City of Keego Harbor
Planning Commission Meeting Agenda
Tuesday, October 27, 2026, at 7:00 PM
2025 Beechmont St.
Keego Harbor, MI 48320

1. Call the Meeting to Order

2. Roll Call

- Chairman Joel Yoder
- Vice Chairperson Karen Meabrod
- Council Member Cristina Elsen
- Commissioner Kevin Douglass
- Commissioner David Emerling
- Secretary Gino Santia

3. Approval of Agenda

4. Approval of Minutes

A. August 25, 2026 Meeting Minutes

5. Public Comments

6. Planning Department Report

A. August Monthly Report

B. September Montly Report

7. New Business

A. Parking and Storage of Motor Vehicles on Vacant Residentially Zoned Lots

B. Discussion- Vacant and Nusiance Properties Ordinance

C. Accessory Buildings on Non-Contiguous Lots

D. Discussion Item - Review of Village Overlay District Ordinance

E. Discussion - Capital Improvement Plan

8. Unfinished Business

9. Commissioner Comments

10. Adjournment

All Keego public boards adhere to the City Council Rules of Procedure. The Procedure may be reviewed here: Keego Harbor Rules of Procedure

City of Keego Harbor
Planning Commission Meeting Minutes
Tuesday, August 25, 2026

CALL THE MEETING TO ORDER

Chairperson Yoder called the meeting to order at 7:00 p.m.

ROLL CALL

Present: Chairman Yoder, Vice Chairperson Meabrod, Secretary Santia, Commissioner Douglass, Commissioner Emerling, and Council Member Elsen

STAFF PRESENT: Interim City Manager Gacioch, Interim City Clerk Goodall, City Planner Emily Huhman

Motion by Commission Emerling; supported by Secretary Santia to excuse Kevin Douglass.
Ayes: 4 Nays: 0
Motion Carries

APPROVAL OF AGENDA

Motion by Commissioner Emerling; supported by Vice Chairperson Meabrod to move 3335 Orchard Lake to number one.
Ayes: 4 Nays: 0
Motion Carries

Motion by Vice Chairperson Meabrod; supported by Secretary Santia to approve the amended agenda to include moving water quality to number two.
Ayes: 4 Nays: 0 Motion Carries

APPROVAL OF MINUTES

Motion by Secretary Santia; supported by Vice Chairperson Meabrod to approve the minutes from July 28, 2026.
Vote: Ayes: 4 Nays: 0 Motion Carries

PUBLIC COMMENTS

No public comments

PLANNING DEPARTMENT REPORT

- July Monthly Report

July 2026

DEVELOPMENT PROJECTS WITH PLANNING COMMISSION INVOLVEMENT

Address	Zoning	Project / Approval Sought	Status	Comment / Latest Action
1985 Cass Lake Rd.	C-1 Local Business, CLR Overlay	Preliminary site plan approval and Special Land Use approval	Site Plan Review #1	Plans to redevelop the former Santia Hall were received. McKenna reviewed plans and is working to schedule a working meeting with the applicant and City administration.
2004 Cass Lake Rd.	C-1 Local Business, CLR	Final site plan approval	Preliminary site plan granted conditional approval	Applicant received condition approval of preliminary site plans at June 2, 2026 Planning Commission meeting. Awaiting final site plan submission materials from applicant.
3080 Orchard Lake Rd.	C-2 General Business, CDB	Site plan approval	Site Plan Review #1	Conditionally approved at March 31, 2026, Planning Commission meeting. Applicant is sending updated plans within the next couple weeks.

ONGOING PLANNING & ZONING PROJECTS - JULY

Zoning Ordinance Updates – Signs and VOD Building Height

Updates to the sign ordinance and permitted building heights in the Village Overlay District were adopted by City Council on July 16, 2026. Notice of Adoption was published in the West Bloomfield Beacon on July 29th, and the ordinance changes will go into effect on August 8th, 2026. These changes were sent to Municode to incorporate online.

Zoning Ordinance Updates – Parking and Storage of Recreational Vehicles on Vacant Residentially Zoned Lots

As requested by City staff, McKenna has provided a memorandum reviewing Section 4.05 on the parking and storage of recreational vehicles on vacant residentially zoned lots and has provided analysis on how nearby communities regulate this type of parking and storage. A public hearing will be held for these changes at the August 25th, 2026 Planning Commission meeting and Planning Commission will be asked to recommend that City Council adopt these changes.

PLANNING AND ZONING INQUIRIES

Date	Address	Zoning	Inquiry	Planner's Review
July 1	2428 Willow Beach	NR, Neighborhood Residential	Architectural Review – New Home	Approved
July 6	2968 Glenbroke	NR, Neighborhood Residential	Lot split application.	Approved at July 16th City Council meeting
July 7	18-02-276-002	NR, Neighborhood Residential	Is this a buildable lot?	Lot was combined with adjacent lot to the north in May.
July 13	2836 Beland	NR, Neighborhood Residential	Zoning Permit Application - Addition	Approved
July 22	2010 Harbor Village Ave	NR, Neighborhood Residential	Zoning Permit Application – Fence	Requested revisions and additional information from applicant.

July 27	1535 Cass Lake Rd	C-1, Local Business District	Questions on outdoor dining and dumpster enclosure requirements.	Planner provided requested information.
July 27	3377 Orchard Lake Rd	C-1, Local Business District	Questions on window sign requirements.	Planner provided requested information.
July 29	2091 Cass Lake Rd	C-1 Local Business District, Cass Lake Road Context Zone	Questions on process for street vacation.	Planner provided requested information.
July 30	2897 Orchard Lake Rd	C-2 General Business, CBD Context Zone	Sign Permit Application	Sign appears to comply, but review has not been sent. Business requires a Zoning Permit application to move forward. Asked applicant to please submit Zoning Permit application.
July 30	2881 Stennett St	NR, Neighborhood Residential	Zoning Permit Application – Fence	Revisions needed. Review letter created and notified applicant.

Unfinished Business

- **3335 Orchard Lake Rd- Temporary Use and Structure Application**
  The applicant, Mr. Rice, was in attendance and answered questions. The applicant has applied for a temporary 12x12 canopy tent and two feather flag signs.

  Motion by Commissioner Emerling; supported by Vice Chairperson Meabrod to approve the temporary use and structure application for Gregor Golf club tent and signage and to extend the date until October 30th.
  Ayes: 4 Nays: 0

  Motion Carries

- **Stormwater Quality Ordinance**
  Brad Shepler reviewed the ordinance with the Planning Commission. The city has until September 15th to use the grant funds, after that all costs will be the city's responsibility.

- **Public Hearing: Zoning Ordinance 4.05: Parking and Storage of Recreational Vehicles on Vacant Residentially Zone Lots**

  Commissioner Emerling left at 9:16pm
  Public Hearing opened at 9:16 pm.

City Planner, Emily Huhuman reviewed the proposed changes as requested by the Planning Commission.

Public Hearing closed at 9:35pm

Motion by Vice Chairperson Meabrod; supported by Secretary Santia recommend to Council the zoning ordinance update for parking and storage of recreational vehicles on vacant residentially zoned lots as presented and amended by the Planning Commission which would allow the natural ground cover and to add verbiage that indicates that there would be no more than two or more violations with regards to ground cover within 6 months.
Ayes: 3 Nays: 0

Motion Carries

ADJOURNMENT
Chairperson Yoder adjourned the meeting at 9:39 p.m.

_____
Joel Yoder
Chairperson, Planning Commission

_____
Stacy Goodall
City of Keego Harbor, Interim City Clerk

MCKENNA

Planning & Zoning Report

August 2026

McKenna assists the City of Keego Harbor on zoning, planning, and economic development matters. This document serves as the official Planning Commission report on Planning and Zoning activities and services in August 2026. Contact your McKenna Team via email anytime:

- **John Jackson, AICP, NCI**, Project Director (jjackson@mcka.com)
- **Dan Commer, AICP**, Project Manager (dcommer@mcka.com)
- **Sommer Nafal, NCI**, **AICP Candidate,** Project Planner (snafal@mcka.com)

DEVELOPMENT PROJECTS WITH PLANNING COMMISSION INVOLVEMENT

Address	Zoning	Project / Approval Sought	Status	Comment / Latest Action
3335 Orchard Lake Rd.	C-2 General Business	Temporary Use and Structure application	Approved	McKenna Staff reviewed an application for a temporary use, portable structure, and feather flag signs for Gregor Golf Club.

ONGOING PLANNING & ZONING PROJECTS - AUGUST

Section 4.05 Ordinance Changes

At the August 25th Planning Commission meeting, the Commission recommended that the changes to Zoning Ordinance Section 4.05 be adopted by City Council, with additional language to the text amendment proposed that continued to allow natural ground cover as an approved storage surface provided certain code enforcement provisions are met, as well as proof of registration requirements.

PLANNING AND ZONING REVIEWS

Date	Address	Zoning	Review Type	Planner's Review
July 30	2897 Orchard Lake Rd.	C-2 General Business, CBD Overlay	Sign permit.	Approved.
August 3	3065 Orchard Lake Rd.	C-2 General Business, CBD Overlay	Zoning permit, façade.	Approved.
August 12	2836 Beeland Ave.	NR, Neighborhood Residential	Zoning Permit, residential addition, with architectual review.	Approved. Architectural Design Committee approved.
August 13	2010 Harbor Village Ave.	NR, Neighborhood Residential	Zoning Permit, fence.	Approved.
August 17	2912 Nagle Ct.	NR, Neighborhood Residential	Zoning Permit, fence.	Approved.
August 18	2897 Orchard Lake Rd.	C-2 General Business, CBD Overlay	Zoning Permit, reoccupancy.	Approved.

