

**TOWN OF LA VALLE, SAUK COUNTY, WISCONSIN
SHORT-TERM RENTAL LICENSING ORDINANCE
NUMBER: 5-13-19**

Section I: Purpose

The purpose of this ordinance is to ensure a short-term rental operating in a residential dwelling within the Town of La Valle is adequate for protecting health, safety and general welfare, including establishing minimum standards for human occupancy, determining the responsibility of property owners, agents, and Property Managers offering these properties for rent; to provide minimum standards necessary for the health, safety of persons occupying or using buildings, structures or premises as well as the surrounding community; and provisions for the administration and enforcement thereof.

Section II: Authority

The Town Board of the Town of La Valle 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 this Wisconsin Statutes.

Section III: Definitions

Short-term Rental means a residential dwelling offered or occupied for rent for a fee or similar consideration for more than six (6) but fewer than twenty-nine (29) consecutive days. Short term rental does not include the following: bed and breakfasts; hotels; motels; rooming houses; rentals for fewer than 6 days, as covered under Wis. Admin. Code DHS 195.

Property Manager means a person 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. Any such property manager is required to follow all State of Wisconsin laws including, but not limited to, Wis. Stats. § 452.01(2) and § 452.03(1), which may require certain Property Managers to possess a valid Wisconsin Real Estate Broker's license.

Property Owner means the person(s) who own(s) the residential dwelling that is being rented.

Residential Dwelling means any building, structure, or part of the building or structure, that is rented, used or intended to be used by the property owner as the property owner's primary or secondary home, residence, or sleeping place by one or more persons maintaining a common household, to the exclusion of all others.

Section IV: Operation of a Short-Term Rental

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

- A. The residential property shall not be rented for a period of less than seven (7) days.
- B. If a residential dwelling is rented for periods of more than 6 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. The Town also requires that the 180 days run consecutively.
- C. The Property Owner or Property Manager shall notify the Town Clerk in writing when the first rental within a 365-day period begins.
- D. 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. Sleeping quarters related to a short-term rental use shall only be located within the principal residential structure on the property.
- E. Any outdoor event held at the short-term rental shall last no longer than one day occurring between the hours of 7:00a.m. and 11:00p.m. At a minimum, a seven (7) 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 applicable Nuisance Ordinances. See Town of La Valle Municipal Code of Ordinances, Section 9.02.02.
- F. 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 thirty-five (35) miles of the short-term rental. The Property Owner must provide the Town Clerk with current contact information of the local property management contact and such contact must be available 24 hours a day, seven days a week by telephone. The Town Clerk must be notified within 24 hours of any change in contact information. Such contact information shall also be posted at the main entrance of the short-term rental principal building.
- G. 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.
- H. A minimum of one (1) off-street parking stall shall be provided for every guest bedroom. All off-street parking shall be established outside of the town highway/road right-of-way or joint access roadway easement.

- I. All refuse containers shall be labeled (i.e. trash, recyclables, cardboard, etc.) and instructions for recycling shall be posted in a prominent place inside the principal residential building on the property. See Town of La Valle Municipal Code of Ordinances, Section 9.02.02.
- J. Trash /garbage/refuse and recyclable materials removal shall be the responsibility of the property owner/property manager to dispose of the trash/garbage/refuse and recyclables as needed by taking it to the Town of La Valle's waste and recycling site, or such service shall be evidenced by a contract with a licensed garbage handler or, if not contracted, by name of private party responsible for weekly trash removal.
- K. The property owner must provide proof/report of adequate sanitation facilities for the proposed use from Sauk County Department of Conservation, Planning and Zoning.
- L. Property that is used for a short-term rental establishment must have clearly delineated property lines, by fences, vegetation or other means. Such clear delineation must be maintained for the duration of the license period to ensure that all tenants of the property are clearly aware of the boundaries of the property and confine their use to the applicable parcel.
- M. The Town Board reserves the right to revoke or suspend the license for short-term rentals if the property has been declared a public nuisance affecting the peace and safety of the public. Public nuisances shall include, but are not limited to, all loud and unnecessary noises, including those produced by animals, the unlawful use of fireworks, particularly during Town Quiet Hours, as defined in Town of La Valle Municipal Code of Ordinances Section 9.02.02(1)(a)(1), unlawful or unauthorized use of any town highway/road which causes large crowds to gather or obstructs traffic, illegal or unlawful activity of any kind, and failure to remove all snow and ice from sidewalks, parking areas, and driveways.
- N. Every short-term rental license expires on June 30th of each year and shall be eligible to apply for one (1) year renewal periods up to four (4) years for up to five (5) years in total, to run concurrently with the Sauk County Board of Adjustment Conditional Use Permit regulations, unless the conditional use permit is revoked by the town or voluntarily surrendered by the property owner. The town clerk shall accept a renewal application for short-term rentals and the \$500.00 application fee. All renewals shall be subject to the following:
 - 1. The town board may renew a short-term rental license if the property owner has demonstrated it has met all of the current conditions then existing unless a condition has been specifically waived by the Town

Board or Board of Adjustment. The Town Board reserves the right to add additional conditions required by amendments to this ordinance.

