



Richland County

Land & Zoning Standing Committee

March 18, 2024

NOTICE OF SPECIAL MEETING

Please be advised that the Richland County Land & Zoning Standing Committee will convene at 3:00 p.m., Monday, March 25, 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. Discussion and possible action on short-term rental ordinance
5. Discussion and possible action on becoming an agent of the Wisconsin Department of Agriculture, Trade and Consumer Protection
6. 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



Ordinance #6-2022 City of Hillsboro

AN ORDINANCE TO CREATE CHAPTER 7.12 OF THE CODE OF ORDINANCES OF THE CITY OF HILLSBORO, WISCONSIN

WHEREAS, the Common Council has determined that it is in the best interest of the City to issue permits and establish local regulations of short-term rental tourist rooming houses.

NOW, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF HILLSBORO, VERNON COUNTY, WISCONSIN, AS FOLLOWS:

Section 1. Chapter 7.12 of the Code of Ordinances of the City of Hillsboro, entitled "Short-Term Rental Regulations", shall be created to read as follows:

Sec.7.12.01 Purpose

The purpose of this Chapter is to ensure the quality of tourist rooming houses operating within the City of Hillsboro to protect the public health, safety, and general welfare. The City has determined that it can serve this purpose by establishing minimum standards of space for human occupancy; by establishing standards for adequate maintenance of these properties; by determining the responsibilities of owners, operators, and property managers offering these properties to tourists; by protecting the character and stability of all areas within the City of Hillsboro; by providing minimum standards necessary for the health and safety of persons occupying or using buildings, structures, or premises; and by providing for the administration and enforcement of such regulations.

Sec. 7.12.02 Definitions

A. For purposes of this Chapter, the following definitions shall apply:

- (1) "Bathroom" means an enclosed room with a toilet, washbasin, and shower or bathtub.
- (2) "Clerk" means the City Clerk or its designee.
- (3) "Owner" means the property owner of a tourist rooming house.
- (4) "Resident operator" means a person who has been designated by the Owner to operate the tourist rooming house and who meets the qualifications within this Chapter.
- (5) "Short-term rental" means the rental of a tourist rooming house for a period of twenty-nine (29) consecutive days or less.
- (6) "Tourist rooming house" means all lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists or transients. It does not

include private boarding or rooming houses not accommodating tourists or transients, or bed and breakfast establishments regulated under Ch. ATCP 73, Wis. Admin. Code.

B. Unless the context indicates otherwise, other terms used in this Chapter that re defined in Ch. ATCP 72 Wis. Admin. Code shall have the meaning as defined therein.

Sec 7.12.03 Applicability; Exemptions

A. This Chapter applies to “tourist rooming houses” as defined herein that are offered to the public for a rental period of twenty-nine (29) consecutive days or less.

B. Exemptions. The following businesses and operations are exempt from the requirements of this Chapter:

(1) Any hotel, motel, or resort licensed by the State of Wisconsin under sec. 97.605, Wis. Stat.

(2) Private boarding or rooming houses not accommodating tourists or transients.

(3) Bed and breakfast establishments licensed by the State of Wisconsin under Ch. ATCP73, Wis. Admin.Code.

Sec. 7.12.04 Tourist Rooming House Permit

A. Permit Required. No person may operate a tourist rooming house for more than ten (10) nights each year without a valid tourist rooming house permit by the City.

B. Permit Duration. Each permit shall expire on June 30, except that licenses initially issued during the period beginning April 1 and ending June 20 shall expire on June 30 of the following year.

Sec. 7.12.05 Permit Application

A. All applications for a tourist rooming house permit shall be filed with the Clerk on forms provided by the City. Each application shall be accompanied by payment of the required permit fee and shall include all the information and documentation required by this Chapter. The Clerk may refuse to accept any permit application that is incomplete or does not comply with the requirements of this Section.

B. The tourist rooming house permit application shall include the following:

(1) The name, mailing address, and phone number of the owner(s).

(2) The name, mailing address, phone number, and email address of the resident operator.

(3) The address of the tourist rooming house sought to be permitted.

(4) Certification statement to the City signed by the owner (or at least one owner if there are multiple owners of the property) that states the tourist rooming house identified in the permit is in compliance with the regulations of this Chapter.

C. The tourist rooming house permit application shall include the following documentation:

1) State of Wisconsin tourist rooming house license issued under Wis. Stat. §97.605 by the Department of Agriculture, Trade and Consumer Protection.

