauler. She asserted her thoughts regarding the state of the sidewalks and the belief that they should be addressed before a transition to a single waste hauler. She concluded by emphatically expressing her concerns for the smaller waste hauler companies and their sustainability without serving Village Residents. 
   
   Melissa Lundeberg, 311 N. Jackson, explained technical difficulties she experienced with the digital survey that was issued to residents regarding the consideration for a single waste hauler. She believed that additional effort should be made to ensure future surveys were more thoroughly reviewed before distribution.  

12. Statement of Council  
   Powers addressed the difficulties being experienced by the Village to find contractors willing to service the sidewalks, despite having the funds to do so. Powers clarified for those in attendance that a transition to a single waste hauler had not been decided upon at this time and that discussions had not led to a particular conclusion. Powers continued to briefly explain the process Council goes through before rendering a decision for the Village.  

13. Adjournment  
   Motion by Van Strate, second from Miller, Village Council adjourned the meeting at 7:32 p.m.  
   Yes: 7  No: 0  

Mark Powers, President  

Jordan Schwing, Deputy Clerk
1. Call to Order

President Powers called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance

3. Roll Call

Present: Abbott, Duer, Miller, Petrus, Powers, TePastte, Van Strate

Absent: None

4. Approval of the Agenda

Motion by TePastte, second from Duer, to approve the agenda.

Yes: 7  No: 0

5. Consent Agenda

A. Consideration of a motion approving the payment of the bills (checks numbered 62605 to 62671 and electronic payments 325 to 331) in the amount of $416549.47.

B. Consideration of a motion to approve the minutes for the November 14, 2022, work session and the November 21, 2022 regular Council meeting.

C. Consideration of a motion to approve the 2023 Meeting Schedule.

D. Consideration of a motion to approve budget amendments for fiscal year 2022/2023.

E. Consideration of a motion to approve the payment of $95,000 toward the unfunded pension liabilities for Group 1 and the Police Group.

F. Consideration of a motion to continue licensing waste haulers in 2023, per Ordinance 300, as has been done in previous years.

Motion by TePastte, second from Duer, to approve the Consent Agenda.

Yes: 7  No: 0

6. General Business

A. Development Boat Slip Rental Rates – Burns explained that during the December 15 DDA work Session the Board determined to recommend a change in rates to $1,800 (resident) and $2,160 (non-resident) per slip for Tanglefoot Park and $1,700 (resident) and $1,890 (non-resident) per slip at Mill Point Park.

Council accessed the changed rates.

Motion by TePastte, second from Duer, to adjust the fee schedule to reflect the DDA Board’s recommendation for the rentals for the 2023 season.

Yes: 7  No: 0

B. Tanglefoot Rental Rates for 2023/2024/2025 – Burns presented that while Council typically considers rates for rentals of Village property in June, this timing is problematic for facility rentals, such as Tanglefoot Park, which can book out as far as 24 months in advance.
Burns explained that after consideration, the DDA is recommending rate increases for Tanglefoot Park facilities as follows:

- 2023 = 8%
- 2024 = 3%
- 2025 = 3%

Council considered the changed rates.

Motion by TePaste, second from Duer, to adjust the fee schedule to reflect the DDA Board’s recommendation for the Tanglefoot rentals for the 2023/2024/2025 seasons.

Yes: 7  No: 0

7. Department Reports
   A. Village Manager – Burns notified Council on the new Employee portal available on the Website.

   Burns updated Council on the implementation of an Employee Assistance Program (EAP) program beginning in January 2023 at $23.40 per employee per year.

   Burns alerted council to the 17 tickets for parking violations that were distributed over the weekend.

   B. Assistant to the Manager – Powers questioned Stepanian on the current ratio of dates available for renting Tanglefoot Pavilion for Summer 2023.

C. Clerk/Treasurer/Finance Director
D. Communications
E. DDA
F. DPW
G. Fire/911
H. OCSO
I. Water/Sewer
J. Zoning
K. Minutes from Various Board & Committees
   1. DDA (11/10/22 & 11/24/22)
   2. Historic Conservation Commission (10/17/22)

8. Old Business and Reports by the Village Council – N/A
9. New Business and Reports by Village Council – N/A
10. Status Report: Village Attorney – N/A
11. Statement of Citizens
12. Statement of Council
13. Adjournment

Motion by Van Strate, second from Miller, Village Council adjourned the meeting at 7:10 p.m.

Yes: 7  No: 0

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Mark Powers, President          Jordan Schwing, Deputy Clerk