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TOWN OF SEVASTOPOL
Door County, Wisconsin

ORDINANCE NO. xx-xxxx

**SHORT-TERM RENTAL OF RESIDENTIAL DWELLINGS ORDINANCE
OF THE TOWN OF SEVASTOPOL
DOOR COUNTY, WISCONSIN**

1. Title

This ordinance shall be entitled “The Short-term Rental of Residential Dwellings Ordinance of the Town of Sevastopol, Door County, Wisconsin”.

2. Purpose

The purpose of this ordinance is to ensure that the quality and nature of the Short-term Rentals operating within the Town of Sevastopol (“Town”) are adequate for protecting public health, safety, and general welfare and to protect the character and stability of neighborhoods within the town.

3. State Statutes Adopted - Authority

The Board of Supervisors of the Town is granted authority for adopting this ordinance under s. 60.10(2)(c) and s. 60.22(3), Wisconsin Statutes. The Town Board adopts this ordinance under its general village powers authority and s. 66.1014 of the Wisconsin Statutes.

4. Definitions

- A. “Property Owner” means the person or entity who owns the residential dwelling that is being rented.
- B. “Resident Agent” means a person who is not the Property Owner and who is authorized to act as the agent of the Property Owner for the receipt of service of notice and remedy of municipal ordinance violations and for service of process pursuant to this ordinance.
- C. “Residential Dwelling” means any building, structure, or part of the building or structure, 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.
- D. “Short-term Rental” means a Residential Dwelling that is offered for rent for a fee and for fewer than 29 consecutive days.

5. Short-term Rental License

- A. No person may offer, maintain, manage, or operate a Short-term Rental more than ten (10) 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 or authorized Resident Agent. No license shall be issued unless the completed application form is accompanied by the payment of the required application fee.

- 45 2. The town clerk shall issue a Short-term Rental license to all applicants following payment of
46 the required fee, receipt of all fully completed documentation and information requested by the
47 application, and application approval by town board or its designee.
- 48 3. A Short-term Rental license shall be effective for one year and may be renewed for additional
49 one-year periods. A fully completed renewal application and renewal fee must be filed with the
50 town clerk at least forty-five (45) days prior to license expiration so that the town board or its
51 designee, if required, has adequate time to consider the application. The renewal application
52 shall include any updated information since the filing of the original application. An existing
53 license becomes void and a new application is required any time the ownership of a residential
54 dwelling licensed for Short-term Rentals changes.
- 55 4. The town board may suspend, revoke, reject or non-renew a Short-term Rental license or
56 license application following a due process hearing if the board determines that the licensee:
57 a) failed to comply with any of the requirements of this ordinance; b) has been convicted or
58 whose Resident Agent or renters have been convicted of engaging in illegal activity while on
59 the Short-term Rental premises on two (2) or more separate occasions within the past twelve
60 (12) months; or c) has outstanding fees, taxes, or forfeitures owed to the town in violation of
61 Town Ordinances.

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63 **6. Operation of a Short-Term Rental**

64 Each Short-term Rental shall comply with all of the following requirements:

- 65 A. No person may maintain, manage, or operate a Short-term Rental more than ten (10) nights
66 each year without a Short-term Rental license. Every Short-term Rental shall be operated by a
67 Property Owner or a Resident Agent.
- 68 B. Each Short-term Rental shall hold a valid State of Wisconsin Tourist Rooming House License
69 issued by the Department of Agriculture, Trade and Consumer Protection (DATCP), and shall
70 provide proof of such license by attaching a copy to the initial license application and all
71 subsequent renewal applications.
- 72 C. Each Short-term Rental shall be licensed by the Door County Tourism Zone Commission
73 (DCTZC), and shall provide proof of such license by attaching a copy to the initial license
74 application and all subsequent renewal applications.
- 75 D. Each Short-term Rental shall comply with all of the following requirements:
- 76 (1) No Residential Dwelling may be rented for a period of _____ or fewer days.
- 77 (2) No recreational vehicle, camper, tent, or other temporary lodging arrangement shall be
78 permitted on site as a means of providing additional accommodations for paying guests or
79 other invitees.
- 80 (3) If the property is not served by a public sanitary sewer, a private onsite wastewater treatment
81 system (POWTS) in full compliance with this ordinance and in accordance with Chapter 21 of
82 the Door County Code must serve the property.
- 83 (4) If the property is serviced by public sanitary sewer, occupancy is limited to the number of
84 occupants authorized by the tourist rooming house license issued by DATCP. If the property is
85 served by a POWTS, occupancy is limited to the number of occupants for which the POWTS
86 was designed, or the occupancy granted by the State tourist rooming license, whichever is
87 less.
- 88 (5) Sufficient off-street parking shall be available to accommodate all vehicles on the Short-term
89 Rental premises. Off-street parking shall be in compliance with Door County Comprehensive
90 Zoning Ordinance, Chapter 7. . On-street parking for renters of the Residential Dwelling is
91 prohibited, consistent with Town Ordinance No. 05-2016.
- 92 (6) Pets that accompany a renter are subject to Town Ordinance No. 01-2012, with the following
93 additional requirements:

- 94 (a) Pets must be under the control of their owner and on a leash when outside the dwelling.
95 Pets may be tethered securely to a leash or pulley-run on the premises, provided that the
96 tethered pet is at least ten (10) feet inside the premises lot line.
97 (b) Pet owners must adhere to minimizing pet noise. independent of whether the pet is inside
98 or outside the dwelling.
99 (c) Pet owners are prohibited from leaving their pet unattended on the Rental Dwelling
100 premises. Unattended pets are subject to impoundment under Town Ordinance No 01-
101 2012.
- 102 (7) Signage shall conform to applicable Town and Door County ordinances.
103 (8) Rental dwellings must be able to accommodate reliable telephone communications in case of
104 emergency.
105 (9) Any outdoor event held at the Short-term Rental shall last no longer than one day occurring
106 between the hours of 10AM and 10PM. From 10PM to 10AM quiet hours shall be enforced. All
107 activities shall be in compliance with the Town noise ordinance and other applicable Town and
108 Door County ordinances.
- 109 E. The Property Owner must reside within seventy-five (75) miles of the Short-term Rental during
110 periods in which the Short-term Rental is rented.
111 (a) This requirement may be waived if there is a valid Resident Agent (point of contact) located
112 in Door County, in such a case, the Property Owner shall provide a copy of the Resident
113 Agent contract to the Town and notify the Town within thirty (30) days of termination of any
114 such contract.
115 (b) To qualify as a Resident Agent the representative must reside within Door County or be a
116 corporate entity with offices located within Door County.
- 117 F. The Property Owner and/or Resident Agent must provide the town with current contact
118 information and must be available twenty-four (24) hours a day, seven (7) days a week by
119 telephone or email. The town must be notified within twenty-four (24) hours of any change in
120 contact information.
- 121 G. Each Short-term Rental shall provide a set of property rules that communicates relevant Town
122 ordinances, DCTZC Best Practices and/or recognized neighborhood association standards of
123 conduct that renters and their guests are expected to follow as part of their rental contract. The
124 property rules shall also be posted in the Residential Dwelling.
- 125 H. The Property Owner and/or Resident Agent must provide the following information to
126 neighboring residential property owners located within a 200-foot radius of the Short-term Rental
127 dwelling premises no later than seven (7) days from the date rental dwelling permit is issued or
128 any time the Property Owner/Resident Agent contact information changes:
129 (a) Telephone and email contact information to enable neighboring residential property owner
130 or Town personnel to contact the Property Owner or Resident Agent twenty-four (24) hours
131 a day, seven (7) days a week regarding disturbances or issues arising in connection with
132 the rental of a Residential Dwelling.
133 (b) Provide copy of property rules or other standard of conduct that is provided to renters
134 (c) Provide their DATCP license number.
- 135 I. The Property Owner shall have and maintain homeowner's liability or business liability insurance
136 for the premises that are used for short term rental and shall provide written evidence of such
137 insurance with the initial license application and all subsequent renewal applications.

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139 7. Penalties

- 140 A. Any person, partnership, corporation, limited liability company, or other legal entity that fails to
141 comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of not less
142 than \$100.00 nor more than \$1000.00, plus the applicable surcharges, assessments and costs
143 for each violation. Each day a violation exists or continues constitutes a separate offense under
144 this ordinance.

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

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8. Fees

149 Initial short-term rental application fee\$_____

150 Renewal short-term rental renewal application fee\$100.00

151 Late fees\$100.00

152 Inspections (as necessary)\$100.00

153 **9. Severability**

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

156 **10. Effective Date and Publication**

157 This ordinance shall become effective upon adoption and publication as required under s. 60.80, Wis.
158 Stat.

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