MCKENNA

Planning & Zoning Report

September 2026

McKenna assists the City of Keego Harbor on zoning, planning, and economic development matters. This document serves as the official Planning Commission report on Planning and Zoning activities and services in September 2026. Contact your McKenna Team via email anytime:

- **John Jackson, AICP, NCI**, Project Director (jjackson@mcka.com)
- **Dan Commer, AICP**, Project Manager (dcommer@mcka.com)
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DEVELOPMENT PROJECTS WITH PLANNING COMMISSION INVOLVEMENT

Address	Zoning	Project / Approval Sought	Status	Comment / Latest Action
N/A				

ONGOING PLANNING & ZONING PROJECTS - SEPTEMBER

Developer Day

On September 9th, Keego Harbor invited developers to tour three properties available that anchor the City's redevelopment vision. The intent of this initiative was to promote these properties to developers, with information on what can be built on each lot, to spark interest and encourage development in the City.

Planning and Zoning reviews

Date	Address	Zoning	Review Type	Planner's Review
September 2	2388 Pine Lake Ave.	NR, Neighborhood Residential	Driveway Permit.	Approved.
September 8	3149 Summers Rd.	NR, Neighborhood Residential	Zoning Permit, deck.	Approved with conditions.
September 10	2912 Pridham St.	NR, Neighborhood Residential	Zoning Permit, residential addition.	Approved.
September 10	3065 Orchard Lake Rd.	C-2, General Business CBD Context Zone	Zoning Permit, façade.	Approved.
September 21	3134 Varjo Ct.	NR, Neighborhood Residential	Driveway Permit.	Approved.
September 21	2307 Fordham St.	NR, Neighborhood Residential	Zoning Permit, porch.	Approved.
September 23	2867 Orchard Lake Rd.	C-2, General Business CBD Context Zone	Sign Permit, wall sign.	Approved.
September 29	2364 Fordham St.	NR, Neighborhood Residential	Zoning permit, construction of a new 2-story residence.	Conditional approval, revised plans requested. Architecture Review Committee approval required.

MCKENNA

Memorandum

TO: City of Keego Harbor Planning Commission

FROM: Dan Commer, AICP

SUBJECT: **Review of Article IV - Parking and Storage of Motor Vehicles on Vacant Residentially Zoned Lots**

DATE: October 20, 2026

Article 4 of the Keego Harbor Zoning Ordinance clarifies, among other things, how and where parking in residential districts is permitted. At the request of Planning Commission, McKenna was asked to research a potential text amendment that would prohibit the parking and storage of motor vehicles on vacant residentially zoned lots.

The following memorandum highlights existing zoning ordinance standards and provides suggested placement for any proposed text amendment that would prohibit parking and storage within districts zoned as residential.

We look forward to further discussion at your upcoming meeting.

CURRENT ZONING ORDINANCE LANGUAGE

Article IV. – NR Neighborhood Residential District of Keego Harbor's Zoning Ordinance defines the character of the community as a pedestrian friendly, walkable community and the provisions of this article are intended to preserve and enhance this character. Currently, several sections of Article IV provide standards for how and where parking of both recreational and motor vehicles are permitted:

- Sec. 4.04. – Recreational vehicle parking in residential districts.
- Sec. 4.05. – Parking and storage of recreational vehicles on vacant residentially zoned lots.
- Sec. 4.06. – Front yard parking in residential districts.

Planning Commission could consider adding a section to Article IV expressly prohibiting the parking and storage of motor vehicles (cars, trucks, SUVs) on all vacant residentially zoned lots.

HEADQUARTERS
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CITY OF KEEGO HARBOR
DRAFT ORDINANCE — VACANT BUILDING AND CHRONIC NUISANCE AMENDMENTS
Redline for City Attorney and Staff Review
Draft of October 12, 2026

CITY OF KEEGO HARBOR
OAKLAND COUNTY, MICHIGAN

ORDINANCE NO. [____]

AN ORDINANCE TO AMEND CHAPTER 8, BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF KEEGO HARBOR: TO AMEND SECTION 8-125 TO DESIGNATE THE CODE OFFICIAL AND REGULATE OUTDOOR STORAGE; TO ADD SECTION 8-149.1 TO ESTABLISH THE RELATIONSHIP BETWEEN ARTICLES VI AND VII; TO AMEND AND RESTATE ARTICLE XIII (ORDINANCE NO. 418), SECTIONS 8-697 THROUGH 8-713, AS VACANT BUILDING REGISTRATION, MAINTENANCE, AND CHRONIC NUISANCE PROPERTY; TO AMEND THE MUNICIPAL CIVIL INFRACTION FINE SCHEDULE; AND TO PROVIDE FOR SEVERABILITY, SAVINGS, AND AN EFFECTIVE DATE.

WHEREAS, Section 2.3(y) of the City Charter authorizes the City to regulate the maintenance and occupancy of buildings insofar as they affect health and safety, and to provide for the removal of unsafe buildings; and

WHEREAS, the City has adopted the 2021 International Property Maintenance Code by Section 8-124, but Section 8-125 does not designate the code official responsible for its enforcement; and

WHEREAS, vacant buildings that are not maintained attract trespass, vandalism, arson, vermin, and dumping, increase fire risk to neighboring homes on the City's small and closely spaced lots, depress property values, and require City and Police Department resources to secure and respond to; and

WHEREAS, Article XIII, adopted as Ordinance No. 418 on March 17, 2011, requires registration and maintenance of vacant property, but it lacks specific securing standards, scheduled City inspections, police access, and an escalation tier for chronic properties, and its weekly owner-inspection requirement has not proven practical to enforce; and

WHEREAS, incomplete or unreliable owner contact information delays the securing of open buildings and the enforcement of trespass laws; and

WHEREAS, certain properties generate repeated code violations and nuisance activity over extended periods that existing enforcement tools have not resolved; and

WHEREAS, the City Council finds that the amendments in this Ordinance are necessary to protect the public health, safety, and welfare;

NOW, THEREFORE, THE CITY OF KEEGO HARBOR ORDAINS:

Section 1. Amendment of Section 8-125.

~~Section 8-125, Amendments, of Article VI~~Section 8-125, Additions, insertions, deletions and changes, of Article VI, Property Maintenance Code, of Chapter 8 of the Code of Ordinances is amended to read as follows:

~~Sec. 8-125. Amendments.~~Sec. 8-125. Additions, insertions, deletions and changes.

The following sections of the International Property Maintenance Code are hereby amended or added:

(1) through (4) [Unchanged; not reprinted.]

[Drafting note — delete before adoption: In the Code text provided, Section 8-125 contains five unnumbered items (Sections 101.1, 103.16, 303.14, 602.3, and 602.4), so new items numbered (5) through (7) would duplicate existing numbering. Charter Sec. 6.1 also requires an amended section to be reenacted and published in full, so the existing items should be reprinted rather than omitted. Conform the reference to "Section 8-125(5)" in Section 8-699 when the numbering is settled. Section 103.16 refers to Civil Infraction Ordinance No. 295, which is now codified at Sections 1-7 and 1-8; confirm the cross-reference with the City Attorney.]

~~*[Drafting note — delete before adoption: Confirm codified text of items (1)–(4), including the "Section 103.16" civil infraction cross-reference, before first reading.]*~~

(5) Section 103.1 is amended to read as follows:

"103.1 General. ~~The Department of Building Safety is hereby created.~~The Building Department is hereby designated as the code compliance agency. The Code Enforcement Officer and the Building Official, and any other person designated in writing by the City Manager, shall each be known as the code official for purposes of this code."

(6) Section 301.3 is amended by adding the following at the end:

"Vacant structures shall also comply with Chapter 8, Article XIII of the Code of Ordinances of the City of Keego Harbor. Where Article XIII imposes a more specific or stricter requirement, Article XIII shall control."

(7) Section 302.10 is added to read as follows:

"302.10 Outdoor storage. No person shall store or keep personal property, equipment, materials, or furnishings in a front yard, on an unenclosed front porch, or in any area visible from a street on residentially zoned premises, including but not limited to indoor furniture,

household appliances, auto parts, shopping carts, and building materials. The following are exempt:

1. Permanently installed facilities.

2. Bicycles and similar vehicles not powered by a motor, not exceeding two per occupant of the premises.

3. Goods offered at a noncommercial yard sale, for not more than 72 hours.

4. Lawn and patio furniture, umbrellas, benches, and grills, in working and functioning order.

5. Toys, play equipment, and play structures.

6. Building materials for work being performed under an active permit."

Section 2. Addition of Section 8-149.1.

Article VII, Dangerous Buildings, of Chapter 8 is amended by adding Section 8-149.1, to read as follows:

Sec. 8-149.1. Relationship to Article VI.

(a) Whenever a building or structure meets one or more of the conditions listed in Section 8-150, an order to demolish, repair, or maintain the building or structure shall be issued only under this article, by the hearing officer.

