



AGENDA
CITY OF CHARLEVOIX CITY COUNCIL SPECIAL MEETING
Friday, April 3, 2020- 2:00 PM
Virtual Meeting held by Zoom

1. Access Instructions

- A. Zoom Instructions

2. Roll Call

3. Inquiry Regarding Conflicts of Interest

4. Public Hearings and Actions Requiring Public Hearings

- A. Emergency Ordinance to Temporarily Suspend Short Term Rental Operations during State of Emergency

5. Reports and Communications

- A. Public Comments- Limited to Three Minutes by using the "raise hand feature"
- B. City Manager Comments
- C. Mayor and Council Comments

6. Adjourn

The City of Charlevoix will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon one weeks' notice to the City of Charlevoix. Individuals with disabilities requiring auxiliary aids or services should contact the City of Charlevoix Clerk's Office in writing or calling the following: City Clerk, 210 State Street, Charlevoix, MI 49720 (231) 547-3250.

CHARLEVOIX CITY COUNCIL

Access Instructions

TITLE: Zoom Instructions

DATE: April 3, 2020

BACKGROUND:

This meeting is being held as a virtual meeting pursuant to Executive Order 2020-15 and is in compliance with the Michigan Open Meetings Act as ordered by the Governor.

Topic: City Council Special Meeting for April 3, 2020

Time: Apr 3, 2020 02:00 PM Eastern Time (US and Canada)

Option 1:

Join Zoom Meeting on your smart phone or computer by using the link:

<https://zoom.us/j/224591397>

Meeting ID: 224 591 397

Option 2:

One tap mobile connection:

+13126266799,,224591397# US (Chicago)

Dial this number and enter meeting ID 224 591 397

+1 312 626 6799 US

Meeting ID: 224 591 397

Special accommodations can be made for people with disabilities upon request by contacting the City Clerk at (231) 547-3250.

Persons wishing to make a comment may use the raise hand feature and those who have dialed in may wait and the Mayor will call on you to give you a chance to speak. There is no obligation to speak but the opportunity is accorded to you. The Michigan Attorney General has issued a reminder of the criminality of those who attempt to use virtual public meetings to air lewd comments and images.

CHARLEVOIX CITY COUNCIL

Public Hearings and Actions Requiring Public Hearings

TITLE: Emergency Ordinance to Temporarily Suspend Short Term Rental Operations during State of Emergency

DATE: April 3, 2020

PRESENTED BY: Scott Howard, City Attorney; Mark L. Heydlauff, City Manager

BACKGROUND:

The ordinance before you would temporarily suspend the operation and registration of Short Term Rentals under the ordinance passed a few weeks ago. Due to the Executive Orders of Governor Whitmer, there should be no vacation travel to non-personal residences in a vacation setting. This ordinance confirms that Short Term Rentals are not essential and prohibits their rental until such time as the Governor's order, or subsequent orders, may be lifted or when this ordinance expires in 60 days, whichever is first.

RECOMMENDATION:

Motion to approve Emergency Ordinance 817 of 2020.

ATTACHMENTS:

- ▣ Emergency Ordinance

CITY OF CHARLEVOIX
ORDINANCE NO. 817 of 2020
ORDINANCE TO TEMPORARILY SUSPEND THE OPERATION AND LICENSING OF SHORT-TERM RENTALS

An EMERGENCY ORDINANCE to temporarily suspend the operation of and issuance of licenses to short-term rentals under Section 114.01 *et seq.* of the Code of the City of Charlevoix, effective immediately.

WHEREAS, by means of Executive Order 2020-21 issued on March 23, 2020, Governor Gretchen Whitmer has prohibited in-person work not necessary to sustain or protect life and ordered all individuals currently living within the State of Michigan to stay at home or at their place of residence subject to certain exceptions in order to suppress the spread of novel coronavirus COVID-19;

WHEREAS, under the Order, the only applicable exception is for the provision of shelter to the “economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities.”

