



Richland County

Land & Zoning Standing Committee

January 31, 2024

NOTICE OF MEETING

Please be advised that the Richland County Land & Zoning Standing Committee will convene at 3:00 p.m., Monday, February 5, 2024 in the County Board Room, 181 W. Seminary Street.

<https://administrator.co.richland.wi.us/minutes/land-zoning/>

Agenda:

1. Call to order
2. Proof of notification
3. Agenda approval
4. Approval of January 2, 2024 meeting minutes
5. *Zoning petitions
 - a. Hardy petition
6. New Land Conservation and Zoning Staff introduction
7. Wildlife damage claim approval
8. Land Conservation/Zoning departments reorganization discussion and possible action
9. Catalis Data Transfer discussion
10. *Discussion and possible action for cemetery zoning
11. Short-term rental discussion and possible action
12. Zoning Administrators report
13. Public Comment
14. Future agenda items
15. Adjournment

*Meeting materials for items marked with an asterisk may be found the above site.

A quorum may be present from other Committees, Boards, or Commissions. No committee, board or commission will exercise any responsibilities, authority or duties except for the Land and Zoning

CC: Committee Members, Richland Observer, WRCO, Courthouse Bulletin Board, Derek Kalish County Clerk, Candace Pesch County Administrator, Greg Cerven, Michael Windle

**Richland County
Land & Zoning Standing Committee
Meeting Minutes
January 2, 2024**

The January 2, 2024, Land & Zoning Standing Committee meeting was called to order 3:00 p.m. by Chair Melissa Luck in the County Board Room of the Richland County Courthouse. Present were, Julie Fleming, Steve Carrow, Linda Gentes and Dave Turk (via Webex). Dan McGuire and Linda Gentes were absent. Also present were Matthew Albright, Cathy Cooper, Quinten Hindrichs and Greg Fauerbach.

#2 & #3 Proof of Notification and Agenda Approval- Linda Gentes moved to approve the amended agenda and proof of notification. Seconded by Steve Carrow. All said aye. Motion carried.

#4 Minutes-Julie Fleming moved to approve the minutes of the November 27, 2023 and amended November 6, 2023 meetings. Seconded by Steve Carrow. All said aye. Motion approved.

#5- Manure Storage Ordinance public hearing. Melissa Luck opened up the public hearing at 3:02 p.m. She asked if there was anyone present to make comments on the ordinance. Hearing none, Melissa Luck closed the public hearing at 3:03 p.m.

#6a Frank Petition- Greg Fauerbach was present. Michael and Tammy Frank are wanting to split off a 2.06 parcel where the buildings are from the rest of the acreage. There is a group home on this parcel and for liability reasons, the split needs to be done. There is a Certified Survey Map of the parcel. Henrietta township approved. 3 neighbors had questions. Two of the neighbors were questions on the difference between Ag/Forestry and Residential 2. Maynard Hewuse sent a letter stating they are not in opposition of the rezoning but have concerns on who is buying and the group home because they have had issues with residents of the home in the past. Steve Carrow moved to approve rezoning the parcel in Henrietta Township from Ag/Forestry to Residential 2. Seconded by Julie Fleming. All said aye. Motion approved.

#6b Hardy petition- Matt said that this petition will have to come back as it has not been taken to the township yet.

#7 RV/Campers in Ag/Residential district- There was information included in the packet including Wisconsin Act 49. Also included was the wording in the Zoning Ordinance. Steve Carrow moved to remove the paragraph in the Zoning Ordinance concerning campers in the Ag/Residential district. Seconded by Linda Gentes. Motion carried. The committee would like Matthew Albright to look through ordinance and see what other language in the ordinance concern RV/camper. The concern about proper sanitation would be in the Sanitary ordinance.

#8 Office System Tech- Cathy Cooper reported that Kori Rogers will be starting January 15, 2024 as the new Office System Tech.

#9 & 10 Land Conservation/Zoning Department reorganization and Assistant Zoning Administrator/Sanitarian- The committee discussed these items as one since they are connected. Cathy Cooper mentioned that there will be another change coming to the 2 departments as Kent Marshall will be retiring as of January 12, 2024. They would like to have either the Zoning Administrator or Assistant Zoning Administrator position filled. The job descriptions would need to be updated to remove the department head designation and include that the person would need to get their POWTS and Certified Soil Tester licenses within a year. Steve Carrow moved to recommend filling either the Zoning Administrator or Assistant Zoning Administrator position with job description modification. Seconded by Julie Fleming. Motion carried.

#11 Catalis Data Transfer- Melissa Luck had asked Cheryl Dull to find out the cost of transfer the old Access data base into the Catalis program. The concern that both Candace Pesch and Barb Scott brought up at the November 27, 2023 meeting was that the data was corrupt and that the old data would remain in Access. Melissa Luck said the issue is that the Access database would need to be kept for upwards of 50 years as septic tanks can last that long. Matt Albright said that when Vernon County switched to a new database a couple of years ago, they cleaned up the data as they had time. He said that having one database is much easier than trying to look up things in 2 different programs. The cost quoted to transfer the Access database into Catalis is a minimum of \$24,000. The committee is interested in this occurring. Matthew Albright mentioned that Jackie from Catalis will be coming next week to go over Catalis

#12 Cemetery Zoning- Before she left, Cheryl Dull received a survey concerning the expansion of a cemetery. There is nothing in the Zoning Ordinance covering cemeteries. She was not sure if it should be covered under a Conditional Use permit or not. Melissa suggested that this is a question for corporation council.

#13 Highway Functional Classification update- Matthew Albright presented the maps and other information on the updated to Highway Classification. This map periodically gets updated by the Wisconsin Department of Transportation. Changes are made based on traffic use. This map is used for road setbacks. Discussion followed. Steve Carrow moved to approve the Highway Functional Classification and to update the Zoning Ordinance. Seconded by Julie Fleming. Carrow, Turk, Luck and Fleming all said aye, Linda Gentes said no. Motion carried.

#15 Zoning Department update- Matt Albright reported that he plans on being in Richland Center one day a week and remote in as needed. He will check emails and voice mails from home. He will be handling the CSM reviews.

#14a Gary Olson Cost-share Contract- Cathy Cooper presented a cost-share contract for completing a stream crossing on the Gary Olson property on a tributary to Mill Creek. This is a 2023 contract for a cost-share amount of \$3,579.10. Linda Gentes moved to approve the cost-share contract for Gary Olson in the amount of \$3,579.00. Seconded by Steve Carrow. All said aye. Motion carried.