(b) The code official may act under Sections 111 and 113 of the International Property Maintenance Code, as adopted by Article VI, for conditions that do not meet Section 8-150.

(c) Nothing in this article limits the emergency measures authorized by Section 112 of the International Property Maintenance Code, including emergency vacating and boarding. The code official may take emergency measures on the code official's own initiative or at the written or recorded request of the Chief of Police or Fire Chief. Where further repair or demolition is needed after emergency measures, the code official shall refer the building for investigation under Section 8-151 within [14] days.

(d) A vacant building that remains unregistered, or in violation of Section 8-703, for 180 days or more shall be referred for investigation under Section 8-151.

Section 3. Amendment and Restatement of Article XIII.

Article XIII of Chapter 8, Sections 8-697 through 8-713, adopted as Ordinance No. 418, is amended and restated in its entirety to read as follows:

[Drafting note — delete before adoption: This text amendment restates former Article XIII (Ordinance No. 418, adopted March 17, 2011). It keeps the existing registration timing (90 days from vacancy; 30 days for

abandoned buildings), the notice-and-lien abatement approach, the ownership-search fee, the right of entry after City securing, the re-occupancy rule, and injunctive relief. It replaces the weekly owner-inspection requirement of former §8-705(8) with City exterior inspections under §8-704(b). Confirm with counsel: (1) overlap with Article IX, §§8-556 to 8-558 (Ordinance No. 5-150, foreclosure registration), which this draft does not amend; (2) section numbering against the codified chapter; (3) carry-over of existing registrations; (4) vacant land and tenant spaces (see §8-698).]

ARTICLE XIII. VACANT BUILDING REGISTRATION, MAINTENANCE, AND CHRONIC NUISANCE PROPERTY

Sec. 8-697. Findings and purpose.

(a) The City Council finds that vacant buildings that are not maintained: (1) endanger the public health, safety, and welfare; (2) deteriorate because their owners do not maintain and repair them; (3) attract trespassers, vermin, vandalism, arson, and illegal dumping; (4) on the City's small and closely spaced lots, increase the risk that fire and infestation will spread to neighboring buildings; (5) depress property values and tax revenues and discourage neighboring owners from improving their property; (6) exert a blighting influence on the neighborhood when boarded for extended periods; (7) often deteriorate until demolition is required, reducing the housing supply; and (8) require the City, including its Police and Fire Departments, to spend resources to secure, inspect, respond to, and abate them.

(b) The Council further finds that owners of vacant buildings should be accountable for their condition, and that properties generating repeated violations and nuisance activity require escalating oversight.

(c) A vacant building maintained in violation of this article is a public nuisance.

(d) This article is adopted under Section 2.3(y) of the City Charter and the City's police power, and supplements Articles VI, VII, and XI of this chapter.

Sec. 8-698. Scope.

This article applies to vacant residential, commercial, and office buildings and structures.

[Drafting note — delete before adoption: Former §8-698 also applied to vacant land, and former §8-699 defined "vacant property" to include unimproved lots and vacant first-floor tenant spaces. Confirm whether the restated article should continue to reach vacant land and tenant spaces.]

Sec. 8-699. Definitions.

For purposes of this article:

Abandoned building means a vacant building that is under a current complaint for foreclosure, notice of foreclosure, or notice of trustee's sale, has a pending tax sale, or has been the subject of a foreclosure sale, deed in lieu of foreclosure, or similar transfer to the holder of a mortgage.

Code official means a person designated under Section 103.1 of the International Property Maintenance Code as amended by Section 8-125(5).

Local agent means a natural person or business entity with a street address, not a post office box, located within [Oakland County / 25 miles of the City], authorized by the owner to accept notices and service of process and to arrange for repairs and securing, and reachable 24 hours a day.

Owner means any person having legal or equitable title to the property, including a land contract vendee, personal representative, trustee, and a mortgagee in possession or holding a sheriff's deed.

Police-verified nuisance activity means an incident on the property, or committed by a person present on the property with the owner's or occupant's permission, that results in an arrest, a citation, or a written police report finding probable cause of: (1) a controlled substance offense; (2) disorderly conduct; (3) a noise or loud party violation; (4) unlawful discharge of a firearm; (5) prostitution or illegal gambling; or (6) trespass in a vacant building.

Vacant building means a building or structure, or portion of one, that is not lawfully occupied. A building used primarily for storage of goods, vehicles, equipment, materials, or personal property, without regular occupancy for its permitted use, is a vacant building. A building is not occupied merely because it contains furniture or stored items, or because a person periodically visits to inspect, maintain, or retrieve property.

Exceptions: (a) a building lawfully used for storage as its permitted principal use under the Zoning Ordinance, such as a warehouse or self-storage facility in operation; (b) an accessory garage or shed serving an occupied principal building; (c) a building under active construction or rehabilitation with a valid building permit; (d) a dwelling whose owner is temporarily absent for up to [12] months for military service, medical care, or seasonal residence, if the owner notifies the City in writing.

Sec. 8-700. Registration required.

(a) The owner of a vacant building shall register it ~~with the Department of Building Safety~~with the Building Department on a form provided by the City within [90] days after the building becomes vacant (within 30 days for an abandoned building), or within 10 days after receiving written notice from the code official, whichever is earlier.

(b) Registration is valid for six months and shall be renewed every six months until the building is lawfully occupied or demolished.

(c) The registration shall include: (1) the owner's name, street address, telephone number, and email address; (2) the name and 24-hour contact information of a local agent if the owner does not reside in [Oakland County]; (3) the name of any mortgagee or land contract vendor; (4) the date the vacancy began; (5) the status of electric, gas, and water service; (6) the owner's plan and timeline to reoccupy, sell, rehabilitate, or demolish the building; and (7) ~~the trespass~~

~~authorization required by Section 8-705~~the owner's authorization for police entry required by ~~Section 8-705(c).~~

(d) The owner shall file an amended registration within 10 days of any change in the information. A new owner shall register within 30 days after acquiring title.

(e) Registration does not excuse compliance with any other ordinance, and a registered building remains subject to all enforcement remedies.

Sec. 8-701. Exemptions and waivers.

(a) Registration under Section 8-700 is not required for a building that is:

(1) Under an active building permit for repair or rehabilitation, with work passing inspection at least once every [90] days;

(2) Actively listed for sale or lease, for not more than [12] months from the date of listing;

(3) The primary residence of a person temporarily absent due to military deployment, medical or assisted-living care, or seasonal residence elsewhere, who intends to return; or

(4) Part of a decedent's estate, for not more than [12] months after the date of death.

(b) An exempt building remains subject to Sections 8-703, 8-706, and 8-707.

(c) The City Manager may waive or reduce registration fees upon written documentation of financial hardship.

Sec. 8-702. Fees.

(a) Registration and renewal fees shall be set by resolution of the City Council in an amount reasonably related to the City's cost of administering this article, including inspections.

(b) A late fee set by resolution shall be charged for any registration or renewal more than 30 days overdue. A property not registered within the required time shall also be charged the City's cost of determining ownership, including title searches.

(c) Unpaid fees are a debt owed to the City and a lien against the property, collectible [by any means permitted by the City Charter and state law, including placement on the tax roll].

Sec. 8-703. Maintenance and security standards.

Each vacant building and its premises shall be maintained in compliance with Article VI of this chapter and the following:

(1) *Securing.* All doors, windows, and other openings accessible to people or animals shall be closed and secured. The owner shall secure any broken or open opening within 72 hours after a written directive from the code official.

(2) *Board-up standard.* Where boarding is used, each opening shall be covered with exterior-grade plywood not less than one-half inch thick, cut to fit the opening, secured with two-inch screws at openings accessible from the ground and with 16-penny common nails elsewhere, and painted a color compatible with the building.

(3) *Duration of boarding.* Boarding may remain in place for not more than three months, after which openings shall be restored with glazing or doors unless the code official approves a written extension tied to a rehabilitation schedule. The one-year limit in Section 113.1 of the International Property Maintenance Code continues to apply.

(4) *Utilities and winterization.* From September 1 through April 30, the owner shall either (a) maintain electric and gas service sufficient to operate any sump pump and keep the interior temperature at not less than 45 degrees Fahrenheit, or (b) provide the code official with written proof that the plumbing system has been drained and winterized. The code official may request that water service be shut off at the curb for a building that is neither heated nor winterized.

(5) *Perishables and debris.* Perishable items, garbage, and debris shall be removed from the exterior of all vacant buildings and from the interior of vacant commercial buildings.

(6) *Grounds.* Grass and weeds shall be maintained in compliance with Section 302.4 of the International Property Maintenance Code, accumulated mail and flyers shall be removed at least weekly, and the premises shall be kept free of dumping.

(7) *Signs and lighting.* Signs and exterior lighting shall be maintained in sound condition or removed. A sign that no longer identifies a use conducted on the property shall be removed within 30 days after the use ends.

(8) *Posting.* The owner shall post a weatherproof placard, visible from the street, stating the name and 24-hour telephone number of the owner or local agent, and "No Trespassing."

Sec. 8-704. Inspections.

(a) The code official shall inspect the interior and exterior of a vacant building before accepting a first registration and at each renewal. The Fire Department may participate.

(b) The code official shall inspect the exterior of each registered vacant building at least quarterly, and at least monthly for a building vacant more than 12 months or with an open violation.

