

**TOWNSHIP OF LINCOLN**  
**COUNTY OF NEWAYGO, MICHIGAN**

At a regular meeting of the Township Board of the Township of Lincoln, Newaygo County, Michigan, held at the Township Hall, 1988 North Wisner Avenue, White Cloud, Michigan, within the Township, on the 15<sup>th</sup> day of July 2025 at 7:00 p.m. Local Time.

PRESENT: Rodarmer, Bulson, Ungrey, Stockwell, Frantz.

ABSENT:

The following preamble and ordinance were offered by Member Bulson and support by Member Rodarmer. Roll Call vote: Frantz -yes, Stockwell – yes, Ungrey – yes, Bulson -yes, Rodarmer -yes. Motion passed.

**ORDINANCE NO. 25-02**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWNSHIP OF LINCOLN**

**[Zoning regulations for short-term rental housing and related uses and matters]**

THE TOWNSHIP OF LINCOLN (the "Township") ORDAINS:

**Section 1. Purpose.**

This Ordinance amendment and related Lincoln Township Short-Term Rental Ordinance are intended to provide for and protect the public health, safety, and welfare of persons within Lincoln Township by establishing regulations pertaining to rental of dwellings within Lincoln Township and to provide penalties for the violation of this Ordinance. These standards are intended to ensure compatibility with other permitted uses and the residential character of the neighborhoods in which short-term rental housing is located. All short-term rental housing shall meet the standards contained herein and shall be operated such that the average neighbor, under normal circumstances, will not be aware that the dwelling is short-term rental housing. This ordinance seeks to balance the interests of community residents, community business owners, visitors, and real property owners wishing to engage in short-term rental housing.

**Section 2.** Chapter 2 of the Lincoln Township Zoning Ordinance is hereby amended by the addition or replacement of the following definitions to be inserted in the proper section in alphabetical order:

- A. BEDROOM: A room which is intended, designed, and arranged to be occupied by one or more persons primarily for sleeping.
- B. DESIGNATED CONTACT: An individual who is not the Owner of a property, who has agreed with the Owner to be available for contact in the absence of the Owner or assume other duties in relation to the Owner's property.
- C. DWELLING, SHORT-TERM RENTAL: 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 which provide temporary accommodations for a period of at least one day, but not greater than twenty-seven (27) days, and for a fee.
- D. FAMILY:
  - 1. An individual or group of two (2) or more persons related by blood, marriage, or adoption, together with foster children and servants of the principal occupants who are domiciled together as a single housekeeping unit in a dwelling unit; or
  - 2. Occupants of a registered short-term rental dwelling which complies with the Short-Term Rental Dwelling Ordinance; or
  - 3. A collective number of individuals domiciled together in one (1) dwelling unit whose relationship is of a continuing, non-transient domestic character and who are cooking and living as a single nonprofit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, boarding house, Airbnb, bed and breakfast, half-way house, lodge, coterie, foster care arrangement, organization, group of students, or other individual whose domestic relationship is of a transitory or seasonal nature, is for an anticipated limited duration of a school term or during a period of rehabilitation or treatment, is for profit, or is otherwise not intended to be of a permanent nature.
- E. MAXIMUM OCCUPANCY: The maximum number of allowable Occupants for a Dwelling as established by the Lincoln Township Zoning Ordinance or other standalone ordinance.
- F. OCCUPANT: An individual living in, sleeping in, or otherwise having possession of a space.
- G. OWNER: A person holding legal or equitable title to a Premises.
- H. PREMISES: A property, including any land and improvements on it.
- I. RENT (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 an Occupant who is not the legal Owner pursuant to a written or unwritten agreement.

Section 3. Chapter 15 of the Lincoln Township Zoning Ordinance is hereby amended by the addition of a new subsection of Chapter 15, Section 15.04: Special Land Use Specific Requirements, titled “Short-term rental dwelling”:

SECTION 15.04(AA) Short-term rental dwelling

- A. This section applies to all Short-Term Rental Dwellings which are subject to the Lincoln Township Short-Term Rental Ordinance.
- B. Rental of the Dwelling shall be done in a manner consistent with the intent of a residential district.
- C. Site Requirements
  - 1. The Owner shall provide off-street parking on a driveway to accommodate all Occupants’ vehicles, including motor vehicles and trailers. The number of off-street parking spaces shall be included in the rental agreement and any advertising. There shall not be parking in the yard of the Premises.
  - 2. Owners shall provide sufficient waste receptacles and screen such receptacles from view. The Premises shall be maintained free of debris. Garbage must be kept in a closed container and disposed of weekly.
  - 3. Campfires shall be maintained in a designated fire pit and comply with applicable fire codes. Any fire pit must be at least ten (10) feet from any property line. An active fire must be attended at all times and fully extinguished after use.
  - 4. Smoke detectors must be installed in every bedroom. At least one carbon monoxide detector shall be installed on each floor. Both smoke alarms and carbon monoxide detectors shall be tested every ninety (90) days by the Owner, Designated Contact, or other authorized individual.
  - 5. A visible address sign must be installed at the entrance to the Premises.
- D. Performance Conditions
  - 1. The Owner shall provide the Occupant(s) and the Township with the following information prior to occupancy and post said information in a conspicuous place in the Dwelling:
    - a. The name of the Owner or Designated Contact and said person’s telephone number at which the person can be reached at any time that the Dwelling is Rented;
    - b. The Maximum Occupancy permitted in the Dwelling;