#14b. Dennis Dosch Cost-share contract- Cathy Cooper presented a cost-share contract for stream bank protection on the Dennis Dosch property on the upper reaches of Mill Creek. This is a 2023 contract for a cost-share amount of \$11,088.

Steve Carrow moved to approve the cost-share contract for Dennis Dosch in the amount of \$11,088.00. Seconded by Julie Fleming. All said aye. Motion carried.

#14c Contract extensions- Cathy Cooper reported that the county is allowed to extend contracts from 2023 into 2024. There are 3 contracts to be extended into 2024. Randy Manning for cover crop, Gary Olson for a stream crossing and Dennis Dosch for stream bank protection. Linda Gentes moved to extend Randy Manning's, Gary Olson's and Dennis Dosch's contract into 2024. Seconded by Julie Fleming. All said aye. Motion carried.

#16 Land Conservation Department update- Cathy Cooper said again that Kent Marshall will be retiring January 12, 2024 and Kori Rogers will be starting January 15, 2024. She also said the online trees sales are working well.

17 Public Comment- None

#18 Future agenda items- Short term rentals, cemetery zoning classification, Catalis database transfer, abandoned vehicles, Neefe sand mine, RV/campers in different zoning districts and manure storage ordinance.

#19 Adjournment-Julie Fleming moved to adjourn the meeting until February 5, 2024. Seconded made by Steve Carrow. All said aye. Motion carried. Meeting adjourned at 4:26 p.m.

Respectfully submitted,

Cathy Cooper

Cathy Cooper
Secretary pro temp
Land & Zoning Secretary

Customer # 10549

Petition # RZ2023-035

COUNTY OF RICHLAND ZONING COMMITTEE
NOTICE OF PETITION

Original Owner: Dennis & Lynn Hardy

(I) (We) First Name(s) Dennis & Lynn Last Name Hardy Phone (608) 438-2937 Seller

Address 507 S Freemont City Prairie Du Chien State WI Zip 53821

First Name(s) Last Name Phone

Address City State WI Zip

hereby petition the Richland County Zoning Committee for a:

☒ Rezone from Agriculture/Forestry Rezone to Agriculture/Residential☐ CUP to permit☐ SUP to permit☐ Other

Authorized by Section(s) of the Richland County Zoning Ordinance.

Present description of the property involved in this petition is as follows: Parcel # 52010 1624-1000

Qtr SE Qtr NW Section 16 Town 9N Range 1W Township EAG9 # of acres 74.00

Lot Block Subdivision # of Acres Approved 10.59

Present Use Farm land, residence and building

Present Improvements House, barn, sheds and well

Proposed Use Shed and vacant land, sell remainder of land

Legal Description

Petition Filed 11/15/2023 Petitioner Notified Rezone Decision Ordinance #

Category Rezoning Town Notified CUP Decision CB Date

Fee Amount \$500.00 ☐ Township Approval CUP Expires CB Decision

Meeting Date 1/2/24 Decision Date SUP Decision Amendment #

Comments 2.5+/- acre parcel at 30568 County Hwy E.
2.5+/- acres sold to cemetery and 7+/- acres rezoned
to Ag/Res to keep. Remainder of 2 parcels sold.

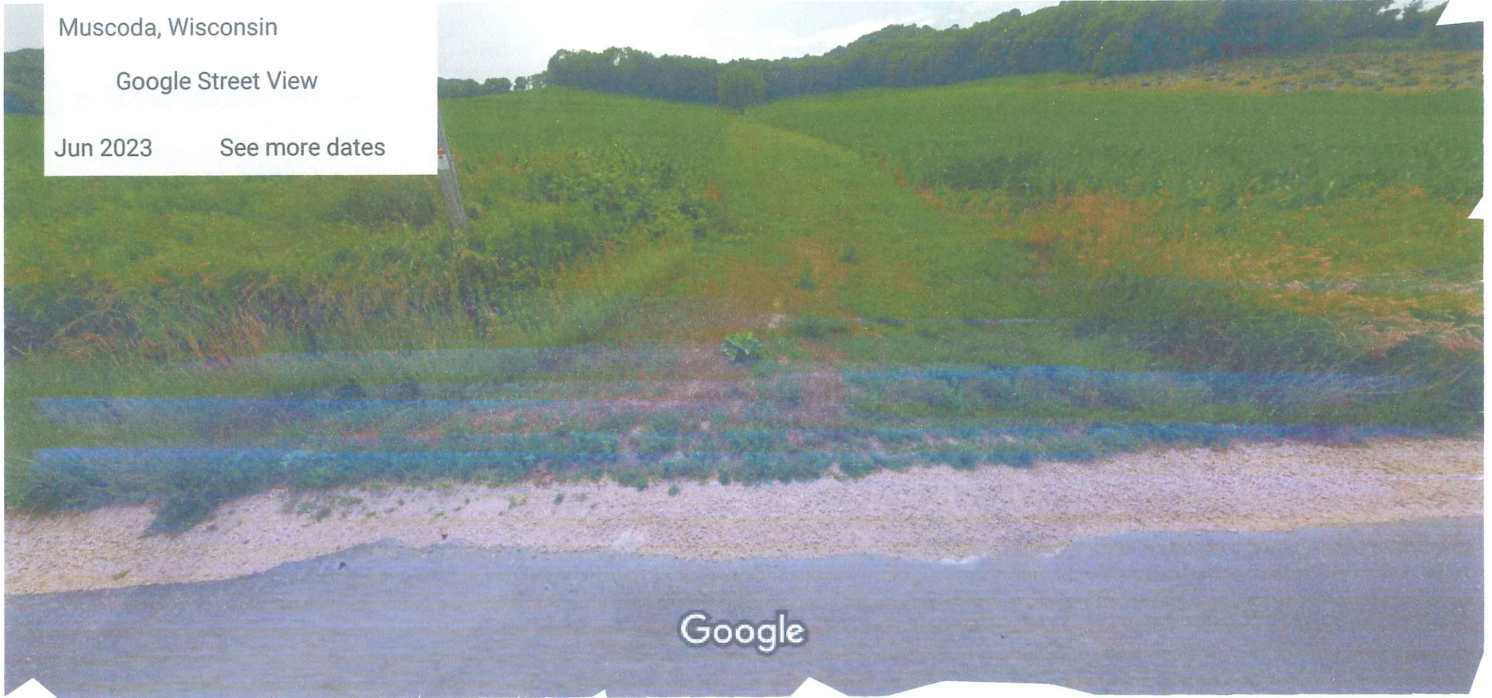
County Clerk Approval

(Signed) Appellant(s) or Agent(s)