(c) Interior inspections shall be conducted with the consent of the owner or local agent, or under an administrative inspection warrant. Refusal of consent is not a violation, but a registration shall not be accepted until the interior inspection has occurred.

Sec. 8-705. Authorization of exterior police access.

(a) A police officer may enter the exterior grounds of a registered vacant building to check that it is secured and to investigate suspected trespass. Nothing in this section authorizes entry into the interior of a building except as otherwise permitted by law.

(b) A police officer who finds a vacant building unsecured shall report it to the code official, who shall issue a securing directive under Section 8-703(1).

(c) Registration under Section 8-700 shall include the owner's written authorization for a police officer to enter the exterior grounds of the building as provided in this section.

Sec. 8-706. City abatement and cost recovery.

(a) If the owner fails to comply with a written directive under Section 8-703 within the time stated (72 hours for securing), the code official may cause the work to be performed by City forces or a contractor.

(b) The owner shall be billed the actual cost of the work plus an administrative fee set by resolution of the City Council. Unpaid amounts are a lien against the property, collectible as provided in Section 8-702(c).

(c) This section is in addition to, and does not limit, ~~Section 14.16 or Section 113.3~~Section 2.3(u) of the City Charter or Section 113.3 of the International Property Maintenance Code.

(d) After the City has secured a building under this section, the City or its contractor may enter or re-enter the building to inspect for compliance and for emergency or hazardous health and safety conditions.

Sec. 8-707. Chronic nuisance property.

(a) *Qualifying incidents.* Each of the following is a qualifying incident: (1) a written violation notice or citation for a separate occurrence under this chapter or the City's blight provisions; and (2) police-verified nuisance activity.

(b) *Exclusions.* The following shall not be counted as a qualifying incident or used as grounds for designation or any penalty under this section: (1) a request for police, fire, or emergency medical assistance; (2) an incident in which the owner, an occupant, or a guest is the victim of a crime, including domestic violence, sexual assault, or stalking; and (3) a report of criminal activity made by the owner or an occupant.

(c) *Warning notice.* After a second qualifying incident within 12 months, the code official shall send the owner a written warning describing the incidents and the consequences of designation.

(d) *Designation.* The code official may designate a property, whether vacant or occupied, a chronic nuisance property if within any 12-month period it has [three] or more qualifying incidents, or if it remains in continuous violation of this chapter for more than [90] days. The

Chief of Police shall report police-verified nuisance activity to the code official monthly. Designation shall be by written notice to the owner stating the grounds.

(e) *Consequences.* For a designated property: (1) the owner shall submit a written abatement plan within 30 days, and the code official may require a meeting with the owner and the Chief of Police; (2) the code official may inspect the exterior monthly; (3) repeat-violation fines shall apply using a 24-month lookback; and (4) the City may bill the owner for each exterior inspection and other code enforcement response after designation, at an hourly rate set by resolution of the City Council that reflects the actual cost of the time of the official performing it, recoverable as provided in Section 8-702(c). The registration and renewal fee under Section 8-702 covers only the inspections required by Section 8-704(a) and (b).

(f) *Termination.* Designation ends after 12 consecutive months with no qualifying incident.

(g) **Notice to abate.** For a designated chronic nuisance property, the code official may issue a written notice to abate to the owner and any occupant, served by first-class mail and by posting on the premises [and by certified mail to the owner's address of record]. The notice shall state: (1) the nature and location of each condition to be abated; (2) the time to abate, which shall be not less than [10] days; (3) that the City ~~may abate the condition if it is not~~may abate the condition, or may seek a court order authorizing abatement, if it is not abated within that time; (4) that the cost of City abatement, plus an administrative fee set by resolution of the City Council, will be a personal debt of the owner and may be assessed as a lien against the property; and (5) the right to appeal under Section 8-710.

(h) **Conditions subject to abatement.** A notice to abate under subsection (g) may require the removal or correction of: (1) rubbish, refuse, litter, brush, and debris kept in a yard, including construction and demolition waste and discarded items that have no apparent value; (2) weeds, grass, and plant growth exceeding eight inches; (3) a tree, or part of a tree, that a certified arborist has determined in writing is dead, diseased, or structurally unsound and a hazard to persons or property; (4) a motor vehicle that is inoperable or unlicensed within the meaning of Section 302.8 of the International Property Maintenance Code, a trailer that is inoperable, unlicensed, or used to store rubbish, and any other personal property that has apparent value; and (5) any other exterior condition that the code official finds to be a hazard to health or safety.

(i) **City abatement; court approval required for vehicles, trailers, and other personal property.** If the owner or occupant has not complied by the time stated in the notice, and has not filed an appeal, the City may abate a condition described in subsection (h)(1), (2), (3), or (5), without a court order, using City forces or a contractor. The City shall photograph the condition before and after abatement and shall keep the certified arborist's written determination in the abatement record. The City shall not remove a motor vehicle, trailer, or other personal property described in subsection (h)(4) unless a court of competent jurisdiction has first issued an order authorizing the removal. The City may petition for the order after the

time to abate has expired and any appeal has been decided. If consent to enter the premises is refused, the City may seek an administrative warrant or an order of a court of competent jurisdiction authorizing entry. A timely appeal under Section 8-710 stays abatement of conditions described in subsection (h)(1), (3), (4), and (5) until the appeal is decided, except that an appeal does not stay abatement of a tree that the certified arborist's written determination identifies as an imminent hazard. An appeal does not stay abatement of conditions described in subsection (h)(2).

(j) **Vehicles and trailers.** A motor vehicle or trailer shall not be removed under this section except under a court order described in subsection (i). Before removal, the City shall record its description and condition with dated photographs. The City shall mail notice to the owner of record of the property and, if known, the registered owner of the vehicle, stating where the vehicle or trailer is held and how to reclaim it. The owner may reclaim it upon payment of towing, storage, and administrative costs. [Disposition of a vehicle or trailer that is not reclaimed within [30] days shall be as provided by the court's order and applicable State law. City Attorney to specify procedure, including whether MCL 257.252a et seq. applies.]

(k) **Cost recovery.** The actual cost of abatement, including the cost of a certified arborist's determination, plus an administrative fee set by resolution of the City Council, is a personal debt of the owner and may be assessed as a lien against the property and collected as provided in Section 8-702(c), and may be assessed against the property as authorized by Section 2.3(u) of the City Charter and State law.

~~(l) **Court remedies preserved.** Subsections (g) through (k) do not require a court order before abatement, except where consent to enter is refused. The City may instead, or in addition, seek an order abating or enjoining the condition under Section 8-709(d), or any other remedy available in law or equity.~~(l) **Court remedies preserved.** A court order is not required to abate conditions described in subsection (h)(1), (2), (3), or (5). A court order is required before the City removes a motor vehicle, trailer, or other personal property described in subsection (h)(4), as provided in subsection (i). The City may instead, or in addition, seek an order abating or enjoining the condition under Section 8-709(d), or any other remedy available in law or equity.

Sec. 8-708. Enforcing officials and information sharing.

(a) The code official and any police officer of the City are authorized local officials to issue municipal civil infraction citations for violations of this article.

(b) Registration information shall be provided to the Police and Fire Departments. Personal contact information shall be disclosed to the public only as required by the Michigan Freedom of Information Act.

Sec. 8-709. Violations and penalties.

(a) Failure to register or renew, or to comply with Section 8-703, 8-705, or 8-707, is a municipal civil infraction under MCL 117.4l and Section 1-7 of this Code, and is not a misdemeanor. Each day a violation continues is a separate offense.

(b) Notwithstanding Section 1-7(c) of this Code, fines shall be as provided in the City's municipal civil infraction fine schedule, except that the fine for a first failure to register shall be not less than $[250]. Failure to ~~registserr~~register within six months shall not be less than an additional $[500]

(c) The remedies in this article are cumulative with those in Articles VI, VII, and XI of this chapter ~~and Section 14.16.~~and Section 2.3(u) of the City Charter.

(d) A violation of this article is a nuisance per se, and the City may bring a civil action in a court of competent jurisdiction for an order abating or enjoining the violation.

Sec. 8-710. Appeals.

An owner may appeal a registration determination, fee, directive, or chronic nuisance designation, or notice to abate under Section 8-707(g), to the City Council ~~/ City Manager [the Housing Law Board of Appeals / City Manager]~~ by written notice filed within 14 days. An appeal does not stay a 72-hour securing directive or emergency measures under Section 112 of the International Property Maintenance Code.

Sec. 8-711. Re-occupancy.

A vacant building shall not be reoccupied until a certificate of occupancy has been issued and all violations have been corrected under the State Construction Code and the applicable codes of the City. A certificate of occupancy shall not be issued until all outstanding costs, assessments, and liens owed to the City for the property have been paid in full.

Secs. 8-712 and 8-713. Reserved.

Section 4. Amendment of the municipal civil infraction fine schedule.

The municipal civil infraction fine schedule for property maintenance and blight violations, ~~[Section ____, to be confirmed by the Clerk]~~[Sections 1-7(c) and 1-8(e)(1) of this Code, to be confirmed by the City Attorney], is amended as follows:

Offense	Fine
First offense	$150.00
Second offense within the lookback period	$250.00
Third offense within the lookback period	$500.00

Offense	Fine
Fourth and each subsequent offense within the lookback period	$750.00

Lookback period: 12 months, except 24 months for a property designated a chronic nuisance property under Section 8-707.

