



Good Neighbor Packet

Considering the popularity of “vacation Rentals” and area second homes, the Township has put together a helpful packet of information outlining rules as to noise, nuisances, fireworks, inoperable/dismantled/unlicensed vehicles, property maintenance, occupancy limitations, parking, recreational vehicles, zoning permit requirements, etc. This information also is important for year-round residents to review.

If you are a landlord or a vacation rental owner, please include this information with your rental/lease agreements.

NOISE ORDINANCE - The purpose of the “Noise Ordinance” is to prohibit loud noises which disturb the peace and quiet of the public. Under the “Noise Ordinance”, Township Ordinance #37:

- Loud vehicle horns or other signaling devices, except as a danger warning.
- Loud radios, televisions, phonographs and musical instruments cannot be operated between the hours of 10:00 p.m. and 7:00 a.m. in such a manner that is plainly audible at a distance of fifty (50') feet from a building, structure, or vehicle in which it is located or which is plainly audible in a dwelling unit other than which the devices are located.
- Yelling, shouting and verbal noise (hooting, whistling, singing) is prohibited upon any premises or upon public streets between 10:00 p.m. and 7:00 a.m. or any other time to disturb the peace of persons in any office, any dwelling, hotel, or anyone in the vicinity where such noise is plainly audible at a distance of fifty (50') feet from the point of origin.
- Animals, birds, or pets. The keeping of any animal, bird or pet which causes frequent or continuous noise audible at a distance of fifty (50') feet from its point of origin. Please keep your dogs inside during fireworks and please do not leave them outside alone while you go boating on the lakes.
- Construction and heavy equipment noises operated between the hours of 10:00 p.m. and 7:00 a.m.
- The operation of any racetracks or obstacle courses for vehicles, motorcycles, snowmobiles, boat racers, automobiles, off-road vehicles, or vehicles of any kind in or adjacent to a residential area in the Township that is unusually loud or continuous, unreasonably disturbing.

Exceptions to the noise prohibitions include:

- Emergency vehicles or noises emitted from warning devices for the purpose of notifying the public as authorized by law.
- Excavation or repair of bridges, streets or highways when the public welfare, health, safety or convenience renders it impossible to perform such work during other hours.
- All railroad operations meeting the maximum noise levels allowed or permitted by law.
- Noise emanating from the discharge of firearms providing that such discharge is authorized under Michigan Law or local ordinance.

NUISANCE ORDINANCE – Ordinance #25, basically known as the “Junk Ordinance”, prohibits:

- Outdoor storage of building materials, household garbage refuse, rubbish, liquid industrial waste.
 - Household garbage must be in a sealed container designed for said purpose if stored outside a totally enclosed structure such as a shed or garage. Please do not put garbage out for collection more than a day before collection as to not draw animals.
- The existence of any vacant building, garage, house or outbuilding unless such structure is kept secure from entry by the public.
- The distributing, placing, posting, or affixing of posters, notices, or handbills on private property without consent of the owner or occupant except as authorized by law.

FIREWORKS – Restricts the dates and hours that fireworks can be ignited or discharged. Once commercial grade fireworks were allowed in 2013, there were 30 days that fireworks were allowed. Public Acts 633-635 of 2018 have reduced those days to 12. PA 633 states that local governments cannot regulate the use of consumer fireworks on the following days after 11:00 a.m.:

- December 31st until 1:00 a.m. on January 1st
- The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on both days
- June 29 to July 4th until 11:45 p.m. each day
- July 5th, if that date is a Friday or Saturday, until 11:45 p.m.
- The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. each day

DISMANTLED OR INOPERABLE VEHICLES- Ordinance #24 states that no person shall openly park or store, for more than a period of 30 consecutive days, inoperable and/or dismantled vehicles that can be seen by the public or any adjoining land owned by another person. This ordinance does not apply to farm operations or to garages and service stations actively engaged in making service repairs to the public. The Property Maintenance Ordinance requires that motor vehicles openly stored must also be currently licensed.