- (2) A copy of a completed State Lodging Establishment Inspection form dated within one (1) year of the date of application.
- (3) A valid Wisconsin Department of Revenue Seller's Permit in the name of the property owner.
- (4) Proof of insurance for the tourist rooming house that meets the standards set by this Chapter:

Sec. 7.12.06 Resident Operator Qualifications

A. To qualify as a resident operator the person must meet the following requirements:

- (1) Be a natural person residing in the City of Hillsboro or within twenty-five (25) miles of the City of Hillsboro; or be a corporate entity routinely engaged in the business of property management with offices located within the City of Hillsboro or within twenty-five (25) miles of the City of Hillsboro. An entity is "routinely engaged in the business of property management" if an owner, employee, or other contracted party is on-call to respond to property or occupancy emergencies twenty-four hours a day seven days a week.
- (2) Not have a pending criminal charge involving and not have been convicted of a felony or misdemeanor of any offense involving dishonesty, fraud, deceit, robbery, the use or threatened use of force or violence upon the person of another, or sexual immorality under Wis. Stat. Ch. 944, as amended.
- (3) Be authorized by the owner to accept service of process for all City notices, citations, orders, and other legal documents.
- (4) Be authorized by the owner to enter upon the property and promptly and safely respond to complaints, correct any violations of this Chapter, or handle immediate issues concerning the tourist rooming house or its occupants.

Sec 7.12.07 Application Review Procedure

- A. When a permit application is complete, the Clerk shall forward the completed application to the Common Council for review at the next meeting for which an agenda has not yet been posted. The Common Council shall consider the applications and supporting documents. The Common Council may approve, deny, or conditionally approve the application considering the proper factors that will help ensure the quality of tourist rooming houses operating within the City of Hillsboro to protect the public health, safety, and general welfare and the applicant's compliance with the requirements of this Chapter.
- B. If the Common Council approves the permit application, the City Clerk shall promptly issue the tourist rooming house permit.
- C. If the Common Council denies the permit application, the Common Council shall state its reasons for the denial and the City Clerk shall promptly notify the applicant in writing setting forth the reasons for the denial.
- D. If the Common Council conditionally approves a permit application, the Common Council shall state the conditions required for approval and the City Clerk shall promptly notify the applicant in writing stating the conditions required for approval. If the applicant has satisfied the conditions within thirty (30) days of the date of the notice, the City Clerk shall

issue the tourist rooming house permit to the applicant. If the conditions for approval are ongoing requirements, the conditions shall be stated on the issued permit.

Sec. 7.12.08 Permit Information and Display

A. Each tourist rooming house permit issued shall contain the following information:

- (1) Identity of the owner.
- (2) Identity and phone number for the resident operator.
- (3) The maximum occupancy for the licensed premises.
- (4) The permit issuance date and date of expiration.
- (5) State lodging license number.
- (6) Contact information for the City.
- (7) Conditions imposed by the City, if any.

B Permit Display. The current tourist rooming house permit shall be prominently displayed on the inside of the main entrance door of each tourist rooming house.

Sec 7.12.09 Regulations for Tourist Rooming Houses

A. No tourist rooming house may be rented for a period of less than two consecutive nights.

B. Each tourist rooming house shall comply with the applicable provisions of Chapter 97, Wis. Stats., and ATCP Ch. 72, Wis. Admin. Code., which are adopted herein and incorporated by reference.

C Each tourist rooming house shall comply with the following minimum requirements. If any these requirements conflict with state law, the more stringent requirement shall control. (

- 1) Has a safe, unobstructed means of egress leading to safe, open space at ground level.
- (2) Has functional smoke detectors and carbon monoxide detectors in accordance with the requirements of Chapter SPS 362 of the Wisconsin Administrative Code.
- (3) Quiet time. The owner shall notify each guest that no person shall make or cause to be made any unreasonably loud, disturbing, or unnecessary sounds or noises such as may tend to annoy or unreasonably disturb a person of ordinary sensibilities between the hours of 10:00 PM and 7:00AM.
- (4) The owner or resident operator shall maintain a guest register and require all guests to register their true names and addresses and the rental time period before beginning each occupancy of the short-term rental. This register shall be maintained and available for inspection by City officials or their authorized representatives for at least one (1) year from the most recent rental date.

D Each tourist rooming house shall comply and be operated in accordance with all conditions required by any state or county licenses, permits, or orders, including orders issued by the City's building inspector or its designee.

- E. Each owner of the tourist rooming house and each property upon which a tourist rooming house is located shall have no delinquent fees, taxes, assessments, special charges, or forfeitures owed to the city, unless the owner and the City have entered into a written agreement for payment of the outstanding owed.