Name	Title	Address	City	State	Zip
DENNIS M & LYNN A HARDY		507 S FREMONT ST	PRAIRIE DU CHIEN	WI	53821
RICHARD A MARTIN & JAN A NOWLEN		30373 COUNTY HWY E	MUSCODA	WI	53573
GARY L & CAROL NELSON		18450 STATE HWY 60	BLUE RIVER	WI	53518
ERIC J, NICHOL M & MICHAEL J MARTIN		PO BOX 456	IRON RIVER	WI	54847
BASSWOOD UNION CHURCH & CEMETERY		181 W SEMINARY ST	RICHLAND CENTER	WI	53581
LOREN L & ALISON P JOHNSON		408 LEXINTON DR	CLEAR LAKE	IA	50428
DRONES HIDDEN SPRINGS FARM LLC		PO BOX 123	BLOOMINGTON	WI	53804
LYLE J PROPP		30641 COUNTY HWY E	MUSCODA	WI	53573
PERKINS FARMS LLC		1255 ARBOR LN	RICHLAND CENTER	WI	53581
Steve Williamson	Supervisory District 17	17998 State Hwy 60	BLUE RIVER	WI	53518
Bobbi Ann Goplin	Eagle Township Clerk	19099 Crossover Rd	MUSCODA	WI	53573

11A
8Ne

Google Maps 30373 County Rd E



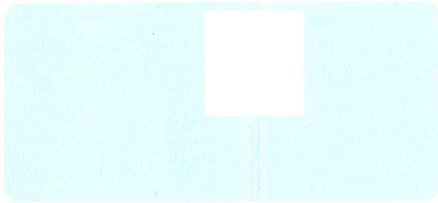
Muscoda, Wisconsin

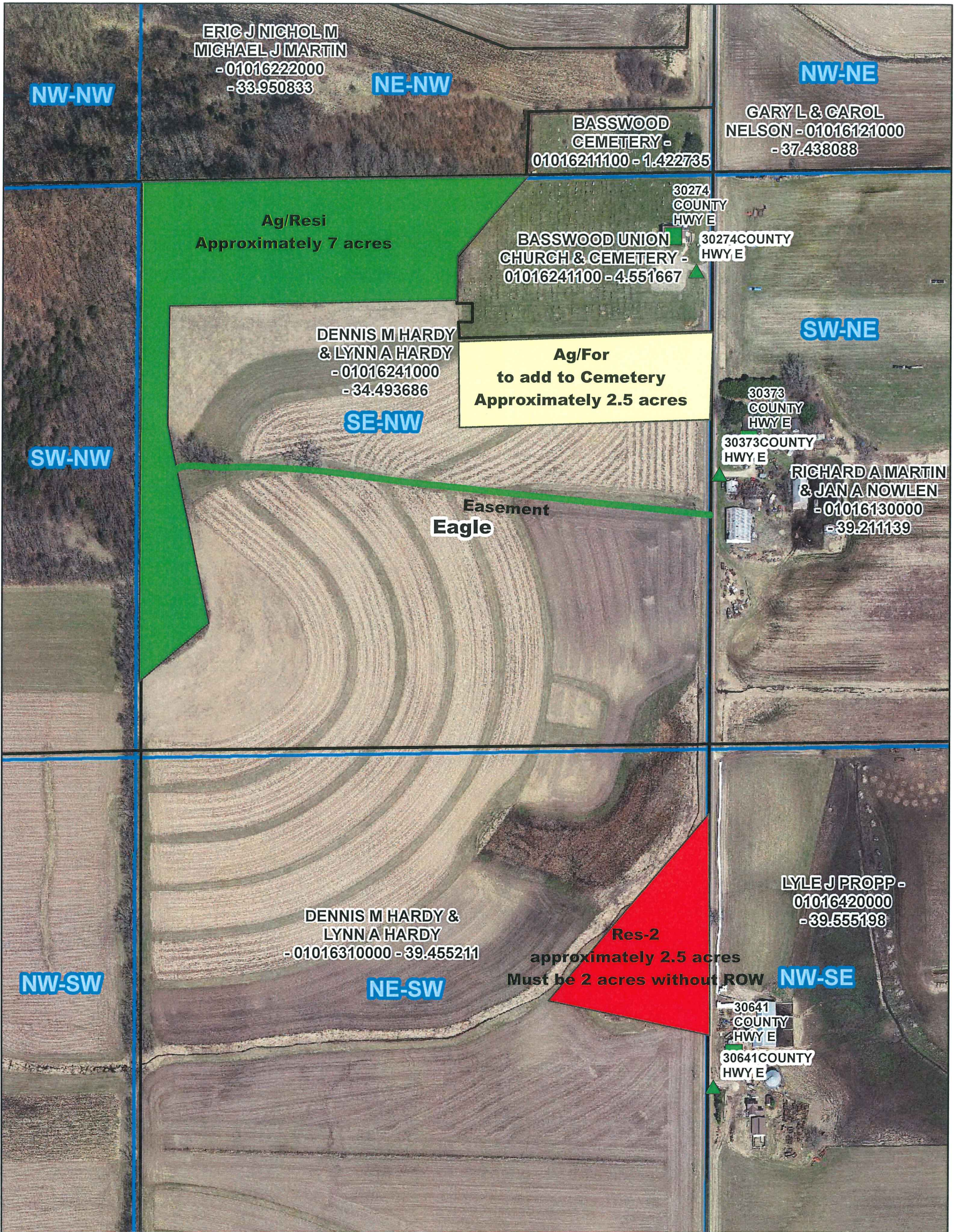
Google Street View

Jun 2023

See more dates

Image capture: Jun 2023 © 2023 Google







Matthew Albright

From: Brian McGraw <mcgraw1855@gmail.com>
Sent: Thursday, January 11, 2024 7:52 AM
To: Matthew Albright
Cc: Bobbi Ann Goplin
Subject: Dennis Hardy- Request to Rezone Parcels

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Matt. I am the Town Chair for the Town of Eagle . The Plan Commission and Board met last night to consider Mr Hardy's request to rezone part of Parcel Number 010-6241-1000 and part of Parcel Number 010-1631-1000.

With respect to 6241-1000, Mr. Hardy requested 7 acres of mostly woodland be rezoned to A-R. Access from County Highway E will be by a sixty-six foot easement. The remaining 28 acres will be sold along with adjacent cropland to a prospective purchaser and will continue to be zoned A-F.

