

**SUBSTITUTE FOR
HOUSE BILL NO. 4722**

A bill to amend 2006 PA 110, entitled
"Michigan zoning enabling act,"
(MCL 125.3101 to 125.3702) by adding section 206b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 206b. (1) For the purposes of zoning, all of the**
2 **following apply to the rental of a dwelling, including, but not**
3 **limited to, short-term rental:**

4 **(a) It is a residential use of property and a permitted use in**
5 **all residential zones.**

6 **(b) It is not subject to a special use or conditional use**
7 **permit or procedure different from those required for other**
8 **dwellings in the same zone.**

9 **(c) It is not a commercial use of property.**



1 (2) A local unit of government shall not adopt or enforce
2 zoning ordinance provisions that have the effect of prohibiting
3 short-term rentals.

4 (3) This section does not prohibit a zoning ordinance
5 provision that is applied on a consistent basis to rental and
6 owner-occupied residences and that regulates any of the following:

7 (a) Noise.

8 (b) Advertising.

9 (c) Traffic.

10 (d) Any other condition that may create a nuisance.

11 (4) This section does not prohibit a local unit of government
12 from doing either of the following:

13 (a) Inspecting a residence for compliance with or enforcement
14 of an ordinance of the local unit of government that meets all of
15 the following requirements:

16 (i) Is for the protection of public health and safety.

17 (ii) Is not a zoning ordinance.

18 (iii) Does not have the effect of prohibiting short-term
19 rentals.

20 (b) Collecting taxes otherwise authorized by law.

21 (5) Notwithstanding any other provision of this section, a
22 local unit of government may limit the number of units under common
23 ownership used for short-term rental in the local unit. The limit
24 set by the local unit of government shall not be fewer than 2
25 units.

26 (6) Notwithstanding any other provision of this section, a
27 local unit of government may limit the total number of units used
28 for short-term rental in the local unit. The limit shall not be
29 less than 30% of the number of existing residential units in the



1 local unit of government and shall apply without regard to the
2 location of dwelling units.

3 (7) As used in this section:

4 (a) "Common ownership" means ownership in whole or in part by
5 the same individual, individuals, or legal entity.

6 (b) "Short-term rental" means the rental of a single-family
7 residence, a dwelling unit in a 1-to-4-family house, or any unit or
8 group of units in a condominium, for terms of not more than 30
9 consecutive days.

10 Enacting section 1. This amendatory act takes effect 90 days
11 after the date it is enacted into law.