Sec 7.12.10 Non-transferability of Permit

A tourist rooming house permit is nontransferable and shall expire upon a transfer of legal control of the tourist rooming house property. The holder of any permit or license shall promptly notify the Clerk in writing of any transfer of the legal control of any property covered by the permit. A transfer of property to an entity or trustee shall not be considered a transfer of legal control as long as the owner(s) continue to have majority control of the entity or are trustees of the trust with control of the property;

however, such new form of ownership shall be identified on any permit renewal application after such transfer.

Sec. 7.12.11 Fees

A. The fees for a tourist rooming house permit application and issuance shall be determined by the Common Council.

B All other fees for licenses, permits, or inspections that may be required by this Chapter are the responsibility of the owner.

Sec. 7.12.12 Enforcement and Penalties

A. Any person, partnership, corporation, or other legal entity that violates Section 7.12.04 and operates a tourist rooming house without a valid permit shall be subject to a forfeiture of Five Hundred Dollars (\$500.00) Dollars, plus any applicable surcharges, assessments, and costs, for each violation. Each night a tourist rooming house is rented without a tourist rooming house permit in violation of this Chapter shall constitute a separate violation.

B. Any person, partnership, corporation, or other legal entity that violates any other provision of this Chapter shall be subject to a forfeiture of not less than One Hundred Dollars (\$100.00) and no more than Five Hundred Dollars (\$500.00), plus any applicable surcharges, assessments, and costs, for each violation. Each day a violation exists or continues constitutes a separate violation under this Chapter.

C In addition to the issuance of citation(s) above, the Common Council may suspend or revoke a previously issued tourist rooming house permit.

D. The Common Council may refuse to issue or renew a tourist rooming house permit for any property or owner-applicant that has violated this Chapter any time within a period of twelve (12) months prior to the date of the permit application or if the property has had three (3) or more calls for law enforcement services in a twelve (12) month period.

Section 2. This ordinance shall be effective when passed and published as required by law. 8

Passed by the Common Council of the City of Hillsboro on the ____ day of _____, 2022.

Approved by the City Mayor on the ____ day of _____, 2022.

APPROVED:

ATTEST:

Greg Kubarski,

City Mayor Sheila Schraufnagel, City Clerk



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 - (4) The owner or resident operator shall maintain a guest register and require all guests to register their true names and addresses and the rental time period before beginning each occupancy of the short-term rental. This register shall be maintained and available for inspection by City officials or their authorized representatives for at least one (1) year from the most recent rental date.
- D. Each tourist rooming house shall comply and be operated in accordance with all conditions required by any state or county licenses, permits, or orders, including orders issued by the City's building inspector or its designee.
- E. Each owner of a tourist rooming house and each property upon which a tourist rooming house is located shall have no delinquent fees, taxes, assessments, special charges, or forfeitures owed to the City, unless the owner and the City have entered into a written agreement for payment of the outstanding balances owed.

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however, such new form of ownership shall be identified on any permit renewal application after such transfer.

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Sec 7.12.12 Enforcement and Penalties

- A. Any person, partnership, corporation, or other legal entity that violates Section 7.12.04 and operates a tourist rooming house without a valid permit shall be subject to a forfeiture of Five Hundred Dollars (\$500.00) Dollars, plus any applicable surcharges, assessments, and costs, for each violation. Each night a tourist rooming house is rented without a tourist rooming house permit in violation of this Chapter shall constitute a separate violation.
- B. Any person, partnership, corporation, or other legal entity that violates any other provision of this Chapter shall be subject to a forfeiture of not less than One Hundred Dollars (\$100.00) and no more than Five Hundred Dollars (\$500.00), plus any applicable surcharges, assessments, and costs, for each violation. Each day a violation exists or continues constitutes a separate violation under this Chapter.
- C. In addition to the issuance of citation(s) above, the Common Council may suspend or revoke a previously issued tourist rooming house permit.
- D. The Common Council may refuse to issue or renew a tourist rooming house permit for any property or owner-applicant that has violated this Chapter any time within a period of twelve (12) months prior to the date of the permit application or if the property has had three (3) or more calls for law enforcement services in a twelve (12) month period.

Section 2. This ordinance shall be effective when passed and published as required by law.

Passed by the Common Council of the City of Hillsboro on the ____ day of _____, 2022.

Approved by the City Mayor on the ____ day of _____, 2022.