With respect to 1631-1000, Mr Hardy requested at least 2 acres of the property, which is located at 30568 County Highway E and is the old farmstead, be rezoned to R-2. The remaining acreage will be sold along with adjacent crop ground to a prospective purchaser and will continue to be zoned A-F.

In both cases, the exact location and size will be shown on surveys that will be completed shortly.

The Plan Commission and Board voted unanimously to recommend the County Zoning Committee approve the rezoning requests as detailed above.

Please contact me if you have any questions regarding this recommendation. Thank you.

Brian McGraw, Town Chair
608 778 2260

Bobbi Ann, please forward this email to Mr. Hardy. Thanks.
Brian

Public Notices

STATE OF WISCONSIN
CIRCUIT COURT
RICHLAND COUNTY
Case No. 23CV000099
DISCOVER BANK
Plaintiff,

vs.

KAYLA N PERSINGER

Defendant.

AMENDED SUMMONS
THE STATE OF WISCONSIN
TO: KAYLA N PERSINGER
815 S. JAMES ST.
RICHLAND CTR WI 53581-2814

You are hereby notified that the Plaintiff named above has filed a lawsuit or other legal action against you. The Complaint, which is also served on you, states the nature and basis of the legal action.

Within Forty (40) days after January 18, 2024, you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the Complaint. The court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the court, whose address is: CLERK OF CIRCUIT COURT, RICHLAND COUNTY, PO BOX 655 - 181 W SEMINARY, RICHLAND CENTER WI 53581 and the Kohn Law Firm, Plaintiff's attorneys, whose address is 735 N. Water St., Suite 1300, Milwaukee, WI 53202. You may have an attorney help or represent you.

If no Complaint accompanies this Summons you must respond within the said 40 day period with a written demand for a copy of the Complaint by mailing or delivering said written demand to the court and to the Plaintiff's attorneys at their respective addresses listed above.

If you do not provide a proper answer to the Complaint or provide a written demand for said complaint within the 40 day period, the court may grant judgment against you for the award of money or other legal action requested in the Complaint, and you may lose your right to object to anything that is or may be incorrect in the Complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may be enforced by garnishment or seizure of property.

Dated at Milwaukee, Wisconsin.
January 4, 2024.
KOHN LAW FIRM S.C.
ELECTRONICALLY SIGNED BY:
/S/DANIEL E. KELLUM
DANIEL E. KELLUM
State Bar No. 1094987
Attorney for Plaintiff
Pub.: Jan. 18-25, Feb. 1, 2024

STATE OF WISCONSIN
CIRCUIT COURT
RICHLAND COUNTY
Case No: 23CV100
Westby Co-op Credit Union
Plaintiff.

Courthouse, 181 W Seminary,
Richland Center, WI 53581-2355,
and to Plaintiff's attorney, whose
mailing address is PO Box 1473,
Wausau, Wisconsin 54402-1473.
You may have an attorney help or
represent you.

If you do not provide a proper
Answer within 40 days after
(January 18, 2024), the Court
may grant Judgment against you
for the award of money or other
legal action requested in the
Complaint, and you may lose your
right to object to anything that is or
may be incorrect in the Complaint.
A Judgment may be enforced
as provided by law. A judgment
awarding money may become a
lien against any real estate you
own now or in the future, and may
also be enforced by garnishment
or seizure of property.

Dated this 11th day of January,
2024.

Bates Legal Group, LLC
Attorneys for Plaintiff
By: /s/ Attorney Justin J. Bates
Justin J. Bates
State Bar No. 1066128
P.O. Box 1473
Wausau, WI 54402-1473
(715) 843-5599
Pub.: Jan. 18-25, Feb. 1, 2024
WNAXLP

STATE OF WISCONSIN
CIRCUIT COURT
RICHLAND COUNTY
Notice to Creditors
(Informal Administration)
Case No. 2023PR46
IN THE MATTER OF THE
ESTATE OF Deborah L. Hughes
PLEASE TAKE NOTICE:

1. An application for informal
administration was filed.

2. The decedent, with date of
birth January 8, 1955 and date of
death November 21, 2023, was
domiciled in Richland County,
State of Wisconsin, with a mailing
address of 25951 Circle View
Drive, Apt. 305, Richland Center,
WI 53581.

3. All interested persons
waived notice.

4. The deadline for filing a
claim against the decedent's
estate is April 1, 2024.

5. A claim may be filed at the
Richland County Courthouse,
Richland Center, Wisconsin,
Room 202 - Register in Probate
Office.

Form completed by:
Tyler Wilkinson
285 S. Winsted Street
Spring Green, WI 53588
Telephone: (608) 588-0600
Bar Number 1077861
Pub.: Jan. 25, Feb. 1-8, 2024
WNAXLP

STATE OF WISCONSIN
CIRCUIT COURT
RICHLAND COUNTY
Notice to Creditors
(Informal Administration)
Case No. 2024PR01
IN THE MATTER OF THE
ESTATE OF EUGENE KURT
SHARP, a/k/a GENE KURT
SHARP
PLEASE TAKE NOTICE.

STATE OF WISCONSIN,
CIRCUIT COURT,
SAUK COUNTY
Publication Summons and Notice
(Small Claims)
Case No. 2023SC001350
Plaintiff(s):

Recovery Exchange, LLC
485 Cayuga Rd
Cheektowaga NY 14225

-vs-

Defendant(s):
Jordan D Scranton
608 N Main St Apt 1
Richland Center WI 53581

If you require reasonable
accommodations due to a
disability to participate in the court
process, please call 608-355-
3287/TTY 355-3490 prior to the
scheduled court date. Please
note that the court does not
provide transportation.

Publication Summons and Notice
of Filing

TO THE PERSON(S) NAMED
ABOVE AS DEFENDANT(S):

You are being sued by the
person(s) named above as
Plaintiff(s). A copy of the claim has
been sent to you at your address
as stated in the caption above.

The lawsuit will be heard in the
following small claims court:

Sauk County Courthouse
Telephone Number of clerk of
court: 608-355-3287/TTY
355-3490

Courtroom/Room Number: PO
Box 449

Address: 510 Oak Street
City: Baraboo, WI 53913-0449 on
the following date and time:

Date: 2/14/2024 Time: 11:30 a.m.

If you do not attend the
hearing, the court may enter a
judgment against you in favor of
the person(s) suing you. A copy
of the claim has been sent to you
at your address as stated in the
caption above. A judgment may
be enforced as provided by law.
A judgment awarding money may
become a lien against any real
estate (property) you own now
or in the future, and may also
be enforced by garnishment or
seizure of property.

