NEW BUFFALO TOWNSHIP
BERRIEN COUNTY, MICHIGAN
ORDINANCE NO. 20261026

AN ORDINANCE TO ESTABLISH A TEMPORARY MORATORIUM ON THE ACCEPTANCE, PROCESSING, AND ISSUANCE OF NEW RESIDENTIAL SHORT-TERM RENTAL LICENSES UNDER CHAPTER 332 OF THE NEW BUFFALO TOWNSHIP CODE OF ORDINANCES

THE TOWNSHIP OF NEW BUFFALO, BERRIEN COUNTY, MICHIGAN, ORDAINS:

Section 1. Authority.
This Ordinance is adopted under the authority of 1945 PA 246, MCL 41.181 et seq., and other applicable law, which authorizes the Township Board to adopt ordinances regulating the public health, safety, and general welfare of persons and property within the Township.

Section 2. Purpose and Findings.
The Township Board finds and declares as follows:

a. Article I of Chapter 332 of the New Buffalo Township Code of Ordinances, the New Buffalo Township Residential Rental and Short-Term Rental Licensing Ordinance ("Chapter 332"), requires a Township license to commence or continue a residential rental or residential short-term rental within the Township.

b. Residential short-term rentals are not presently identified as a use in the New Buffalo Township Zoning Ordinance.

c. On February 3, 2026, following a public hearing, the Township Planning Commission recommended amendments to Section 455-3.2 (Regulated Uses Table) of the Zoning Ordinance and a new section of the Zoning Ordinance addressing residential rentals and residential short-term rentals.

d. On March 11, 2026, the Berrien County Planning Commission reviewed the proposed amendments and did not concur with the Township Planning Commission's recommendation.

e. The proposed zoning amendments have generated substantial public comment, and the Township Board desires a reasonable period to receive input from residents and property owners on all sides of the issue and to study, among other things, the zoning districts in which residential short-term rentals should be allowed, whether they should be permitted by right or as a special land use, separation or buffer requirements, density and

concentration limits, occupancy limits, and other standards that balance property rights with the protection of the character of established neighborhoods.

f. If new residential short-term rental licenses continue to be issued while the Township studies and considers these regulations, new residential short-term rentals may be established in a manner inconsistent with the regulations ultimately adopted, which could undermine the effectiveness of those regulations and the Township's planning process.

g. A temporary moratorium on new residential short-term rental licenses, while permitting the continued licensing of existing licensed residential short-term rentals, is a reasonable and limited measure that is necessary to preserve the status quo and to protect the public health, safety, and general welfare while the Township completes its review.

Section 3. Definitions.

For purposes of this Ordinance:

a. "Residential short-term rental" has the meaning given to that term in Section 332-2 of Chapter 332.

b. "New residential short-term rental license" means any license under Chapter 332 to commence or continue a residential short-term rental, other than a license already issued under Section 5 of this Ordinance.

c. Other terms used in this Ordinance have the meanings given to them in Chapter 332.

Section 4. Moratorium.

a. Beginning on the effective date of this Ordinance and continuing for the term provided in Section 6, the Township shall not accept, process, or approve any application for a new residential short-term rental license.

b. Any application for a new residential short-term rental license that is pending but has not been approved as of the effective date of this Ordinance shall not be processed or approved during the moratorium. The Township shall refund any application fee paid for such an application upon the applicant's written request.

c. No person shall commence or continue a residential short-term rental unless the premises are subject to a license that is valid under Chapter 332 and this Ordinance.

d. The issuance of a land division approval, zoning approval, building permit, certificate of occupancy, or other Township approval during the moratorium does not create any right or entitlement to a residential short-term rental license and does not exempt any

property from this Ordinance or from any regulation subsequently adopted by the Township.

e. This Ordinance does not apply to the licensing of residential rentals, as defined in Section 332-2 of Chapter 332.

