

# **Town of Minong, Washburn County, Wisconsin**

## **Short-Term Rental Licensing Ordinance**

**Number: 2018-2**

### **Section I: Purpose**

The purpose of this ordinance is to ensure that the quality and nature of the short-term rentals operating within the Town of Minong are adequate for protecting public health, safety, and general welfare and to protect the character and stability of neighborhoods within the town. This ordinance excludes Kimball Lake Resort, Becherer Resort and Rest EZ Campground.

### **Section II: Authority**

The Town Board of the Town of Minong has been authorized to exercise village powers pursuant to ss. 60.10(2)(c) and s. 60.22(3), Wis. Stats. The Town Board adopts this ordinance under its general village powers authority and s. 66.1014 of the Wisconsin Statutes.

### **Section III: Definitions**

“Property Manager” means a person who is not the property owner and who provides property management services for one or more short-term rentals and who is authorized to act as the agent of the property owner for the receipt of service of notice of municipal ordinance violations and for service of process pursuant to this ordinance.

“Property Owner” means the person who owns the residential dwelling that is being rented.

“Residential dwelling” means any building, structure, part of the building or structure, camper or campsite that is used or intended to be used as a home, residence, or sleeping place by one or more persons maintaining a common household, to the exclusion of all others.

“Short-term rental” means a residential dwelling that is offered for rent for a fee and for fewer than 29 consecutive days.

## **Section IV: Short-Term Rental License**

- A) No person may maintain, manage, or operate a short-term rental more than 14 nights each year without a town short-term rental license issued pursuant to this ordinance.
- B) Licenses shall be issued using the following procedures:
  - 1. All applications for a short-term rental license shall be filed with the town clerk on forms provided. Applications must be filed by the Property Owner per rental address. No license shall be issued unless the completed application form is accompanied by the payment of the required application fee.
  - 2. The town clerk or deputy clerk shall issue a short-term rental license to all applicants following payment of the required fee, receipt of all information and documentation requested by the application, and town board approval of the application.
  - 3. A short-term rental license shall be effective for one year (July 1-June30) and may be renewed for additional one-year periods. A renewal application and renewal fee must be filed with the town clerk at least 45 days prior to license expiration so that the town board has adequate time to consider the application. The renewal application shall include any updated information since the filing of the original application. An existing license becomes void and a new application is required any time the ownership of a residential dwelling licensed for short-term rentals changes.
  - 4. The town board may suspend, revoke, or non-renew a short-term rental license following a due process hearing if the board determines that the licensee: a) failed to comply with any of the requirements of this ordinance; b) has been convicted or whose Property Manager or renters have been convicted of engaging in illegal activity while on the short-term rental premises on 2 or more separate occasions within the past 12 months; or c) has outstanding fees, taxes, or forfeitures owed to the town in violation of Town Ordinance No. 2018-1 entitled, "Ordinance Requiring Payment of Local Claims As Condition of Obtaining or Renewing Town Issued Licenses".

## **Section V: Operation of a Short-Term Rental**

Each short-term rental shall comply with all of the following requirements:

1. If a residential dwelling is rented for periods of more than 14 but fewer than 29 consecutive days, the total number of days within any consecutive 365-day period that the dwelling may be rented shall not exceed 180 days.
2. No recreational vehicle, camper, tent, or other temporary lodging arrangement shall be permitted on site as a means of providing additional accommodations for paying guests or other invitees, unless application is specifically for camper, tent or recreational vehicle.
3. Any outdoor event held at the short-term rental shall last no longer than one day occurring between the hours of 8am and 10pm. At minimum, a seven consecutive day interval must occur between outdoor events held at the short-term rental. Any activities occurring at the short-term rental shall comply with other applicable noise regulations.
4. A local property management contact (either the Property Owner or an appointed Property Manager) must be on file with the town at all times and must be located within 25 miles of the short-term rental. The Property Owner and/or Property Manager must provide the town with current contact information and must be available 24 hours a day, 7 days a week by telephone. The town must be notified within 24 hours of any change in contact information.
5. Each short-term rental shall hold a valid State of Wisconsin Tourist Rooming House License and shall provide proof of such license by attaching a copy to the initial license application and all subsequent renewal applications.

## **Section VI: Penalties**

Any person, partnership, corporation or other legal entity that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture as follows if not received by below dates:

July 1<sup>st</sup> = \$100

After August 1<sup>st</sup> = additional \$500 (\$600 total)

Penalties set forth in this section shall be in addition to all other remedies of injunction, abatement or costs whether existing under this ordinance or otherwise.

**Section VII: Fees**

Initial Short-term Rental License Application fee: \$50

Renewal Short-term Rental License Application fee: \$50

**Section VIII: Severability**

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

**Section IX: Effective Date and Publication**

This ordinance shall be in full force and effective on the 1<sup>st</sup> day of July 2019, after proper notice and publication of said ordinance as required under *s 60.80 WI stats.*

**Filed this 20<sup>th</sup> day of May 2019**

**APPROVED BY:**

**TOWN BOARD TOWN OF MINONG**

\_\_\_\_\_  
CHAIRMAN

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SUPERVISOR #1

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SUPERVISOR #2

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SUPERVISOR #3

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SUPERVISOR # 4

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**ATTESTED BY: TOWN CLERK  
TOWN OF MINONG**

**Amended this 20<sup>th</sup> day of May 2019**