



## CITY COUNCIL AGENDA SPECIAL MEETING

**January 19, 2021 11:00 a.m.**

1. CALL TO ORDER
2. ROLL CALL
3. PUBLIC COMMENT *(Limit 3 minutes) Select “unmute” mic in the Zoom interface and speak your name to be recognized or press \*6 if you are calling in by phone to unmute your phone to speak.*
4. NEW BUSINESS
  - A. **An ordinance to impose a temporary moratorium and prohibition on the issuance of any permit, approval or license for the use of any houseboat mooring or any houseboat.**
5. PUBLIC COMMENTS *(Limit 3 minutes) Select “unmute” mic in the Zoom interface and speak your name to be recognized or press \*6 if you are calling in by phone to unmute your phone to speak.*
6. ADJOURN *(ROLL CALL)*

### **NOTICE:**

This public meeting will be held using Zoom video/audio conference technology due to the COVID-19 restrictions currently in place.

Join online by visiting:

<https://us02web.zoom.us/j/2698572603>

Join by phone by dialing:

**(312) 626-6799 -or-  
(646) 518-9805**

Then enter “Meeting ID”:

**2698572603**

Please send questions or comments regarding meeting agenda items prior to meeting to: [citymanager@saugatuckcity.com](mailto:citymanager@saugatuckcity.com)

Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact Saugatuck City Clerk at 269-857-2603 or [erin@saugatuckcity.com](mailto:erin@saugatuckcity.com) for further information.

**ITEM #4A.**



## City Council Agenda Item Report

**FROM:** Karen Doyle Homan  
**MEETING DATE:** January 19, 2021  
**SUBJECT:** Temporary Moratorium Ordinance

**DESCRIPTION:**

The City of Saugatuck is working on a new ordinance that will serve to prohibit or regulate houseboats within the City or along the shoreline. To give serious and thoughtful consideration to what is beneficial and what is detrimental for residents, property owners and visitors to the City, more time is needed to complete and to enact the ordinance.

The attached Moratorium Ordinance, as written, will prohibit houseboats to be used, placed, moored or docked for eight (8) months or until the regulatory ordinance goes into effect, whichever occurs first. The City Council may shorten or extend the term of the moratorium.

Attorney Cliff Bloom will participate in your discussion.

**BUDGET ACTION REQUIRED N/A**

**LEGAL REVIEW**

The attached ordinance 210119-A was written by Attorney Cliff Bloom.

**SAMPLE MOTION:**

Motion to **approve/deny** Moratorium Ordinance 210119-A as written (or with the following modifications).

**CITY OF SAUGATUCK  
ALLEGAN COUNTY, MICHIGAN**

**Ordinance No. 210119-A**

At a \_\_\_\_\_ meeting of the City Council for the City of Saugatuck held on \_\_\_\_\_, 2021, beginning at \_\_\_\_ p.m., the following Ordinance was offered for adoption by Council Member \_\_\_\_\_, and was seconded by Council Member \_\_\_\_\_:

**AN ORDINANCE TO IMPOSE A TEMPORARY MORATORIUM AND PROHIBITION ON THE ISSUANCE OF ANY PERMIT, APPROVAL OR LICENSE FOR THE USE OF ANY HOUSEBOAT MOORING OR ANY HOUSEBOAT ISSUED BY ANY CITY OF SAUGATUCK OFFICIAL, OFFICER OR BODY AND MANDATING THAT HOUSEBOATS SHALL NOT BE USED, MOORED OR KEPT OUTDOORS WITHIN THE CITY OF SAUGATUCK (OR ALONG THE SHORELINE OF THE CITY OF SAUGATUCK) DURING THE TIME THAT THE MORATORIUM IS IN EFFECT.**

THE CITY OF SAUGATUCK (the “City”) ORDAINS:

**Section 1. Findings.**

The City Council finds as follows:

- a. The mooring, docking and / or use of houseboats along the shoreline of the City, at or adjacent to docks, piers and mooring slips within or adjacent to the City and at similar locations and the residential dwelling use of houseboats will likely create many problems and negative impacts upon adjacent and nearby lawful uses within the City as well as present unreasonable challenges to and negative impacts upon navigation by other boats and vessels.

