

RESOLUTION

42-2023

Resolution offered by the Zoning Committee:

WHEREAS, the Zoning Committee has reviewed the Forest County General Ordinance and believes it is in the County's best interest to amend the existing ordinance to include Section 14 as it pertains to Short-Term Rental; and

WHEREAS, said amendment has been approved by the Department of Commerce, Safety and Professional Services Division; and

WHEREAS, the changes and amendments to the existing Forest County General Ordinances pertain to Short-Term Rental and are as set forth as follows:
(Section 14 is set forth below)

1. Page 43, Section 14 shall now be entitled Short-Term Rental and shall read as follows:

14.01 Purpose

The purpose of this section is to ensure that the quality of short-term rentals operating within the County is adequate for protecting public health, safety and general welfare, including establishing minimum standards for the health and safety of persons occupying or using buildings, structures or premises, determining the responsibilities of owners, operators and resident agents offering these properties for tourists, for the proper collection of taxes, to protect the character and stability of all areas within the County. To provide provisions for the administration and enforcement thereof.

14.02 Exemptions

The following operations are exempt from complying with the requirements of this section:

- A. A private boarding or rooming house, ordinarily conducted as such, not accommodating tourist or transients.
- B. A hotel, motel or resort license issued by the State of Wisconsin Department of Health.
- C. Bed and breakfast establishments.

14.03 Short-Term Rental House Requirements

- A. Obtain a DATCP License and maintain it throughout the term the property is being used as a short-term rental
- B. Collect and pay all rooming house taxes (if township has adopted through Forest County Chamber of Commerce)
- C. Absolutely no parking on any streets, in the right-of-way, in ingress/egress easements, or on top of Private Onsite Waste Treatment System (POWTS) components.
- D. Garbage must be kept in containers away from animals
- E. Quiet time shall be from 10pm through 7am

- F. Any signs for the property shall be on the structure and not posted on the street or in the yard
- G. Pets must be kept on a leash and not left unattended
- H. No fireworks
- I. Occupancy is limited to the size of the septic system
- J. No outstanding property taxes
- K. Comply with all other County Ordinances
- L. Obtain a Wisconsin Dept. of Rev. Sellers Permit
- M. A Short- Term Rental property shall not:
 - 1) Endanger, or threaten to endanger, the public health, safety, comfort or general welfare
 - 2) Have an adverse environmental impact
 - 3) Have excessive noise complaints
 - 4) Have an excessive response required from law enforcement
 - 5) Have poor property condition such as garbage or refuse complaints, condition complaints, and general care and maintenance complaints
 - 6) Have parking complaints
 - 7) Have other issues that may impact the use, value and enjoyment of other property in the neighborhood.
 - 8) The property shall not have overnight occupancy of recreational vehicles, camper trailers, and tents for short- term rental purposes or outdoor overnight sleeping of occupants or guests of the short-term rental.

14.04 Resident Agent (Local Contact)

To qualify as a resident agent (local contact) the person must meet the following requirements:

- A. Be an adult person residing in or within a fifty (50) mile radius of the location of the short-term rental property, or a corporate entity with offices located within a fifty (50) mile radius of the short-term rental property.
- B. Be authorized by the owner to act as the agent for the owner.

14.05 Short-Term Rental Permitting Process

- A. An application for a short- term rental permit shall be filed with the Zoning Office on forms provided. Applications must be filed by the owner of the short- term rental. Each applicant shall certify that the short- term rental that is the subject of the application can meet the requirements set forth in Section 14.03.
- B. An application for a short- term rental permit shall include the following and shall not be considered complete until all of the following is submitted:
 - a. Proof of a DATCP license. (A permit under this section may be conditionally granted upon issuance of this license and shall not take effect unless and until this license is issued.)
 - b. Proof of Insurance
 - c. Site plan including available onsite parking.
 - d. Property management agreement (if applicable).
 - e. Designation of a resident agent (local contact)
 - f. Copy of the most recent sanitary inspection
 - g. An application fee (see fee schedule)
 - h. Certification from the local governmental entity that no room tax is required (in some townships).

14.06 Short-Term Rental Permit

- A. A short- term rental permit shall contain the following:
 - a. The name, address and telephone number of the owner of the property.
 - b. The name, address, telephone number of the resident agent
 - c. The maximum occupancy
 - d. The permit term
- B. The Zoning Committee shall have the authority to place reasonable conditions on a permit when necessary to meet the requirements of this section.

14.07 Nontransferable Permit

Any permit issued under this section is nontransferable. The holder of any permit shall notify the Zoning Administrator and/or its designee in writing of any transfer of the legal control of any property covered by the permit.

14.08 Renewal

- A. Each application for a renewal of a permit shall include updated information for the documentation on file with the Zoning Administrator and payment of the applicable fee. The Zoning Administrator shall verify that the information provided on the renewal application is complete, and in accordance with the requirements of this section and that all local taxes, including room taxes, have been paid. The Administrator shall issue renewal licenses within thirty (30) days of the filing of the application, unless the information provided is incomplete, or otherwise not in compliance with the requirements of this section, reports from local law enforcement or there are complaints or actions involving the property, and/ or taxes have not been paid.
- B. If the Zoning Administrator finds that the permit should not be renewed, or that there has been a complaint, the Zoning Administrator shall forward the application to the Zoning Committee for action along with a written explanation of the reason for referral. The Zoning Committee shall then determine if a renewal shall be denied. If it is denied, the reasons therefore shall be set forth in writing.
- C. No permit shall be renewed if the applicant or property has outstanding fees, taxes or forfeitures owed to the County, or is under an order to bring the premises into compliance with the code or other law.

NOW, THEREFORE, BE IT RESOLVED, that the Forest County Board of Supervisors does hereby adopt the changes to the Forest County General Ordinance as set forth herein; and

BE IT FINALLY RESOLVED, that a copy of this ordinance immediately be made available to the public on the County's website and at the Forest County Zoning Office.

Resolution approved by Zoning Committee, _____, 2023.

Vote: AYE ____, NAY ____

Committee Chair

I, County Clerk, in and for the said County of Forest, State of Wisconsin, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the County Board of Supervisors of Forest County, Wisconsin, in legal session on the 18 day of April, 2023.

Nora Matuszewski
Nora Matuszewski, Forest County Clerk

Dated this 18 day of April, 2023.
Kimberly Siebenauer
Supervisor

ROLL CALL SHEET		
COUNTY BOARD		
No.	Date	
No. <u>42-2023</u>	Date <u>4/18/23</u>	
Resolution <u>✓</u>	Ordinance	
Motion:	Adopted	
1st <u>Miller</u>	Lost	
2nd <u>Anderson</u>	Tabled	
	Aye	No
Anderson	✓	
Black	✓	
Campbell		✓
Chaney	✓	
Dailey	✓	
Dehart	✓	
Fulcer		✓
Goode	✓	
Gretzinger	✓	
Karl	✓	
Landru		✓
Lukas	✓	
Miller	✓	
Peterson	✓	
Piasini		✓
Skallerud	✓	
Tallier	✓	
Weber		✓
Dist#3 - Vacant		
Dist#12 - Vacant		
Dist#20 - Vacant		
TOTAL	<u>19</u>	<u>5</u>