The penalties in Section 8-633 (rental registration) are not amended by this Ordinance.

Section 5. Ordinance No. 418.

Ordinance No. 418, adopted March 17, 2011 and codified as Article XIII of Chapter 8, is amended and restated in its entirety by Section 3 of this Ordinance. A property registered under former Article XIII remains registered until its registration expires, and shall renew under Section 8-700. Violations occurring before the effective date may be enforced under former Article XIII as provided in Section 7.

Section 6. Severability.

If any section, subsection, sentence, clause, or phrase of this Ordinance is held invalid by a court of competent jurisdiction, that holding shall not affect the validity of the remaining portions of this Ordinance, which shall remain in full force and effect.

Section 7. Savings clause.

The amendment or repeal of any ordinance by this Ordinance shall not affect any violation occurring, penalty incurred, or proceeding pending before the effective date of this Ordinance. Such matters may be enforced and prosecuted under the ordinance in effect when the violation occurred.

Section 8. Effective date.

This Ordinance shall take effect [twenty (20)] days after its publication. Registration under Section 8-700 shall be required for buildings vacant on the effective date within [60] days after the effective date.

CERTIFICATION

I, the undersigned City Clerk of the City of Keego Harbor, certify that this Ordinance was introduced at a regular meeting of the City Council on [date], adopted at a regular meeting on [date], and published in [newspaper] on [date].

Yeas: [____]

Nays: [____]

Absent: [____]

_____

[Name], City Clerk

_____

[Name], Mayor

CITY OF KEEGO HARBOR
DRAFT ORDINANCE — VACANT BUILDING AND CHRONIC NUISANCE AMENDMENTS
Draft October 21, 2026

CITY OF KEEGO HARBOR
OAKLAND COUNTY, MICHIGAN

ORDINANCE NO. [____]

AN ORDINANCE TO AMEND CHAPTER 8, BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF KEEGO HARBOR: TO AMEND SECTION 8-125 TO DESIGNATE THE CODE OFFICIAL AND REGULATE OUTDOOR STORAGE; TO ADD SECTION 8-149.1 TO ESTABLISH THE RELATIONSHIP BETWEEN ARTICLES VI AND VII; TO AMEND AND RESTATE ARTICLE XIII (ORDINANCE NO. 418), SECTIONS 8-697 THROUGH 8-713, AS VACANT BUILDING REGISTRATION, MAINTENANCE, AND CHRONIC NUISANCE PROPERTY; TO AMEND THE MUNICIPAL CIVIL INFRACTION FINE SCHEDULE; AND TO PROVIDE FOR SEVERABILITY, SAVINGS, AND AN EFFECTIVE DATE.

WHEREAS, Section 2.3(y) of the City Charter authorizes the City to regulate the maintenance and occupancy of buildings insofar as they affect health and safety, and to provide for the removal of unsafe buildings; and

WHEREAS, the City has adopted the 2021 International Property Maintenance Code by Section 8-124, but Section 8-125 does not designate the code official responsible for its enforcement; and

WHEREAS, vacant buildings that are not maintained attract trespass, vandalism, arson, vermin, and dumping, increase fire risk to neighboring homes on the City's small and closely spaced lots, depress property values, and require City and Police Department resources to secure and respond to; and

WHEREAS, Article XIII, adopted as Ordinance No. 418 on March 17, 2011, requires registration and maintenance of vacant property, but it lacks specific securing standards, scheduled City inspections, police access, and an escalation tier for chronic properties, and its weekly owner-inspection requirement has not proven practical to enforce; and

WHEREAS, incomplete or unreliable owner contact information delays the securing of open buildings and the enforcement of trespass laws; and

WHEREAS, certain properties generate repeated code violations and nuisance activity over extended periods that existing enforcement tools have not resolved; and

WHEREAS, the City Council finds that the amendments in this Ordinance are necessary to protect the public health, safety, and welfare;

NOW, THEREFORE, THE CITY OF KEEGO HARBOR ORDAINS:

Section 1. Amendment of Section 8-125.

Section 8-125, Additions, insertions, deletions and changes, of Article VI, Property Maintenance Code, of Chapter 8 of the Code of Ordinances is amended to read as follows:

Sec. 8-125. Additions, insertions, deletions and changes.

The following sections of the International Property Maintenance Code are hereby amended or added:

(1) through (4) [Unchanged; not reprinted.]

(5) Section 103.1 is amended to read as follows:

"103.1 General. The Building Department is hereby designated as the code compliance agency. The Code Enforcement Officer and the Building Official, and any other person designated in writing by the City Manager, shall each be known as the code official for purposes of this code."

(6) Section 301.3 is amended by adding the following at the end:

"Vacant structures shall also comply with Chapter 8, Article XIII of the Code of Ordinances of the City of Keego Harbor. Where Article XIII imposes a more specific or stricter requirement, Article XIII shall control."

(7) Section 302.10 is added to read as follows:

"302.10 Outdoor storage. No person shall store or keep personal property, equipment, materials, or furnishings in a front yard, on an unenclosed front porch, or in any area visible from a street on residentially zoned premises, including but not limited to indoor furniture, household appliances, auto parts, shopping carts, and building materials. The following are exempt:

1. Permanently installed facilities.

2. Bicycles and similar vehicles not powered by a motor, not exceeding two per occupant of the premises.

3. Goods offered at a noncommercial yard sale, for not more than 72 hours.

4. Lawn and patio furniture, umbrellas, benches, and grills, in working and functioning order.

5. Toys, play equipment, and play structures.

6. Building materials for work being performed under an active permit."

Section 2. Addition of Section 8-149.1.

Article VII, Dangerous Buildings, of Chapter 8 is amended by adding Section 8-149.1, to read as follows:

Sec. 8-149.1. Relationship to Article VI.

(a) Whenever a building or structure meets one or more of the conditions listed in Section 8-150, an order to demolish, repair, or maintain the building or structure shall be issued only under this article, by the hearing officer.

(b) The code official may act under Sections 111 and 113 of the International Property Maintenance Code, as adopted by Article VI, for conditions that do not meet Section 8-150.

(c) Nothing in this article limits the emergency measures authorized by Section 112 of the International Property Maintenance Code, including emergency vacating and boarding. The code official may take emergency measures on the code official's own initiative or at the written or recorded request of the Chief of Police or Fire Chief. Where further repair or demolition is needed after emergency measures, the code official shall refer the building for investigation under Section 8-151 within [14] days.

(d) A vacant building that remains unregistered, or in violation of Section 8-703, for 180 days or more shall be referred for investigation under Section 8-151.

Section 3. Amendment and Restatement of Article XIII.

Article XIII of Chapter 8, Sections 8-697 through 8-713, adopted as Ordinance No. 418, is amended and restated in its entirety to read as follows:

ARTICLE XIII. VACANT BUILDING REGISTRATION, MAINTENANCE, AND CHRONIC NUISANCE PROPERTY

Sec. 8-697. Findings and purpose.

(a) The City Council finds that vacant buildings that are not maintained: (1) endanger the public health, safety, and welfare; (2) deteriorate because their owners do not maintain and repair them; (3) attract trespassers, vermin, vandalism, arson, and illegal dumping; (4) on the City's small and closely spaced lots, increase the risk that fire and infestation will spread to neighboring buildings; (5) depress property values and tax revenues and discourage neighboring owners from improving their property; (6) exert a blighting influence on the neighborhood when boarded for extended periods; (7) often deteriorate until demolition is required, reducing the housing supply; and (8) require the City, including its Police and Fire Departments, to spend resources to secure, inspect, respond to, and abate them.

(b) The Council further finds that owners of vacant buildings should be accountable for their condition, and that properties generating repeated violations and nuisance activity require escalating oversight.

(c) A vacant building maintained in violation of this article is a public nuisance.

(d) This article is adopted under Section 2.3(y) of the City Charter and the City's police power, and supplements Articles VI, VII, and XI of this chapter.

Sec. 8-698. Scope.

This article applies to vacant residential, commercial, and office buildings and structures.

Sec. 8-699. Definitions.

For purposes of this article:

Abandoned building means a vacant building that is under a current complaint for foreclosure, notice of foreclosure, or notice of trustee's sale, has a pending tax sale, or has been the subject of a foreclosure sale, deed in lieu of foreclosure, or similar transfer to the holder of a mortgage.

Code official means a person designated under Section 103.1 of the International Property Maintenance Code as amended by Section 8-125(5).

Local agent means a natural person or business entity with a street address, not a post office box, located within [Oakland County / 25 miles of the City], authorized by the owner to accept notices and service of process and to arrange for repairs and securing, and reachable 24 hours a day.

Owner means any person having legal or equitable title to the property, including a land contract vendee, personal representative, trustee, and a mortgagee in possession or holding a sheriff's deed.

Police-verified nuisance activity means an incident on the property, or committed by a person present on the property with the owner's or occupant's permission, that results in an arrest, a citation, or a written police report finding probable cause of: (1) a controlled substance offense; (2) disorderly conduct; (3) a noise or loud party violation; (4) unlawful discharge of a firearm; (5) prostitution or illegal gambling; or (6) trespass in a vacant building.

