

**SUBSTITUTE FOR  
SENATE BILL NO. 446**

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) The number of occupants in a dwelling.

11          (e) Any other condition that may create a nuisance.

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

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

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

18           (ii) Is not a zoning ordinance.

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

21          (b) Collecting taxes otherwise authorized by law.

22          (5) As used in this section, "short-term rental" means the  
23 rental of a single-family residence, a dwelling unit in a 1-to-4-  
24 family house, or any unit or group of units in a condominium, for  
25 terms of not more than 30 consecutive days.

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