- b. The long term mooring or use of houseboats as dwellings or structures of habitation will negatively impact the aesthetics of the City's waterfront areas as well as block the view of the Kalamazoo River at places by tourists and the occupants of many houses and dwellings located upland from the houseboat mooring site, thus hurting tourism and lowering property values.
- c. Allowing houseboats to be used as habitable structures or dwellings would potentially circumvent many of the safeguards for dwellings and houses contained in both the City Code and the City's zoning regulations, including, but not limited to, provisions regarding setbacks, parking requirements, zoning permits, building codes and permits, open space, and buffers.
- d. Marina facilities, docks, piers and other amenities and appurtenances along the waterfront within the City were intended to be utilized for temporary use for conventional boats and vessels, not for permanent or semi-permanent homes, dwellings or similar habitable structures. Furthermore, it is in the best interest of the City, as well as its residents, visitors and property owners, to have the waterfront generally clear of boats and vessels during the off season, not only for purposes of aesthetics but for environmental and safety reasons as well.
- e. Houseboats present many potentially challenging and unhealthy situations, including, but necessarily limited to, the disposal of sewage, providing clean potable water to the users and occupants of houseboats, managing trash and garbage disposal and ensuring that a houseboat is not damaged or swamped by storms, severe wave action and impact with other boats or vessels.

- f. Floating houses and *de facto* housing subdivisions along or off shore are not compatible with the City's waterfront areas, building codes for dwellings, master plan or zoning regulations.
- g. The City is diligently working on an ordinance to prohibit or regulate houseboats, but needs more time to complete and to enact the ordinance.
- h. The City Council finds that this moratorium is both reasonable and prudent, and will promote the public health, safety and welfare of the residents, property owners and visitors of and to the City.

**Section 2. Definition.** For purposes of this moratorium ordinance, a "houseboat" shall be defined and mean as follows:

Any structure or item supported by means of flotation, designed to be used without a permanent foundation, used, intended, or designed to be built, used, rented, leased, let, or hired out to be occupied, or which is occupied for living purposes with facilities for living, sleeping, cooking and eating. The term "houseboat" shall include "floating homes or houses," "liveaboards", "ark," "barge", and any other boat or vessel which is designed or used primarily for living or as a house or domicile rather than for water transport or recreational purposes.

**Section 3. Administrative Action; Prohibitions.**

- a. A moratorium is hereby imposed upon the issuance of any City permit, license, zoning approval, variance, or similar approval for any houseboat. During the

moratorium term specified in this Ordinance, no City official, employee, body, commission or agent shall issue or approve any permit, zoning approval, sewer or water hookup permit, building permit, license, variance or other approval for any houseboat or any houseboat slip, mooring, dock or pier.

- b. During the time that this moratorium is in effect, no houseboat shall be used, placed, moored or docked within the City of Saugatuck or at or along the shoreline, bottomlands or properties within the City of Saugatuck.
- c. During the time that this moratorium is in effect:
  - (i) No pier, dock, mooring or similar facility shall be used for a houseboat.
  - (ii) No parking area shall be used for or in conjunction with a houseboat.

**Section 4. Term of This Ordinance.** The moratorium imposed by this Ordinance shall remain in effect for eight (8) months following the effective date of this Ordinance or until the regulatory ordinance specified above is enacted by the City Council and becomes effective, whichever occurs first. Prior to the expiration of this moratorium, the City may extend the moratorium term to allow sufficient time to complete and enact any such ordinance.

**Section 5. Effective Date.** This Ordinance is declared to be an emergency ordinance and shall become effective the day following its publication (or a summary hereof) in a newspaper of general circulation within the City.

The vote in favor of this Ordinance was as follows:

YEAS: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT/ABSTAIN: \_\_\_\_\_

ORDINANCE DECLARED ADOPTED.

**CERTIFICATION**

I hereby certify that the above is a true copy of an emergency Ordinance adopted by the City Council for the City of Saugatuck at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

By: \_\_\_\_\_  
Erin K. Wilkinson  
Saugatuck City Clerk