Vacant building means a building or structure, or portion of one, that is not lawfully occupied. A building used primarily for storage of goods, vehicles, equipment, materials, or personal property, without regular occupancy for its permitted use, is a vacant building. A building is not occupied merely because it contains furniture or stored items, or because a person periodically visits to inspect, maintain, or retrieve property.

Exceptions: (a) a building lawfully used for storage as its permitted principal use under the Zoning Ordinance, such as a warehouse or self-storage facility in operation; (b) an accessory garage or shed serving an occupied principal building; (c) a building under active construction or

rehabilitation with a valid building permit; (d) a dwelling whose owner is temporarily absent for up to [12] months for military service, medical care, or seasonal residence, if the owner notifies the City in writing.

Sec. 8-700. Registration required.

(a) The owner of a vacant building shall register it with the Building Department on a form provided by the City within [90] days after the building becomes vacant (within 30 days for an abandoned building), or within 10 days after receiving written notice from the code official, whichever is earlier.

(b) Registration is valid for six months and shall be renewed every six months until the building is lawfully occupied or demolished.

(c) The registration shall include: (1) the owner's name, street address, telephone number, and email address; (2) the name and 24-hour contact information of a local agent if the owner does not reside in [Oakland County]; (3) the name of any mortgagee or land contract vendor; (4) the date the vacancy began; (5) the status of electric, gas, and water service; (6) the owner's plan and timeline to reoccupy, sell, rehabilitate, or demolish the building; and (7)

(d) The owner shall file an amended registration within 10 days of any change in the information. A new owner shall register within 30 days after acquiring title.

(e) Registration does not excuse compliance with any other ordinance, and a registered building remains subject to all enforcement remedies.

Sec. 8-701. Exemptions and waivers.

(a) Registration under Section 8-700 is not required for a building that is:

(1) Under an active building permit for repair or rehabilitation, with work passing inspection at least once every [90] days;

(2) Actively listed for sale or lease, for not more than [12] months from the date of listing;

(3) The primary residence of a person temporarily absent due to military deployment, medical or assisted-living care, or seasonal residence elsewhere, who intends to return; or

(4) Part of a decedent's estate, for not more than [12] months after the date of death.

(b) An exempt building remains subject to Sections 8-703, 8-706, and 8-707.

(c) The City Manager may waive or reduce registration fees upon written documentation of financial hardship.

Sec. 8-702. Fees.

(a) Registration and renewal fees shall be set by resolution of the City Council in an amount reasonably related to the City's cost of administering this article, including inspections.

(b) A late fee set by resolution shall be charged for any registration or renewal more than 30 days overdue. A property not registered within the required time shall also be charged the City's cost of determining ownership, including title searches.

(c) Unpaid fees are a debt owed to the City and a lien against the property, collectible [by any means permitted by the City Charter and state law, including placement on the tax roll].

Sec. 8-703. Maintenance and security standards.

Each vacant building and its premises shall be maintained in compliance with Article VI of this chapter and the following:

(1) *Securing.* All doors, windows, and other openings accessible to people or animals shall be closed and secured. The owner shall secure any broken or open opening within 72 hours after a written directive from the code official.

(2) *Board-up standard.* Where boarding is used, each opening shall be covered with exterior-grade plywood not less than one-half inch thick, cut to fit the opening, secured with two-inch screws at openings accessible from the ground and with 16-penny common nails elsewhere, and painted a color compatible with the building.

(3) *Duration of boarding.* Boarding may remain in place for not more than three months, after which openings shall be restored with glazing or doors unless the code official approves a written extension tied to a rehabilitation schedule. The one-year limit in Section 113.1 of the International Property Maintenance Code continues to apply.

(4) *Utilities and winterization.* From September 1 through April 30, the owner shall either (a) maintain electric and gas service sufficient to operate any sump pump and keep the interior temperature at not less than 45 degrees Fahrenheit, or (b) provide the code official with written proof that the plumbing system has been drained and winterized. The code official may request that water service be shut off at the curb for a building that is neither heated nor winterized.

(5) *Perishables and debris.* Perishable items, garbage, and debris shall be removed from the exterior of all vacant buildings and from the interior of vacant commercial buildings.

(6) *Grounds.* Grass and weeds shall be maintained in compliance with Section 302.4 of the International Property Maintenance Code, accumulated mail and flyers shall be removed at least weekly, and the premises shall be kept free of dumping.

(7) *Signs and lighting.* Signs and exterior lighting shall be maintained in sound condition or removed. A sign that no longer identifies a use conducted on the property shall be removed within 30 days after the use ends.

(8) *Posting.* The owner shall post a weatherproof placard, visible from the street, stating the name and 24-hour telephone number of the owner or local agent, and "No Trespassing."

Sec. 8-704. Inspections.

(a) The code official shall inspect the interior and exterior of a vacant building before accepting a first registration and at each renewal. The Fire Department may participate.

(b) The code official shall inspect the exterior of each registered vacant building at least quarterly, and at least monthly for a building vacant more than 12 months or with an open violation.

(c) Interior inspections shall be conducted with the consent of the owner or local agent, or under an administrative inspection warrant. Refusal of consent is not a violation, but a registration shall not be accepted until the interior inspection has occurred.

Sec. 8-705. Authorization of exterior police access.

(a) A police officer may enter the exterior grounds of a registered vacant building to check that it is secured and to investigate suspected trespass. Nothing in this section authorizes entry into the interior of a building except as otherwise permitted by law.

(b) A police officer who finds a vacant building unsecured shall report it to the code official, who shall issue a securing directive under Section 8-703(1).

(c) Registration under Section 8-700 shall include the owner's written authorization for a police officer to enter the exterior grounds of the building as provided in this section.

Sec. 8-706. City abatement and cost recovery.

(a) If the owner fails to comply with a written directive under Section 8-703 within the time stated (72 hours for securing), the code official may cause the work to be performed by City forces or a contractor.

(b) The owner shall be billed the actual cost of the work plus an administrative fee set by resolution of the City Council. Unpaid amounts are a lien against the property, collectible as provided in Section 8-702(c).

(c) This section is in addition to, and does not limit, Section 2.3(u) of the City Charter or Section 113.3 of the International Property Maintenance Code.

(d) After the City has secured a building under this section, the City or its contractor may enter or re-enter the building to inspect for compliance and for emergency or hazardous health and safety conditions.

Sec. 8-707. Chronic nuisance property.

(a) *Qualifying incidents.* Each of the following is a qualifying incident: (1) a written violation notice or citation for a separate occurrence under this chapter or the City's blight provisions; and (2) police-verified nuisance activity.

(b) *Exclusions.* The following shall not be counted as a qualifying incident or used as grounds for designation or any penalty under this section: (1) a request for police, fire, or emergency medical assistance; (2) an incident in which the owner, an occupant, or a guest is the victim of a crime, including domestic violence, sexual assault, or stalking; and (3) a report of criminal activity made by the owner or an occupant.

(c) *Warning notice.* After a second qualifying incident within 12 months, the code official shall send the owner a written warning describing the incidents and the consequences of designation.

(d) *Designation.* The code official may designate a property, whether vacant or occupied, a chronic nuisance property if within any 12-month period it has [three] or more qualifying incidents, or if it remains in continuous violation of this chapter for more than [90] days. The Chief of Police shall report police-verified nuisance activity to the code official monthly. Designation shall be by written notice to the owner stating the grounds.

(e) *Consequences.* For a designated property: (1) the owner shall submit a written abatement plan within 30 days, and the code official may require a meeting with the owner and the Chief of Police; (2) the code official may inspect the exterior monthly; (3) repeat-violation fines shall apply using a 24-month lookback; and (4) the City may bill the owner for each exterior inspection and other code enforcement response after designation, at an hourly rate set by resolution of the City Council that reflects the actual cost of the time of the official performing it, recoverable as provided in Section 8-702(c). The registration and renewal fee under Section 8-702 covers only the inspections required by Section 8-704(a) and (b).

(f) *Termination.* Designation ends after 12 consecutive months with no qualifying incident.

(g) **Notice to abate.** For a designated chronic nuisance property, the code official may issue a written notice to abate to the owner and any occupant, served by first-class mail and by posting on the premises [and by certified mail to the owner's address of record]. The notice shall state: (1) the nature and location of each condition to be abated; (2) the time to abate, which shall be not less than [10] days; (3) that the City may abate the condition, or may seek a court order authorizing abatement, if it is not abated within that time; (4) that the cost of City abatement, plus an administrative fee set by resolution of the City Council, will be a personal debt of the owner and may be assessed as a lien against the property; and (5) the right to appeal under Section 8-710.

(h) **Conditions subject to abatement.** A notice to abate under subsection (g) may require the removal or correction of: (1) rubbish, refuse, litter, brush, and debris kept in a yard, including construction and demolition waste and discarded items that have no apparent value; (2) weeds, grass, and plant growth exceeding eight inches; (3) a tree, or part of a tree, that a certified arborist has determined in writing is dead, diseased, or structurally unsound and a hazard to persons or property; (4) a motor vehicle that is inoperable or unlicensed within the meaning of Section 302.8 of the International Property Maintenance Code, a trailer that is inoperable,

unlicensed, or used to store rubbish, and any other personal property that has apparent value; and (5) any other exterior condition that the code official finds to be a hazard to health or safety.

