

EXCERPTS OF MINUTES

At a meeting of the Township Board (the "Board") of Casco Township, Allegan County, Michigan (the "Township"), held at the Casco Township Hall, 7104 - 107th Avenue, South Haven, Michigan, on the 20th day of February, 2017, at 7:00 p.m., local time.

PRESENT: _____

ABSENT: _____

After certain other matters of business were concluded, the following Resolution was offered by Board Member _____ and supported by Board Member _____:

**RESOLUTION TO IMPOSE A MORATORIUM ON ENFORCING
THE ZONING ORDINANCE AGAINST SHORT-TERM RENTALS**

WHEREAS, the Township previously adopted the Casco Township Zoning Ordinance (the "Zoning Ordinance"); and

WHEREAS, the Zoning Ordinance limits commercial uses in its residential districts; and

WHEREAS, short-term rentals have occurred in various residential districts in the Township for many years; and

WHEREAS, short-term rentals have at least arguably been considered commercial uses, and long-term rentals have at least arguably been considered residential uses; and

WHEREAS, several courts have held that short-term rentals are not appropriate in residential districts, the basis of these holdings being the specific language in the municipalities' zoning ordinances which define and regulate residential districts; and

WHEREAS, the Zoning Ordinance and whether it permits short-term rentals within its residential districts has been reviewed by the Allegan County Circuit Court and has recently been appealed to the Michigan Court of Appeals; and

WHEREAS, short-term rentals in the Township have become a highly controversial matter; and

WHEREAS, the Township intends to protect its residents and visitors from the potentially negative or harmful effects that can arise from short-term rentals; and

WHEREAS, the Township also recognizes the potential benefits of tourism and additional lodging options for visitors, in addition to the financial benefit that short-term rentals can bring to property owners in the Township; and

WHEREAS, the Township desires to study the impact of short-term rentals carefully and determine the best way to address the practice in the Township; and

WHEREAS, the Board determines that it is desirable to immediately prohibit the enforcement of the Zoning Ordinance against short-term rentals in the Township so as to preserve the status quo in the Township while the Township Planning Commission and Board review the matter.

NOW, THEREFORE, BE IT RESOLVED:

- 1. For the reasons stated above, the Board imposes a moratorium on enforcing the Zoning Ordinance against short-term rentals in the Township for a period of eight months.
- 2. At the end of the eight month period, this moratorium will terminate unless the Board decides it is in the Township's best interest to extend the moratorium.
- 3. The Township will with residents develop and implement problem reporting and solution process where concerns raised such as: parking, noise and disturbing the peace by any and all residents and occupancy.
- 4. All resolutions and parts of resolutions are, to the extent of any conflict with this Resolution, rescinded.

YES: _____

NO: _____

RESOLUTION DECLARED ADOPTED.

Dated: February 20, 2017.

Cheryl A. Brenner, Township Clerk

CERTIFICATE

I, the undersigned, the qualified and acting Clerk of Casco Township, Allegan County, Michigan, certify that the foregoing is a true and complete copy of a Resolution adopted by the Township Board at a meeting of the Township Board held on the 20th day of February, 2017. 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.

Cheryl A. Brenner, Township Clerk