- c. Instructions regarding parking location;
  - d. To the Occupant(s) only, a copy of this Ordinance, the Short-Term Rental Dwelling Ordinance, and contact information for the Township Clerk and Zoning Administrator
  - e. To the Occupant(s) only, a statement that the Occupant may be cited, fined, or subject to other legal remedies by the Township for violating any provisions of the Ordinance.
2. In any advertisements for rental of the Dwelling there shall be a list of restricted uses of the Dwelling as defined in this Ordinance and the Short-Term Rental Dwelling Ordinance
  3. The Owner or a Designated Contact must be available to accept telephone calls at all times that the Dwelling is Rented. This person must have a key or other access to the Dwelling and be located within the Township or twenty-five (25) miles of the Township's boundary.
  4. The Owner shall notify neighbors within three hundred (300) feet of the Dwelling in writing that the Dwelling will be rented and provide the Zoning Administrator's contact information.
    - a. The appearance of the Dwelling shall not conflict with the residential character of the surrounding area. The Dwelling shall be properly maintained per all applicable local and state codes and kept in good repair so that the use in no way detracts from the general appearance of the neighborhood.
  5. The Owner must obtain and maintain an insurance policy for the Short-Term Rental Dwelling with liability coverage of at least \$1,000,000. Confirmation of this policy shall be provided to the Township in accordance with the Stand Alone Short-Term Rental Housing Ordinance.
  6. Occupants shall not encroach on neighboring properties.
  7. Occupants shall not create a nuisance. A nuisance includes, but is not limited to, the following:
    - a. Any activity violating Ordinance 2000-02, the Noise Ordinance;
    - b. Any outside noise that is audible at the property line of the Premises between 10:00 p.m. and 7:00 a.m. Local Time on weeknights (Sunday through Thursday) and between 11:00 p.m. and 7:00 a.m. Local Time on weekend nights (Friday and Saturday).
- E. The Maximum Occupancy for any Short-Term Rental Dwelling shall not exceed two Occupants per bedroom plus two additional occupants per finished story, which

meets the applicable egress required for occupancy in the Michigan Residential Construction Code, subject to any other local, state, and federal regulations.

- 1. Campers and tents may not be used to provide additional occupancy on the Premises.
  - 2. No attic or basement may be used to calculate Maximum Occupancy unless the Owner consents, in writing, to the Township’s inspection of the Premises to verify compliance with requirements in the Michigan Residential Construction Code, Michigan Construction Code, and applicable fire codes.
- F. The maximum number of people allowed in the Short-Term Rental Dwelling at any time, including Occupants and day-time guests, is equal to one and one-half (1.5) times the Maximum Occupancy determined under subsection (e), with fractional numbers rounded up.
  - G. Short-Term Rental Dwellings are subject to the remainder of the Lincoln Township Zoning Ordinance.
  - H. The Owner must submit a copy of a self-certified copy of the Short-Term Rental Inspection Report when the dwelling is registered as a Short-Term Rental. The inspections are limited to the requirements of this ordinance, the Lincoln Township Zoning Ordinances, and the Short-term Rental Inspection Report. Additional inspection will be required only if there are safety complaints.

Section 4. Chapter 5 of the Lincoln Township Zoning Ordinance, Agricultural – Rural Residential District, is hereby amended by adding the following subsection to Section 5.03. Special Land Uses:

K. Short-Term Rental Dwelling

Section 5. Chapter 6 of the Lincoln Township Zoning Ordinance, Low Density Residential District, is hereby amended by adding the following subsection to Section 6.03:

G. Short-Term Rental Dwelling

Section 6. Chapter 7 of the Lincoln Township Zoning Ordinance, Waterfront District, is hereby amended by adding the following subsection to Section 7.03. Special Land Uses:

(A)(2) Short-Term Rental Dwelling

Section 7. Severability. Should a court of competent jurisdiction determine that any portion of this Ordinance or subsequent amendment (or any portion thereof) is invalid or unconstitutional, that shall not affect the balance of this Ordinance, which shall remain in full force and effect

Section 8. Conflict. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 9. Effective Date. This Ordinance shall become effective thirty (30) days after its publication or thirty (30) days after a summary of its provisions is published in the newspaper.

AYES: Stockwell, Frantz, Ungrey, Bulson, Rodarmer

NAYS: 0

ORDINANCE DECLARED ADOPTED.

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Jackie E Bulson  
Jackie Bulson, Clerk  
Township of Lincoln