



## **City of New Buffalo**

**224 W. Buffalo Street**

**New Buffalo, MI 49117**

### **SPECIAL CITY COUNCIL MEETING AGENDA**

**November 4, 2022 5:00 PM**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda
5. Public Comment
6. New Business
  - a. Resolution and opposition of short-term rental legislation
7. Closed Session
8. Council Comments
9. Adjournment



**CITY OF NEW BUFFALO  
BERRIEN COUNTY, MICHIGAN**

Council Member \_\_\_\_\_, supported by Council Member \_\_\_\_\_, moved adoption of the following resolution:

**RESOLUTION NO. 22. \_\_\_\_\_**

**RESOLUTION REAFFIRMING OPPOSITION TO HB 4722 AND SB 0446 (2021) AND  
SIMILAR SUBSTITUTE BILLS BECAUSE THEY DEPRIVE MICHIGAN RESIDENTS OF THE  
RIGHT TO REGULATE SHORT-TERM RENTALS WITHIN THEIR COMMUNITIES**

**WHEREAS** on October 27, 2021, the Michigan House of Representatives passed House Bill 4722 to amend the Michigan Zoning Enabling Act, defining a short-term rental as rental of a property not to exceed thirty (30) consecutive days within any zoning district; and

**WHEREAS** after the House's passage of HB 4722, the bill advanced to the Michigan Senate and was referred to the Committee on Regulatory Reform; and

**WHEREAS** on September 28, 2022, the Committee on Regulatory Reform added HB 4722 to its agenda and approved sending the bill to the Senate floor for a vote; and

**WHEREAS** HB 4722 permits short-term rentals activities as a residential use of property not subject to a special use or other condition(s) that differ from any dwelling located within the same zoning district; and

**WHEREAS** HB 4722 specifies that any short-term rental properties cannot be categorized as commercial and that local municipalities shall not enact or adopt ordinances that prohibit short-term rentals in their community; and

**WHEREAS** companion legislation, Senate Bill 0446 (2021) and similar substitute bills (the "Bills"), are being introduced to the Michigan Senate that attempts to do the same; and

**WHEREAS** the New Buffalo City Council expressed its opposition to these bills at its June 2, 2021 meeting when the legislation was initially introduced and reaffirmed its opposition at its November 21, 2021 meeting; and

**WHEREAS** the New Buffalo City Council is duty-bound to reiterate its continuing opposition to this legislation as the Michigan Legislature enters its lame duck legislative session; and

**WHEREAS** it is the mission of the New Buffalo City Council to promote the economic, cultural and physical welfare of its citizens through legislative functions; and

**WHEREAS** the passage of HB 4722 and the consideration of and potential passing of any of the Bills by the Senate would take from the citizens of the City of New Buffalo, local control of their community and would, in the judgment of the City Council, have a detrimental effect on our residents, our



neighborhoods, and our community, and

**WHEREAS** this proposed unregulated use of residential property, while allegedly protecting the property rights of its owner(s), has the potential to infringe on the property rights of owner-occupied properties; and

**WHEREAS** the proposed legislation will adversely affect the cache of available housing stock by enticing speculators and/or businesses to buy homes, thus producing issues around housing supply and affordability; and

**WHEREAS**, the City of New Buffalo is a Home Rule City, as identified in MCL 279 of 1909, and the residents have voiced their desire to have short-term rentals regulated.

**NOW THEREFORE BE IT RESOLVED** that the New Buffalo City Council expresses its dissatisfaction of the passing of HB 4722 and strongly urges our elected representative, Senator Kim LaSata, to oppose the passage of the Bills or any similar legislation; and

**NOW THEREFORE BE IT FURTHER RESOLVED** that the New Buffalo City Council urges Governor Gretchen Whitmer to veto this legislation, if adopted by the Michigan State Legislature; and

**NOW THEREFORE BE IT FINALLY RESOLVED** that copies of this resolution be transmitted to the office of Governor Gretchen Whitmer, Senator Kim LaSata, Representative Brad Paquette, the Senate Committee on Regulatory Reform, and the House Committee on Commerce and Tourism.

YEAS: Council Members \_\_\_\_\_

NAYS: Council Members \_\_\_\_\_

ABSTAIN: Council Members \_\_\_\_\_

ABSENT: Council Members \_\_\_\_\_

**CERTIFICATION**

As its Clerk, I certify that this is a true and complete copy of a resolution adopted by the City Council of the City of New Buffalo, Berrien County, Michigan, at a meeting held on November 4, 2022.

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Ann M. Fidler, City Clerk