You may have the option to
Answer without appearing in
court on the court date by filing
a written Answer with the clerk of
court before the court date. You
must send a copy of your Answer
to the Plaintiff(s) named above at
their address. You may contact
the clerk of court at the telephone
number above to determine if
there are other methods to answer
a Small Claims complaint in that
county.

Plaintiff/Attorney: Electronically
Signed by Emma N. Schaefer
Date: 1/17/2024

Plaintiff's/Attorney's Telephone
Number: 262-641-3715
Attorney's State Bar Number:
1116788

Law Firm and Address:
Dobberstein Law Firm, LLC
225 S. Executive Dr. Suite 201
Brookfield, WI 53005
Pub.: 1-25-24 WNAXLP

Richland County Zoning & Land
Information

Richland County Courthouse
181 W. Seminary St.
Richland Center, WI 53581
Notice is hereby given that
the Richland County Land and
Zoning Standing Committee will
be meeting on February 5, 2024
at 3:00 p.m. in the County Board
Room and by WebEx, Richland
County Courthouse, 181 W.
Seminary St., Richland Center,
Wisconsin for the following
reasons:

Via WebEx with [https://
administrator.co.richland.wi.us/
minutes/land-zoning/](https://administrator.co.richland.wi.us/minutes/land-zoning/)

1. To hear a petition of Dennis
& Lynn Hardy to rezone 10 acres
from Agriculture/Forestry to
Agricultural/Residential in Section
16, Town of Eagle.

Information concerning
this property including legal
descriptions, maps and
applications are available for
review at the Richland County
Zoning Office at the above
address.

Agenda

1. Call to Order
2. Approve agenda and
publication

3. Hardy petition

4. Adjourn

Pub.: Jan. 25-Feb. 1, 2024
WNAXLP

Frontier provides flat rate
residential service in Wisconsin
from \$13.50 - \$21.50 and
business service from \$19.00 -
\$35.50. Other taxes, fees, and
surcharges may apply. Frontier
offers single party service, touch
tone, toll blocking, access to long
distance, emergency services,
operator assistance, and
directory assistance. Use of these
services may result in additional
charges. Budget or economy
services may also be available.
Frontier offers Lifeline service
which is a nontransferable
government assistance program
that provides a \$5.25 discount
on the cost of monthly telephone
service or \$9.25 on eligible
broadband or bundled voice
and broadband products (where
available) and is limited to
one discount per household.
In addition to Basic Lifeline,
individuals living on federally
recognized Tribal Lands who
meet the eligibility criteria may
also qualify for additional monthly
discounts through Enhanced
Lifeline and up to \$100.00 toward
installation fees through the Tribal
Link-Up program. You may also
qualify for an additional state
discount up to \$9.25 depending
on the services you subscribe to.
If you have any questions
regarding Frontier's rates or
services, please call us at 1-800-
921-8101 for further information
or visit us at www.Frontier.com.
1/25/24
CNS-3771082#
RICHLAND OBSERVER

structing the columbarium. The care fund and any income from investment of the care fund may be used only to maintain the columbarium.

(e) 1. Annually, the religious association shall file a certification with the department on a form prescribed and furnished by the department that includes all of the following:

a. The name and address of the religious association and the address where the columbarium is located.

b. A notarized statement of an authorized agent of the religious association that the religious association is in full compliance with par. (d).

2. A certification under this paragraph is effective for a 12-month period, beginning on the date the certification is filed with the department.

3. During the effective period specified under subd. 2., the department may not audit the care fund or any records or accounts of the religious association relating to the care fund for the columbarium to which the certification applies.

4. The religious association is liable for the damages of any person resulting from the failure of the religious association to fully comply with par. (d) during the effective period specified under subd. 2.

(3) APPLICATION. (a) Except as provided under par. (b), this section applies to all columbaria, including columbaria for which initial construction was commenced prior to November 13, 2015.

(b) This section does not apply to a columbarium for which initial construction was commenced during the period beginning on November 13, 2015, and ending on November 30, 2016.

History: 2015 a. 95.

157.125 Trustees for the care of cemeteries or cemetery lots. (1) If a trust is created for the care of a burial place or grave but no trustee is named in the will to administer the trust, the circuit court having jurisdiction may name the county treasurer of the county in which the burial place or grave is situated as trustee, except as provided in sub. (2). If not contrary to the terms of the trust, the county treasurer may contract with the person in charge of the burial place or grave for its care and pay to that person the income from the trust property or the part of the income that may be necessary for that purpose. If there is no person in charge of the burial place or grave, then the income shall be paid to the city, village, or town, in which the burial place or grave is situated, and for the purposes of this subsection, the governing body of that municipality has the duty of caring for the burial place or grave to the extent of money received for that purpose. The county treasurer shall annually render an account to the circuit court as provided in ch. 701 and the person or municipality receiving money for such care shall also render an annual accounting to the circuit court and the cemetery board as provided in s. 157.62 (2) (b) 3. to 7.

(2) If the burial place or grave is located in a cemetery owned and operated by, or affiliated with, a religious association, the court shall name the religious association as the trustee unless the religious association petitions the court to name the county treasurer as the trustee.

History: 1971 c. 41 s. 11; 1979 c. 175 s. 50; 1989 a. 307; 2015 a. 237.

157.128 Minimum acreage requirement for cemetery established on or after November 1, 1991. (1) Except as provided in subs. (2) and (3), no cemetery may be dedicated on or after November 1, 1991, unless the cemetery consists of at least 20 contiguous acres.

(2) A cemetery consisting of less than 20 contiguous acres may be dedicated on or after November 1, 1991, if all of the following apply:

(a) The cemetery is owned by a religious association.

(b) The religious association is responsible for all liabilities of the cemetery.

(c) The total acreage of all other cemeteries owned by the religious association exceeds 20 acres.

(3) (a) A cemetery consisting of less than 20 contiguous acres may be dedicated in a municipality that has enacted an ordinance under s. 157.129 if the cemetery meets the minimum acreage requirement specified in that ordinance.

(b) A cemetery consisting of less than 20 contiguous acres may be dedicated by a cemetery authority that is not required to be licensed under s. 440.91 (1) and that is not organized or conducted for pecuniary profit.

History: 1989 a. 307; 1991 a. 269; 1999 a. 150 s. 672; 2005 a. 25.

157.129 Minimum acreage of cemeteries; local ordinance. A city, village or town may enact and enforce an ordinance that does any of the following:

(1) Allows a cemetery consisting of less than the minimum acreage specified in s. 157.128 (1) to be dedicated, as defined in s. 157.061 (4), in that city, village or town.