(i) **City abatement; court approval required for vehicles, trailers, and other personal property.** If the owner or occupant has not complied by the time stated in the notice, and has not filed an appeal, the City may abate a condition described in subsection (h)(1), (2), (3), or (5), without a court order, using City forces or a contractor. The City shall photograph the condition before and after abatement and shall keep the certified arborist's written determination in the abatement record. The City shall not remove a motor vehicle, trailer, or other personal property described in subsection (h)(4) unless a court of competent jurisdiction has first issued an order authorizing the removal. The City may petition for the order after the time to abate has expired and any appeal has been decided. If consent to enter the premises is refused, the City may seek an administrative warrant or an order of a court of competent jurisdiction authorizing entry. A timely appeal under Section 8-710 stays abatement of conditions described in subsection (h)(1), (3), (4), and (5) until the appeal is decided, except that an appeal does not stay abatement of a tree that the certified arborist's written determination identifies as an imminent hazard. An appeal does not stay abatement of conditions described in subsection (h)(2).

(j) **Vehicles and trailers.** A motor vehicle or trailer shall not be removed under this section except under a court order described in subsection (i). Before removal, the City shall record its description and condition with dated photographs. The City shall mail notice to the owner of record of the property and, if known, the registered owner of the vehicle, stating where the vehicle or trailer is held and how to reclaim it. The owner may reclaim it upon payment of towing, storage, and administrative costs. [Disposition of a vehicle or trailer that is not reclaimed within [30] days shall be as provided by the court's order and applicable State law. City Attorney to specify procedure, including whether MCL 257.252a et seq. applies.]

(k) **Cost recovery.** The actual cost of abatement, including the cost of a certified arborist's determination, plus an administrative fee set by resolution of the City Council, is a personal debt of the owner and may be assessed as a lien against the property and collected as provided in Section 8-702(c), and may be assessed against the property as authorized by Section 2.3(u) of the City Charter and State law.

(l) **Court remedies preserved.** A court order is not required to abate conditions described in subsection (h)(1), (2), (3), or (5). A court order is required before the City removes a motor vehicle, trailer, or other personal property described in subsection (h)(4), as provided in subsection (i). The City may instead, or in addition, seek an order abating or enjoining the condition under Section 8-709(d), or any other remedy available in law or equity.

Sec. 8-708. Enforcing officials and information sharing.

(a) The code official and any police officer of the City are authorized local officials to issue municipal civil infraction citations for violations of this article.

(b) Registration information shall be provided to the Police and Fire Departments. Personal contact information shall be disclosed to the public only as required by the Michigan Freedom of Information Act.

Sec. 8-709. Violations and penalties.

(a) Failure to register or renew, or to comply with Section 8-703, 8-705, or 8-707, is a municipal civil infraction under MCL 117.4l and Section 1-7 of this Code, and is not a misdemeanor. Each day a violation continues is a separate offense.

(b) Notwithstanding Section 1-7(c) of this Code, fines shall be as provided in the City's municipal civil infraction fine schedule, except that the fine for a first failure to register shall be not less than $[250]. Failure to register within six months shall not be less than an additional $[500]

(c) The remedies in this article are cumulative with those in Articles VI, VII, and XI of this chapter and Section 2.3(u) of the City Charter.

(d) A violation of this article is a nuisance per se, and the City may bring a civil action in a court of competent jurisdiction for an order abating or enjoining the violation.

Sec. 8-710. Appeals.

An owner may appeal a registration determination, fee, directive, or chronic nuisance designation, or notice to abate under Section 8-707(g), to the City Council by written notice filed within 14 days. An appeal does not stay a 72-hour securing directive or emergency measures under Section 112 of the International Property Maintenance Code.

Sec. 8-711. Re-occupancy.

A vacant building shall not be reoccupied until a certificate of occupancy has been issued and all violations have been corrected under the State Construction Code and the applicable codes of the City. A certificate of occupancy shall not be issued until all outstanding costs, assessments, and liens owed to the City for the property have been paid in full.

Secs. 8-712 and 8-713. Reserved.

Section 4. Amendment of the municipal civil infraction fine schedule.

The municipal civil infraction fine schedule for property maintenance and blight violations, [Sections 1-7(c) and 1-8(e)(1) of this Code, to be confirmed by the City Attorney], is amended as follows:

Offense	Fine
First offense	$150.00
Second offense within the lookback period	$250.00
Third offense within the lookback period	$500.00
Fourth and each subsequent offense within the lookback period	$750.00

Lookback period: 12 months, except 24 months for a property designated a chronic nuisance property under Section 8-707.

The penalties in Section 8-633 (rental registration) are not amended by this Ordinance.

Section 5. Ordinance No. 418.

Ordinance No. 418, adopted March 17, 2011 and codified as Article XIII of Chapter 8, is amended and restated in its entirety by Section 3 of this Ordinance. A property registered under former Article XIII remains registered until its registration expires, and shall renew under Section 8-700. Violations occurring before the effective date may be enforced under former Article XIII as provided in Section 7.

Section 6. Severability.

If any section, subsection, sentence, clause, or phrase of this Ordinance is held invalid by a court of competent jurisdiction, that holding shall not affect the validity of the remaining portions of this Ordinance, which shall remain in full force and effect.

Section 7. Savings clause.

The amendment or repeal of any ordinance by this Ordinance shall not affect any violation occurring, penalty incurred, or proceeding pending before the effective date of this Ordinance. Such matters may be enforced and prosecuted under the ordinance in effect when the violation occurred.

Section 8. Effective date.

This Ordinance shall take effect [twenty (20)] days after its publication. Registration under Section 8-700 shall be required for buildings vacant on the effective date within [60] days after the effective date.

CERTIFICATION

I, the undersigned City Clerk of the City of Keego Harbor, certify that this Ordinance was introduced at a regular meeting of the City Council on [date], adopted at a regular meeting on [date], and published in [newspaper] on [date].

Yeas: [____]

Nays: [____]

Absent: [____]

_____

[Name], City Clerk

_____

[Name], Mayor

MCKENNA

Memorandum

TO: City of Keego Harbor Planning Commission

FROM: Dan Commer, AICP
SUBJECT: **Accessory Buildings on Non-Contiguous Vacant Lots**
DATE: October 20, 2026

At the direction of the City Manager, McKenna was asked review two recent requests by residents to build accessory structures on non-contiguous vacant residential lots which is currently not permitted by the City's Zoning Ordinance.

Section 15.13 of the Keego Harbor Zoning Ordinance clarifies how and where accessory buildings are permitted.

In Section 15.13(h) the Ordinance states:

Accessory buildings are permitted only in conjunction with, incidental to and on the same lot with a principal building which is permitted in the particular zoning district.

The following memorandum provides guidance on potential remedies for the applicants to appeal an administrative decision in this instance, or for the City to consider if a text amendment to the existing Ordinance is warranted.

CURRENT ZONING ORDINANCE LANGUAGE

Article II. Sec. 2.00. – Definitions states:

For the purpose of this Ordinance certain terms, words and phrases shall, whenever used in this Ordinance, have the meaning herewith defined as follows:.." the word "building" includes the word "structure" and the word "dwelling" includes the word "residence";..

Building. Any structure including a mobile home or mobile structure, or a pre-manufactured or pre-cut structure above or below ground, temporary or permanent, having one (1) or more floors or any structure, temporary or permanent, with a roof and designed or intended primarily for the shelter, support, or enclosure of persons, animals and property of any kind.

Building accessory. A subordinate building.

Sec. 3.07. – Permissive zoning concept.

Land uses are permitted specifically in the various zoning districts of this Ordinance. Where not specifically permitted, uses are thereby specifically prohibited unless construed to be similar to a use expressly permitted.

Based on a review of the Ordinance definitions and standards our interpretation is that there is no ambiguity around the intent that an accessory building or structure is only permitted where it is incidental to and on the same lot with a principal building which is permitted in the particular zoning district.

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USE VARANCE VERSUS TEXT AMENDMENT

In determining whether the most appropriate mechanism for an applicant to request relief is through a use variance or a text amendment to the zoning ordinance the City may consider several factors. The following table provides general guidance:

Feature	Text Amendment	Variance Request
Scope of Impact	**Community-wide**; alters the rules for all properties in a district	**Property-specific**; applies only to the single parcel
Reviewing Body	Planning Commission & City Council	Zoning Board of Appeals (ZBA)
Action Type	Legislative	Administrative/Quasi-judicial
Primary Standard	Must advance public health, safety, welfare and align with the Master Plan	Must prove practical difficulty (dimensional) or unnecessary hardship (use) due to unique site features

Sec. 17.03. – Powers of the Zoning Board of Appeals (ZBA) grants the body authority to consider and approve a use variance, by a two-thirds vote, when an applicant has exhausted all administrative remedies and satisfactorily demonstrates that an unnecessary hardship exists on a parcel-by-parcel basis.

A use variance permits a use of land that is otherwise not allowed in that district either as a permitted use or as a special land use. State laws allows cities and villages to consider them but does not require local units of government to do so. A use variance would permit a specific use with specific conditions that would ensure compatibility with the surrounding area (similar to a conditional rezoning). While this approach may sound desirable especially in transitional and historic residential areas, it is important to consider the long-term implications of use variances in relation to a community's master plan. When considering use variances, the ZBA should remember that the primary purpose of the variance is to allow a reasonable use of the land (e.g. to allow a reasonable return on one's investment) (Michigan Association of Planning).

