

**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) Notwithstanding any other provision of this section, a
4 local unit of government that, as of July 11, 2019, had zoning
5 ordinance provisions that regulate the rental of dwellings by
6 overlay district without distinction between short-term rental and
7 rental for longer terms, and that, as of July 11, 2019, had a
8 rental overlay district or districts that were initiated by
9 petition, may continue to enforce those zoning ordinance provisions
10 as they existed on that date. Such a local unit of government may
11 revise existing overlay district boundaries or create new overlay
12 districts, but only under the terms of the zoning ordinance
13 provisions as they existed on July 11, 2019.

14 (8) As used in this section:

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

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

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