(2) Allows a person to establish and use a public mausoleum in a cemetery consisting of less than the minimum acreage specified in s. 157.12 (2) (c).

History: 1991 a. 269; 1999 a. 150 s. 157; Stats. s. 157.129.

157.19 Deposit and investment of care funds and preneed trust funds. (1) In this section, “financial institution” has the meaning given in s. 705.01 (3), but, except with respect to the deposit of preneed trust funds, also includes a broker–dealer registered under s. 551.401 (1) or exempt from registration under s. 551.401 (2).

(2) (a) Except as provided in sub. (5) and the rules promulgated under sub. (4), the cemetery authority may deposit care funds under s. 157.11 (9g), and shall deposit care funds under s. 157.12 (3) and preneed trust funds under s. 440.92, with a financial institution located in this state. The financial institution shall be the trustee of the care funds and preneed trust funds. A bank need not comply with s. 221.0316 (1) or (2) or ch. 223 to accept or disburse deposits under this section. The trustee shall invest the care funds and preneed trust funds as provided under s. 881.01, except as provided in sub. (5) and the rules promulgated under sub. (4).

(b) The cemetery authority may not change the trustee of a care fund under s. 157.11 (9g) that is deposited under this section or of a care fund under s. 157.12 (3), and the financial institution may not release any portion of the principal amount of the care fund, without the cemetery board’s written approval.

(c) Upon request of the financial institution, the preneed seller, as defined in s. 440.90 (8), shall furnish the financial institution with a copy of the preneed sales contract. Except as provided in s. 440.92 (2) (c), (f) and (j) and (5), preneed trust funds, and any interest or dividends that have accumulated on the preneed trust funds, may not be withdrawn until all obligations under the preneed sales contract have been fulfilled. The financial institution is not responsible for the fulfillment of any part of the preneed sales contract, except that the financial institution shall release the preneed trust funds, and any interest or dividends that have accumulated on the preneed trust funds, as provided by the terms of the preneed sales contract. The trustee of a preneed trust fund may not be changed without the cemetery board’s written approval. If the trustee or account number of a preneed trust fund is changed, the cemetery authority shall notify the cemetery board in writing within 30 days after the change.

(d) The cemetery board shall promulgate rules establishing reasonable requirements and standards for the approval of changes under pars. (b) and (c). For approval of changes under par. (b), the rules shall require the cemetery authority to submit evidence that the rights and interests of the beneficiary of the care fund will be adequately protected if the change is approved. For approval of changes under par. (c), the rules shall require the trustee to submit evidence that the rights and interests of the pur-

Chapter 280XXX. Short-Term Rentals

§ 280XXX-1. Purposes.

The purposes of this ordinance are to ensure that the quality of short-term rentals operating within the County is adequate for protecting public health, safety and general welfare by establishing:

- a. minimum standards of space for human occupancy and parking
- b. adequate level of maintenance
- c. the responsibilities of owners and property managers operating or managing these rental properties for tourists or transient occupants

In addition, it is the intent of this ordinance to determine the responsibility of owners/property managers to expeditiously and personally respond to, stop, mitigate, or prevent the reoccurrence of unreasonable activities on, or conditions, uses or misuses of, these rental properties which adversely impact or substantially annoy, disturb, threaten, harm, offend or interfere with the residential uses, nature or values of other properties in the neighborhoods in which these rental properties operate.

§ 280XXX-2. Definitions.

- A. As used in this chapter, the following terms shall have the meanings indicated:

DWELLING UNIT

One or more rooms designed, occupied, used, or intended to be occupied or used, as separate living quarters, with a food preparation area and sleeping and sanitary facilities provided within such room(s).

ENTITY

A corporation, investment company, limited partnership, limited-liability partnership, limited- liability company, cooperative association, unincorporated cooperative association, common law trust, or any other group or organization licensed to do business in this state.

LAND AND ZONING STANDING COMMITTEE

Committee of the Richland County Board of Supervisors responsible for ...

LICENSE or CUP, need to decide which route to take

The short-term rental license issued under § 280XXX-4.

LICENSE YEAR

The period from July 1 of each year to June 30 of the following year.

OCCUPANT

Any person, over one year of age, living, sleeping, cooking or eating in, or having actual possession of, a dwelling unit.

PERSON

An individual, group of individuals, or an entity.

PROPERTY MANAGER

Any person who is not the property owner and is authorized by the property owner, expressly or impliedly, to act as agent and as the local contact person on behalf of the property owner for one or more short-term rental, and to take remedial action and promptly respond to any violation of this chapter.

PROPERTY OWNER

The owner of a short-term rental.

RENEWAL LICENSE need to decide if we will do one-time fee or annual renewal

Any license issued under this Chapter 280 which will be or is in effect for the license year immediately following a license year for which the Town Clerk issued a license under this chapter for the same short-term rental property.

SHORT-TERM RENTAL

A residential dwelling that is offered for rent for a fee and for fewer than 30 consecutive days, as defined in Wis. Stats., § 66.0615(1)(dk). Add note that state calls it a Tourist Rooming House??

ZONING ADMINISTRATOR

Richland County Zoning Department employee or designee

§ ~~280~~XXX-3. Operation of short-term rentals.

- A. No person may maintain, manage or operate a short-term rental more than 10 nights each license year without a short-term rental license. Every short-term rental shall be operated by a property owner or property manager.
- B. Each short-term rental property owner is required to have the following licenses and permits:
 - (1) A state of Wisconsin tourist rooming house license. Information can be found at https://datcp.wi.gov/Pages/Programs_Services/TouristRoomingHouses.aspx
 - (2) A seller's permit issued by the Wisconsin Department of Revenue, unless all rentals of the property are exempt from such permit requirement per state regulations.
 - (3) A license /CUP? from ~~the Town of Holland~~ Richland County issued pursuant to this chapter.
- C. Each short-term rental shall comply with all of the following:
 - (1) The number of occupants in any dwelling unit shall not exceed the limits set forth in Wis. Admin. Code § ATCP 72.14 for hotels, motels, and tourist rooming houses.
 - (2) No recreational vehicles (RVs), campers, tents or other temporary lodging arrangements shall be permitted on site as a means of providing additional accommodations for paying guests or other invitees.
 - (3) If the property owner resides within 35-60 miles of the short-term rental property, a local property manager is not required to be designated. The property owner shall be available

between the hours of 8:00 a.m. and 11:00 p.m. on those days when the property is rented. The property owner must notify the Town Clerk Zoning Administrator within three business days of any change in the property owner's contact information and submit the revised contact information to the Town Clerk Zoning Administrator within the same time period.