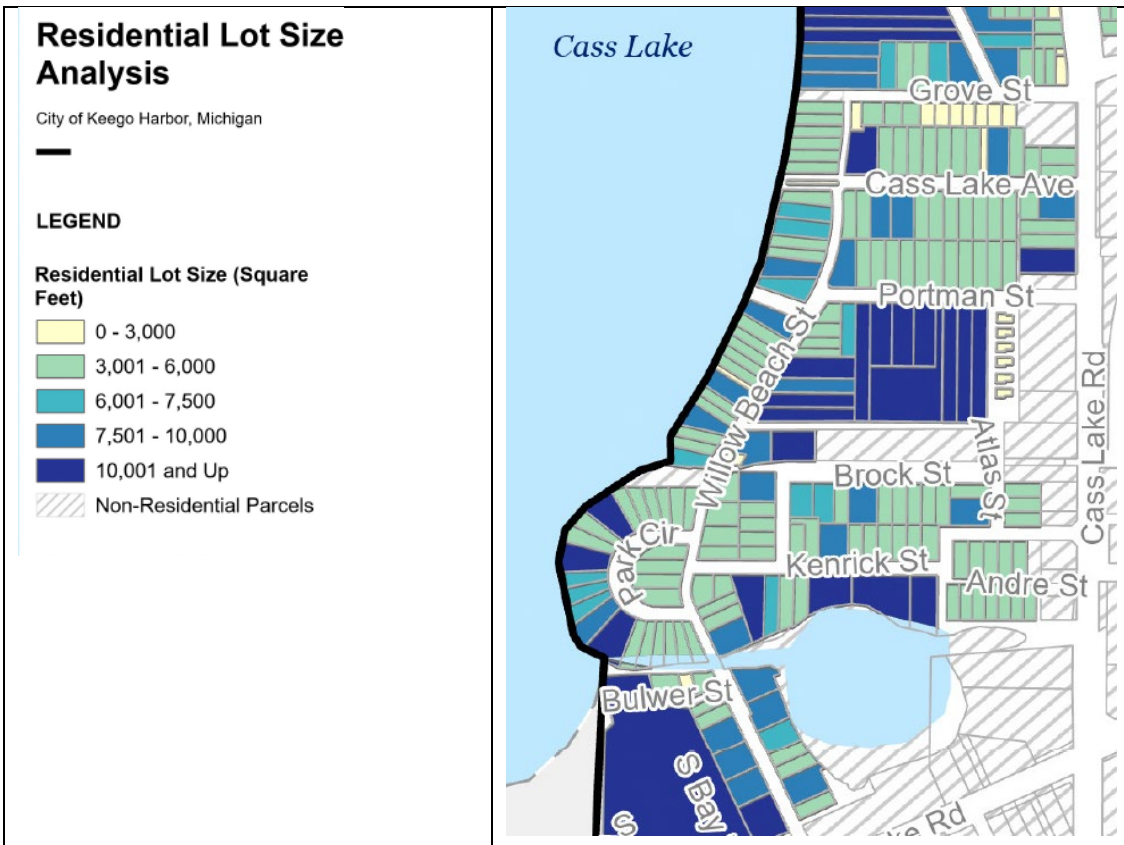
Because a text amendment is community-wide it is recommended the City carefully consider its scope and impact. Best practices suggest avoiding a "designer" or "spot" text amendment that is written so narrowly that it practically benefits only a single property or developer. Instead, it is recommended that a proposed amendment is broad, general, and is grounded in the City's Master Plan.

2025 MASTER LAND USE PLAN

The City of Keego Harbor adopted its 2025 Master Land Use Plan on May 21, 2026, which establishes a long-term vision for how the community can grow, redevelop, and invest in the places that make the city unique. The Master Land Use Plan provides a framework for achieving that vision that includes:

- Thoughtful redevelopment that strengthens existing neighborhoods and expands housing opportunities
- Better connections between neighborhoods, businesses, parks, and the waterfront
- Protection and enhancement of Keego Harbor's lakes, natural resources, and community character
- Development standards that encourage high-quality investment appropriate to the scale of the community

As the residential lot size analysis and map provided in the Master Plan illustrates (p.44-45), most residential parcels in Keego Harbor are between 3,001 and 7,500 square feet, suggesting that most residential lots are buildable based on the current standards in the NR District. Very few lots are below 3,000 square feet.



(Snippet of City-wide parcel map – 2025 Master Land Use Plan)

As the Planning Commission, and potentially City Council, weigh whether to move forward with a proposed text amendment that would allow for stand-alone accessory buildings on non-contiguous vacant lots under specific circumstances it may want to better understand its overall impact and whether it aligns with vision of the 2025 Master Land Use Plan.

City of Keego Harbor
2025 Beechmont St.
Keego Harbor, Michigan, 48320

From: Joe Gacioch, Interim City Manager

Meeting: October 27, 2026

Subject: Village Overlay District Ordinance Review

Recommended Action:

Introduction:
The City Manager is asking the Commission to discuss whether the Village Overlay District (VOD) should receive a formal review by our planning agency measured against adopted strategic plans. Three recent redevelopment inquiries each ran into the VOD in ways that suggest its standards may be working against goals the City has adopted.
This is not a request to change the ordinance tonight. It is a request for discussion and, if the Commission agrees, direction to scope a review with our planning consultant. The VOD may be restricting redevelopment on purpose, to protect a walkable village character. A review would tell us whether that is the intent, and whether the current text delivers it.

Background:
The VOD (Zoning Ordinance Article IX(A), adopted 2023) aims to turn the Cass Lake Road corridor into a walkable, tree-lined street with small shops, cafes, parks and residential clusters, using small lots, mixed uses and minimal setbacks (Sec. 9A.00).
It has three context zones: Cass Lake Road, Central Business District, and CBD Fringe. Any new construction must meet the development, architectural and landscaping standards (Sec. 9A.01). The Commission may modify or waive standards only for projects re-occupying an existing building. Materials are governed by a separate Permitted Materials List, effective 9/13/2025, which Council can amend by resolution.

Strategic Pillars:

1. Thoughtful Economic Growth
2. Small-town Character

Item Costs:
DIscussion only

Attachments:

1. PC Memo - Village Overlay District Minimum Dwelling Unit Floor Area 10.20.26

Sincerely,
Joseph Gacioch
City Manager

MCKENNA

Memorandum

TO: City of Keego Harbor Planning Commission

FROM: Dan Commer, AICP

SUBJECT: **Potential Zoning Ordinance Text Amendments to Article 9A Village Overlay District - Appendix**

DATE: October 20, 2026

At the direction of the City Manager, McKenna was asked to review existing language in Article 9A Village Overlay District – Appendix that appeared to be inaccurate for the regulations of Dwelling Unit Flor Area. The Ordinance currently states that the Maximum Dwelling Unit Floor Area is 350 square feet, however it should read Minimum Dwelling Unit Floor Area is 350 square feet.

After review, this error does not meet the definition for a scrivener's error and will need to be corrected via the text amendment process.

We do not recommend holding a stand-alone public hearing for this proposed amendment, but rather that it be attached to a future public hearing notice. Planning Commission may also want to consider whether to take this opportunity to review the Village Overlay District holistically and contrast its design with the City's stated vision today.

All Zoning Ordinance language proposed to be removed is shown in ~~strikethrough~~, all text that would be inserted is highlighted in red.

We look forward to further discussion at your next Planning Commission meeting.

DRAFT ZONING ORDINANCE LANGUAGE

Appendix

Zoning District	Lot Regulations			
	Minimum Lot Area	Minimum Lot Width	Maximum Gross Livable Area	Maximum Lot Coverage
Village Overlay District (VOD)	30,000 s.f. Max. (see footnote 1)	246 ft. Max. (see footnote 2)	-	No requirement

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Setbacks (Feet)				
Front Yard	Side Yard		Side Yard Facing a Street	Rear Yard
	Least One	Total of Two		
Build-to-line 30'-40' from road centerline; 0'-10' from Orchard Lake Rd R.O.W.	0' (see footnote 3)	0' (see footnote 4)	-	3' (see footnote 5)

Structure Regulations		
Maximum Building Height		~~**Maximum**~~ Minimum **Dwelling Unit Floor Area (sq.ft)**
Stories	Feet	
3' (see footnote 6)	~~36~~ 48' ~~to building eaves~~ (see footnote 6)	350 s.f. (see footnote 7)

Footnotes:

1. Properties with R-T District underlying zoning shall have 15,000 s.f. max and properties with RM District underlying zoning shall have 20,000 s.f. max.

2. Properties with R-T District or RM District underlying zoning shall have 132 ft. max.

3. Properties with R-T District underlying zoning shall have a 3.5' minimum setback.

4. Properties with R-T District underlying zoning shall have a 7' minimum setback.

5. Properties with R-T District underlying zoning shall have a 3' minimum setback (clear 30' corresponding to garage doors via setback and/or easement).

6. A fourth story may be allowed within the Central Business District (CBD) Context Zone. Further, such additional story must be stepped back from the front building line by a minimum of ten feet.

7. Properties with R-T District underlying zoning shall have an 800 s.f. minimum.