Section 5. Existing Licensed Residential Short-Term Rentals.

a. This Ordinance does not prohibit the Township from accepting, processing, and issuing a license under Chapter 332 for a premises that hold a residential short-term rental license that is valid on the effective date of this Ordinance ("existing licensed premises"), provided that the premises, the applicant, and the application comply with all requirements of Chapter 332 and other applicable law, and the application is submitted by the current licensee, before the existing license expires. Residential short-term rental licenses are not transferable and may not be issued to a subsequent owner during the moratorium period.

b. A license for existing licensed premises that expires without a timely application under subsection (a), or that is revoked, shall not be reissued during the moratorium.

c. A license issued under this Section does not authorize an increase in the number of dwelling units licensed on the parcel contrary to Section 332-6(C) of Chapter 332 or the use of any other dwelling or parcel as a residential short-term rental.

d. Nothing in this Ordinance limits the Township's authority to inspect premises, to deny an application that does not comply with Chapter 332, or to revoke a license under Chapter 332.

Section 6. Term; Early Termination; Extension.

a. The moratorium established by this Ordinance shall remain in effect for 12 months after the effective date of this Ordinance, unless terminated earlier or extended as provided in this Section.

b. The Township Board may terminate the moratorium earlier by resolution, and the moratorium shall terminate automatically on the effective date of amendments to the Zoning Ordinance or Chapter 332 that establish regulations for residential short-term rentals, if the Township Board so provides.

c. The Township Board may extend the moratorium by resolution adopted before the moratorium expires. The Township shall publish notice of any extension in a newspaper of general circulation in the Township.

Section 7. Severability.
If any portion of this Ordinance is held invalid, the remaining portions shall remain in effect.

Section 8. Conflict.
This Ordinance controls over any conflicting provision of Chapter 332 or any other Township ordinance during the term of the moratorium.

Section 9. Effective Date.
This Ordinance takes effect upon publication as provided by law.

YEAS	Anderson, Hannon, Heit, Males
NAYS	None
ABSTAIN	None
ABSENT	Iazzetto

ORDINANCE DECLARED ADOPTED.

CERTIFICATE

I, Michelle Hannon, the Clerk of New Buffalo Township, Berrien County, Michigan, certify that the foregoing is a true and complete copy of an Ordinance adopted by the New Buffalo Township Board at a special meeting held on October 26, 2026, at which a quorum was present, and that the meeting was held and the minutes were made available as required by the Open Meetings Act, 1976 PA 267, MCL 15.261 et seq. I further certify that a summary of the Ordinance was published in the Herald Palladium on October 27, 2026, and was recorded in the Township ordinance book on October 26, 2026.

Michelle Hannon, Clerk
New Buffalo Township

Introduced:	October 26, 2026
Adopted:	October 26, 2026
Published:	October 27, 2026
Effective:	October 27, 2026

NEW BUFFALO TOWNSHIP
BERRIEN COUNTY, MICHIGAN

NOTICE OF ADOPTION OF ORDINANCE NO. 20261026
SHORT-TERM RENTAL MORATORIUM ORDINANCE

PLEASE TAKE NOTICE that on October 26, 2026, the New Buffalo Township Board adopted Ordinance No. 20261026, an ordinance establishing a temporary moratorium on new residential short-term rental licenses under Chapter 332 of the New Buffalo Township Code of Ordinances. The following is a summary of the Ordinance:

Section 1 states the Township's authority to adopt the Ordinance.

Section 2 sets out the Township Board's findings and the purpose of the moratorium, which is to preserve the status quo while the Township studies and considers short-term rental regulations.

Section 3 contains definitions.

Section 4 prohibits the Township from accepting, processing, approving, or issuing new residential short-term rental licenses during the moratorium, provides that pending applications will not be processed, and provides that other Township approvals do not create a right to a short-term rental license. The moratorium does not apply to residential rentals of 30 days or more.

Section 5 permits premises with a valid short-term rental license on the effective date to obtain a new license, upon application by the current licensee before the license expires, subject to Chapter 332.

Section 6 provides that the moratorium remains in effect for 12 months unless terminated earlier, and permits the Township Board to extend the moratorium by resolution with published notice.

Sections 7 and 8 address severability and conflicts.

Section 9 provides that the Ordinance takes effect upon publication as provided by law.

A complete copy of the Ordinance may be inspected or purchased at the New Buffalo Township Hall, 17425 Red Arrow Highway, New Buffalo, Michigan 49117, during regular business hours, or by contacting the Township Clerk at (269) 469-1011.

Michelle Hannon, Clerk
New Buffalo Township