PROPERTY MAINTENANCE CODE- The provisions of the Property Maintenance Code governs minimum conditions for maintenance of structures, equipment and exterior property, such as:

- Exterior property shall be maintained in a clean, safe and sanitary condition.
- Premises shall be graded and maintained to prevent the erosion of soil and prevent the accumulation of stagnant water thereon, or within any structure located thereon. Exception are approved retention areas.
 - The Clam Lake Township Zoning Ordinance requires appropriate measures be taken to ensure that the removal of surface waters do not adversely affect neighboring properties.
- Sidewalks, driveways, stairs, driveways, parking areas and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.
- Premises and exterior property shall be maintained free from weeds or grass growth in excess of ten (10") inches. Noxious weeds shall be prohibited.
- Structures and exterior property shall be kept free from rodent harborage and infestation.
- The exterior of structures, accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair, and sanitary as to not pose a threat to the public health, safety and welfare.
- Swimming pools shall be maintained in a clean and sanitary condition and in good repair. Private swimming pools, hot tubs and spas containing water more than 24" in depth shall be completely surrounded by a fence or barrier not less than 48" in height above the finished grade. Gates and doors for such barriers shall be self-closing and self-latching. The self-release mechanism shall be located on the pool side of the gate.

OCCUPANCY LIMITATIONS- Under the Property Maintenance Code:

- Minimum room width – 7' for habitable room, other than kitchen. Kitchens shall have a minimum clear passageway of 2' between counter fronts and appliances or walls
- Minimum ceiling height for habitable spaces is 7', basement laundry/recreation rooms 6'8" minimum height
- Every living room shall contain not less than 120 s.f. Every bedroom shall contain not less than 70 s.f. and every bedroom occupied by more than one person shall contain not less than 50 s.f. per occupant thereof
- A bedroom shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as only means of egress from other habitable spaces
- Every bedroom shall have access to not less than one water closet and one lavatory without passing through another bedroom. Every bedroom shall have access to not less than one water closet and lavatory located in the same story as the bedroom or an adjacent story.
- Kitchens and non-habitable spaces shall not be used for sleeping purposes

- Dwelling units shall not be occupied by more than permitted by the minimum area requirements:
 - Living room – 120 s.f. for 1-5 occupants, 150 s.f. for 6 or more occupants
 - Dining room – no requirement for 1-2 occupants, 80 s.f. 3-5 occupants, 100 s.f. for 6 or more occupants
- Efficiency units:
 - A unit occupied by not more than one occupant shall have a minimum clear floor area of 120 s.f. A unit occupied by not more than two occupants shall have a minimum clear floor area of 220 s.f. A unit occupied by three occupants shall have a minimum clear floor area of 320 s.f. Maximum number of occupants shall be three
 - The unit shall be provided with a kitchen sink, cooking appliance (microwave does not count) and refrigeration facilities, each having a clear working space of 30” in front. Light and ventilation conforming to this code shall be provided
 - The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower
 - All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

No tents pitched or RV’s set up which increases occupancy. The vacation rental’s septic system may not be sized to handle extra occupants.

PARKING – The Clam Lake Township Zoning Ordinance prohibits:

- Parking in the front yard or in the public right-of-way.
- Be considerate of your neighbors when inviting guests as to parking on the street. Try to have your guests park in the driveway, but not in front yard. Your neighbors may also need some street parking for their guests.

RECREATIONAL VEHICLES – The Clam Lake Zoning Ordinance allows one recreational vehicle that may be temporarily located and occupied for recreational purposes on a lot in the Forest-Recreational (FR) District only, provided that:

- The owner of the lot is also the owner of the recreational unit, and
- The recreational unit is not rented or leased to the occupants, and
- There are no violations of health or sanitary codes, and
- A Zoning Permit is required, and the temporary use is up to fourteen (14) consecutive days.
- No tents permitted.

DO I NEED A ZONING PERMIT? Before you can apply for a Building Permit through Wexford County Building Department, you must obtain a Zoning Permit from Clam Lake Township Zoning Department. For the Zoning Permit, a sketch of what you are proposing with the property line setbacks is required. The fee for a Zoning Permit is \$50.00. Although Agricultural Buildings are exempt from obtaining a building permit through the State Construction Code, a Zoning Permit is still required.

For any questions, please contact:

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