- (4) Unless the property owner resides within 35-60 miles of the short-term rental property, a local property manager must be designated for contact purposes and his or her name must be included in the application filed with the Town Clerk Zoning Administrator. The local property manager must reside within 60-35 miles of the short-term rental property and shall be available between the hours of 8:00 a.m. and 11:00 p.m. on those days when the property is rented. The property owner must notify the Town Clerk Zoning Administrator within three business days of any change in the property manager's contact information for the short-term rental and submit the revised contact information to the Town Clerk Zoning Administrator within the same time period.

§ 280XXX-4. Short-term rental license. A license is required for each individual unit of rental. If there is more than one unit in the same building a separate license is required for each unit.

- A. The Town Clerk Zoning Administrator shall issue a short-term rental license if an applicant demonstrates compliance with the provisions of Chapter 280-XXX of the Town Code the County Ordinance. A short-term rental license is issued for one two? license-years -need to decide on this and may be renewed bi-annually? as provided in § 280XXX-6. The license shall contain the following information:
 - (1) The name of the property owner, with contact information including mailing address and a telephone number at which the property owner is available. If the property owner is also acting as the property manager, then the requirements of Subsection A(2) shall apply to the property owner.
 - (2) The name of the property manager, with contact information, including mailing address, physical address (if different from mailing address) and a telephone number at which the property manager shall be available between the hours of 8:00 a.m. and 11:00 p.m. on those days when the property is rented.
 - (3) The license term.
 - (4) The state of Wisconsin tourist rooming house license number.

§ 280XXX-5. Short-term rental license procedure.

- A. All applications for a short-term rental license shall be filed with the Town Clerk Zoning Administrator on forms provided by the Clerk Administrator. Applications must be filed by the property owner or the property manager. No license shall be issued unless the completed

application form is accompanied by payment of the required application fee, which fee shall be nonrefundable.

- B. Each application shall include the following information and documentation for each short-term rental unit in order to demonstrate compliance with all requirements of this chapter, including, but not limited to, § ~~280XXX~~-8:

(1) The name of the property owner, with contact information including mailing address and a telephone number at which the property owner is available. If the property owner is also acting as the property manager, then the application shall include mailing address, physical address (if different from mailing address) and a telephone number at which the property owner shall be available between the hours of 8:00 a.m. and 11:00 p.m. on those days when the property is rented.

(1)(2) A copy of the state of Wisconsin tourist rooming house license issued under Wis. Stats. § 97.605; or proof that such state license has been applied for, in which event a provisional short-term rental license may be issued under this chapter for a period of 30 days but shall be conditioned upon the ~~Town Clerk's~~ Zoning Administrator's receipt of a copy of such state license from the applicant within said thirty-day period, and if a copy of such state license is not received by the Clerk within said period, then such provisional license shall expire and be void at and after the end of said thirty-day period.

(2)(3) Designation of a property manager, unless the property owner is acting as the property manager, with contact information, including mailing address, physical address (if different from mailing address) and a telephone number at which the property manager shall be available between the hours of 8:00 a.m. and 11:00 p.m. on those days when the property is rented, and an affirmative statement that the property manager is authorized to act as agent and as the local contact person for the property owner with respect to operation of the short-term rental, including taking remedial action and promptly responding to any violation of this chapter or the ~~Town Code~~ County Ordinance relating to the licensed premises, and receiving service of notice of violation of this chapter's provisions.

(3)(4) Written certification by the property owner that the short-term rental meets the requirements of this chapter and applicable state and county laws, ordinances and regulations.

- C. Unless earlier revoked, each license shall run from July 1 of one year to June 30 of the following year and may be renewed for additional one-year periods. The application fee shall be paid upon filing of the application. Any application that does not include all of the information and supporting documentation required by this chapter shall not be considered as complete.
- D. When the ~~Town Clerk~~ Zoning Administrator determines that an application is complete and meets the requirements of this chapter, the ~~Clerk~~ Zoning Administrator shall approve the application and issue a short-term rental license (or, if applicable, a provisional short-term rental license) to the applicant. If the ~~Clerk~~ Administrator determines that the application is incomplete or does not meet the requirements of this chapter, the ~~Clerk~~ Administrator shall deny the application and

inform the applicant, in writing, of the reason(s) why the application was denied and what action is needed to obtain approval of the application.

~~E.~~ If the applicant or short-term rental property has outstanding fees, taxes, special charges or forfeitures owed to Richland County this may be a factor in whether or not the application will be approved-

E. No short-term rental license (or, if applicable, a provisional short-term rental ordinance license) shall be issued if the applicant or short-term rental property is found to be subject to one of the grounds for revocation as provided in § 280XXX-9D.

F. License is non-transferrable. No refunds.

§ 280XXX-6. Renewal. Need to decide if we are doing one time CUP or annual license

A. Each application for renewal of a short-term rental license shall include updated information for the documentation on file with the ~~Town Clerk~~Zoning Administrator, and payment of the renewal fee. A renewal application must be filed with, and a nonrefundable renewal fee must be paid to, the Clerk Zoning Administrator at least 90 days prior to the license expiration date to allow the ~~Town Clerk~~ Administrator adequate time to review the application. The ~~Clerk~~ Administrator shall determine whether the information provided in the renewal application is complete and meets the requirements of this chapter. The Clerk Administrator may also request reports from the ~~Town~~ Building Inspector, the Sheriff's Department and other law enforcement agencies regarding any enforcement actions taken with respect to the short-term rental properties and operations, and their owners, tenants, occupants or visitors. The Clerk Administrator shall review the renewal application and may approve or deny the application after taking into consideration the number, frequency and/or severity of law violations relating to the short-term rental property and operations, and its owner(s), tenant(s), occupant(s) or visitor(s), and whether such violations substantially harm or adversely impact the predominantly residential uses and nature of the surrounding neighborhood. If after such consideration the Clerk Administrator determines not to renew the license, the Clerk Administrator shall notify the applicant in writing of the reason(s) for such decision, and the applicant's right to appeal the decision to the ~~Town Board~~Richland County Land and Zoning Committee as provided in § 280XXX-9.

B. No license shall be renewed if the short-term rental property is under an order issued by the Building Inspector or a local health officer, or his or her designee, to bring the premises into compliance with state, county or local laws, codes, rules or regulations.

§ 280XXX-7. Standards for short-term rentals.