APPROVED:

ATTEST:

Greg Kubarski, City Mayor

Sheila Schraufnagel, City Clerk



DATCP Agent Timeline

Feb. 2024

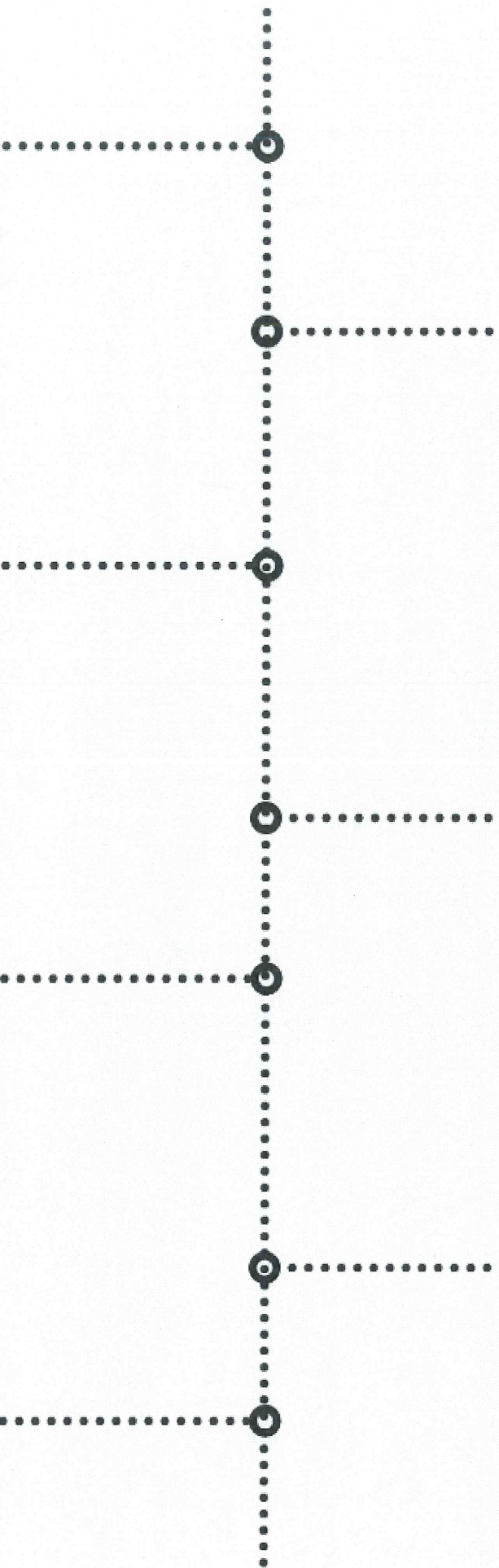
Letter & surveys to all
licensed establishments

Aug. 2024

Host public hearing
Pass ordinance full county board

April 2024

Sign DATCP
contract & conduct
all new inspections



2023

BOH & County Board
support to pursue
agent status

REHS Cert

July 2024

BOH approval of draft
budget, fees, and
ordinance

Sept./Oct. 2024

Approval of job
description, policy,
and procedures

**July 1, 2025-
June 30, 2025**

Conduct all inspections!

Setting Up Agent Program

1. Set-up a virtual meeting with Jim Kaplanek from DATCP to discuss agent program and get any initial questions answered.
2. Communications with community and board members on support.
3. Set-up an in-person meeting with Jim. He will give you even more information and review things from the first meeting.
4. Survey facilities that are licensed about DATCP (Monroe has recent surveys)
5. Start writing agent policies and procedures, job descriptions, etc. Email other counties for their agent plan. Langlade and Pepin are some of the most recent counties to join the agent program.
6. Gather information from other counties to learn more about the agent program. If you have a small county with larger events, these relationships will be important to help you cover staffing for big events where you need to license mobile food.
7. Once we have ordinance and policy written, send to Jim and he will help you edit and health department chain of command for policies reviewing and updating.
8. Work with DATCP for timeline on when to turn agent program over.

**AGENT Program includes:

- 1- ATCP 79 Campgrounds
- 2- ATCP 72 Hotel, Motel, and Tourist Rooming Houses ("short term rentals")
- 3- ATCP 76 Pools and Water Attractions
- 4- ATCP 73- Bed and Breakfast
- 5- ATCP 78- Recreational Educational Camps
- 6- ATCP 75- Food Retail Establishments (WI Food Code) including 2 inspections per public schools to fulfill DPI's requirements.
- 7- SPS 221- Body Art (DSPS)

***NOT part of the Agent Program:

- 1- Take water samples and survey the Transient Non-Community Wells (NR 812 and NR 809) for the DNR.
- 2- Lead sampling and follow-up
- 3- Environmental health complaints and follow up (mold, nuisances, etc)
- 4- Radon Follow up
- 5- Manufactured Home Community inspections

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

§ 280XXX-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. ATCP 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

DRAFT