WHEREAS, on March 31, 2020 the Health Department of Northwest Michigan, in collaboration with the Northern Michigan Public Health Alliance, issued a health advisory warning of the substantial strain that increased population to the northern Michigan area may place on essential services including but not limited to groceries and health care, and advising “[a]ll individuals traveling to seasonal homes or returning home from areas with community spread should self-quarantine for 14 days upon arrival to your destination”;

WHEREAS, the City of Charlevoix City Council finds that allowing the ongoing operation and permitting of short-term rentals within the City promotes the movement of people for reasons contrary to Executive Order 2020-21 and that may exacerbate the spread of COVID-19;

WHEREAS, the City of Charlevoix City Council finds that adoption of this Emergency Ordinance is necessary to protect the health, safety, and welfare of its citizens;

Now, therefore, the City of Charlevoix ordains:

Section 1. EMERGENCY ORDINANCE. The ongoing COVID-19 pandemic has caused a state of emergency to exist in the State of Michigan and the City of Charlevoix.

Section 2. TEMPORARY SUSPENSION OF THE OPERATION AND LICENSING OF SHORT-TERM RENTALS. Pursuant to § 114.03 of the Code of Ordinances for the City of Charlevoix, all dwelling units used for short-term rentals must be registered and licensed with the City. The operation and licensing of short-term rentals within the City of Charlevoix is suspended for the duration of Executive Order 2020-21 and any subsequent Executive Order extending the duration of the Governor’s order for individuals to stay at home or at their place of residence, or any equivalent order from the federal government.

Section 3. PENALTY. Any person who violates this Ordinance shall be subject to the provisions of Executive Order No. 2020-21 and to the payment of such fines, fees, and costs for municipal civil infractions as are provided in Revised Judicature Act, MCL 600.8701, *et seq.* and Section 10.99 of the Charlevoix Code of Ordinances.

Section 4. REPEALS. All ordinances inconsistent with the provisions of this ordinance are hereby repealed. This Ordinance does not repeal § 114.03 of the Code of Ordinances but imposes a temporary suspension of operation and licensing for short-term rentals. Such operation and licensing for short-term rentals may resume upon the expiration or repeal of this Emergency Ordinance.

Section 5. PUBLICATION. As provided in Section 5.4(c) of the City Charter, this ordinance shall be effective immediately.

Adopted this 3rd day of April, 2020.

Ordinance No. 817 was adopted on the 3rd day of April, 2020 A.D. at a special meeting of the Charlevoix City Council and takes immediate effect.

Motion by:
Seconded by:
Yeas:
Nays:
Absent:

State of Michigan }
City of Charlevoix } §

Joyce M. Golding

Clerk

Luther Kurtz

Mayor

Zimbra

joyceg@charlevoixmi.gov

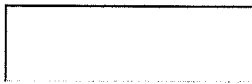
Fwd: Vacation Rentals

From : Mark L. Heydlauff <markh@charlevoixmi.gov> Fri, Apr 03, 2020 10:42 AM
Subject : Fwd: Vacation Rentals
Cc : Hula Rentals <hularentals@hotmail.com>

Mayor and Council-
Please see the public comment below. Thanks.

MH

Mark L. Heydlauff
City Manager



From: "Hula Rentals" <hularentals@hotmail.com>
To: "markh" <markh@charlevoixmi.gov>
Sent: Friday, April 3, 2020 10:15:27 AM
Subject: Re: Vacation Rentals

I've revised my comment.

City Council CAN NOT pass ordinance to ban vacation rentals without banning 2nd homes. In the last 24 hours I've spoken to 6 families who have come to Charlevoix. 4 from Detroit, 1 from Chicago, 1 from Texas. 3 plan to go back and forth to Detroit. Here is a bigger problem than vacation rentals. Passing something against vacation rentals and not 2nd homes is just picking on vacation rentals AGAIN.

Thank you
Leilani Durbin

Sent from iPhone

On Apr 2, 2020, at 2:13 PM, Mark L. Heydlauff
<markh@charlevoixmi.gov> wrote:

Mayor and Council-
Please see the comment I received regarding your discussion tomorrow.