A. Each short-term rental shall comply with this chapter's requirements and any other applicable state, county or local laws, codes, rules or regulations. Each short-term rental shall comply with the following standards:

- (1) The number of occupants may not be more than allowed under Wis. Admin. Code Ch. ATPC 72 or any other state regulation, state statute, or local ordinance.

(2) The minimum number of on-site, off-road parking spaces shall equal the short-term rental property's advertised maximum sleeping capacity divided by four, with the quotient rounded up to the nearest whole number. For a short-term rental property abutting a private road with fewer than two driving lanes, no parking spaces on the road may be considered and all parking spaces must be provided on-site. For a short-term rental property abutting a public road that has designated on-road parking spaces, the minimum number of required on-site parking spaces may be reduced by the total number of designated on-road parking spaces which lie within the abutting road frontage and within 100 feet of the short-term rental property's main entrance driveway or doorway.

§ ~~280XXX~~-8. Display of permit.

Each license shall be displayed on the inside of the main entrance door of each short-term rental.

§ ~~280XXX~~-9. Appeal of licensing decisions; license revocation; appeal procedure; judicial review.

A. The ~~Town Clerk's~~ Zoning Administrator's decision to deny an initial short-term rental license or to deny renewal of a short-term rental license shall specify the reason(s) for such denial, in writing. Prior to the time for the renewal of the license, the ~~Town Clerk~~ Zoning Administrator shall notify the licensee in writing of the ~~Town's County's~~ intention not to renew the license and notify the licensee of his or her right to an appeal hearing as provided in § ~~280XXX~~-9B8.

~~B.~~ The Zoning Administrator's decision to deny an initial license or to deny renewal of a license may be appealed to the Land & Zoning Standing Committee by filing a written appeal with the Administrator within 21 calendar days (excluding legal holidays) after the date of mailing of the written notice of the Zoning Administrator's decision denying such license or renewal license. The Land & Zoning Standing Committee shall conduct a due process hearing and issue a written decision on the appeal within 30 calendar days of the County's receipt of the written appeal, or the license shall be deemed granted. If the appellant appears at the hearing he or she may produce and cross-examine witnesses, present relevant evidence, and be represented by counsel or his or her choosing, at his or her expense. If the Land & Zoning Standing Committee finds the Zoning Administrator's reason(s) for his or her decision sufficient, the decision shall be affirmed. If the Committee finds the Zoning Administrator's reason(s) for his or her decision insufficient, the decision shall be reversed, and the license shall be granted and issued. If the appellant does not appear at the hearing and the Committee finds the Zoning Administrator's reason(s) for his or her decision sufficient, the decision shall be affirmed. The Committee's written decision on the appeal must specify the reason(s) for its determination. The Zoning Administrator shall give written notice of the Committee's decision to the applicant or licensee.

~~C.B.~~ A license may be revoked by the Land & Zoning Standing Committee during the term of a license year and following a due process hearing for one or more of the following reasons:

- (1) Failure by the licensee to make payment of delinquent fees, taxes, special charges, forfeitures or other debt owed to the County.
- (2) Failure to maintain all required local, county and state licensing requirements.

- (3) Any violation of local, county or state laws or regulations which, based upon their number, frequency and/or severity, and their relation to the short-term rental property, its owner(s), tenant(s), occupant(s) or visitor(s), substantially harm or adversely impact the predominantly residential uses and nature of the surrounding neighborhood.

D.C. Revocation. Any resident of or owner of property within ~~the Town~~Richland County may file a sworn written complaint with the ~~Town Clerk~~Zoning Administrator alleging one or more of the reasons set forth in § ~~280XXX~~-9C as grounds for revocation of a short-term rental license issued under this chapter. Upon the filing of the complaint, the ~~Town Board~~Land & Zoning Standing Committee shall notify the licensee of the complaint by certified mail, return receipt requested and provide the licensee with a copy of the complaint. The notice shall direct the licensee to appear before the ~~Town Board~~Committee on a day, time and place included in the notice, not less than 10 days and not more than 45 days from the date of the notice, and show cause why his or her license should not be revoked. The hearing shall be conducted as provided in § ~~280XXX~~-9B. If a license is revoked, the ~~Town Clerk~~Zoning Administrator shall give notice of revocation to the licensee by certified mail, return receipt requested. No part of the fee paid for any license so revoked may be refunded.

E.D. Judicial review. The action of the ~~Town Board~~Land & Zoning Standing Committee- or Board of Adjustments first (Mr. Windle review) (do we need to add a step where they get to appeal to the whole county board- yes add County Board?) in granting or renewing, refusing to grant or renew, or revoking a license under this chapter may be reviewed by the Sheboygan-Richland County Circuit Court upon appeal by the applicant, licensee, or a resident of or owner of property within the ~~Town~~County. Such appeal shall be filed within 30 days of the date of mailing by the ~~Town Clerk~~Zoning Administrator of the notice of the ~~Town Board's~~Land & Zoning Standing Committee's action granting or renewing, refusing to grant or renew, or revoking a license. The procedure on review shall be the same as in civil actions commenced in the circuit court pursuant to Wis. Stats. Chs. 801 to 807.

§ ~~280XXX~~-10. Penalties.

A. Any person who violates any provision of this chapter shall be subject upon conviction thereof to a forfeiture of not less than \$250 nor more than \$750 for each offense, together with the costs of prosecution, and in the event of default of payment of such forfeiture and costs shall be imprisoned in the Sheboygan-Richland County Jail until such forfeiture and costs are paid, except that the amount owed is reduced at the rate of \$25 for each day of imprisonment and the maximum period of imprisonment is 30 days. Each violation and each day a violation occurs or continues to exist shall constitute a separate offense. Mr. Windle said could just reference fee language from zoning ordinance

A.B. The penalties set forth in this section shall be addition to all other remedies of injunction, abatement or costs, whether existing under this chapter or otherwise.

§ ~~280XXX~~-11. Fees.

Any person applying for an initial short-term rental license or renewing a license pursuant to this chapter shall be subject to the fees as established by resolution of the ~~Town Board~~Richland County Board.

§ ~~280XXX~~-12. Severability.

Should any portion of this chapter be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any other provisions of this chapter.

Add language about posting license number on sites (AirBnB etc)?

Resolution language to grandfather in exiting STRs...

Owners of STRs that are already renting on the date of the passage of this resolution will have 30 (or 60?) days to notify the Richland County Zoning Department that they are currently operating an STR in Richland County and will come into compliance with this ordinance by (insert date one year from approve of ordinance).

Applications expire same month each year or just one or two years from when apply?

Last discussed August 7th meeting. Watch video starts at 1:37:24 and ends at 2:28:19