2. The Town Board may deny renewal of the short-term rental license if the property is deemed to be a nuisance or has failed to meet any of the ordinances established.
- O. If the Town Board determines that any statement made on the short-term rental license application, or any renewal application, is incorrect or false, the town board may, at any time, immediately and summarily revoke the short-term rental license.
- P. Property Rules. A list of property rules shall be posted at the property, provided to short-term rental guests and a copy submitted with the application for a license. Property rules and postings shall include the following minimum information:
1. Maximum occupancy of the property.
 2. Contact information for the property manager.
 3. Where to park and any easement road accessibility rules.
 4. Quiet hours from 11:00 p.m. to 7:00 a.m.
 5. Outdoor burning regulations.
 6. Non-emergency contact information for law enforcement and fire.
 7. If applicable, information on the location of the high water alarm for the POWTS (Private Onsite Waste Treatment System) and procedure to follow if the alarm is activated.
 8. Recycling requirements and what to do with the garbage after the rental period is done.
 9. Copy of the State of Wisconsin Tourist Rooming House license.
 10. Copy of the Sauk County Conditional Use Permit.
 11. Statement directing tenants to refer to local ATV/UTV and boating regulations.
 12. The Property Owner shall provide a copy of this ordinance along with a current copy of the short-term rental license to any person using the property for short-term rental purpose prior to the commencement of each use.

Section V: Short-Term Rental License

- A. No person may 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 applicants for a short-term rental license shall be on file with the town clerk on forms provided. Applications must be filed by the Property Owner no later than sixty (60) days in advance of the date the property is first offered for rent. No license shall be issued unless the completed application form is accompanied by the payment of the required application fee. The application shall include the following:
 - a. Address and tax parcel number of the residential dwelling.
 - b. Names, addresses and phone numbers of the applicant, owner of the dwelling, and property manager, if any.
 - c. Copy of State of Wisconsin Tourist Rooming House license.
 - d. Proposed occupancy for the dwelling.
 - e. Floor plan of all floors to be occupied in the dwelling, drawn neatly and accurately with dimensions clearly shown.
 - f. Site plan drawn neatly and accurately of the parcel including but not limited to, lot lines, parking, and location of garbage collection areas.
 - g. Copy of property rules.
 - h. Contact information of party responsible for removal of trash/garbage/refuse and recyclables on a weekly basis.
 - i. Proof/Report of adequate sanitation facilities from Sauk County Department of Conservation, Planning and Zoning.
 - 2. The Town 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 and may be renewed for additional one-year periods. A renewal application and renewal fee must be filed with the Town Clerk at least forty-five (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. The Town Board is not obligated or required to issue a short-term rental license for the new owner.
4. The Town Board may suspend, revoke, or non-renew a short-term rental license following a due process hearing if the Town 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 within the past twelve (12) months; or c) has outstanding fees, taxes, or forfeitures owed to the town/county in violation of existing town/county ordinances. The revocation process shall be applied/invoked as follows:
 - a. The owner of the property shall be notified of any noncompliance or complaint by the Town Clerk.
 - b. The owner shall correct the violation within 24 hours to the satisfaction of the Town Board.
 - c. Upon scheduling of the hearing, the Town Clerk will notify the owner of the property at least two weeks prior to the hearing date.
 - d. The Town Clerk will attempt to notify all property owners located within 500 feet of the property at least two weeks prior to the public hearing.
 - e. A representative of the Town shall appear at the hearing to present evidence of noncompliance. All other interested parties may also give testimony at the hearing.
 - f. A written decision of the Town Board will be made and will be provided to the Owner.
 - g. If the license is revoked, the owner may apply for a new license after a 12 month revocation period.

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 of not less than \$250.00 nor more than \$500.00, plus the applicable surcharges, assessments and costs for each violation. Each day a violation exists or continues constitutes a separate offense under this ordinance.

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 Non-Refundable Application fee: \$500.00

Renewal Short-term Rental License Non-Refundable Application fee: \$500.00

Section VIII: Severability

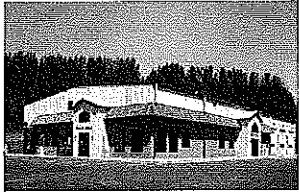
Should any portion of this ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, such a decision shall not affect the validity of any other provisions of this ordinance.

Section IX: Effective Date and Publication

This ordinance shall become effective upon adoption and publication as required under Wis. Stat. § 60.80.

ADOPTED by a vote of 5 for and 0 against on this date of May 13, 2019.

By the Town Board of La Valle.



Town of La Valle
Short Term Rental License

Please complete and submit the following information with the non-refundable license fee of \$500.00 to the Town of La Valle clerk.

Name(s) of Property Owner _____

Property Owner Address: _____

24-hour Contact Phone Number: _____ Email: _____

Short Term Rental Address: _____

Property Manager Name/ Address (if applicable): _____

24-Hour Contact Phone Number: _____ Email: _____

Parcel number 024- _____ - _____

I, _____, (Property Owner(s)), the undersigned

Applicant hereby submit, under oath, the following:

- o New/initial or Renewal application fee for a Short-Term Rental License (STRL), \$500.00, Non-refundable;

o State of Wisconsin Sales and Use Tax Permit number: _____
Sales and Use Tax Permit, see attached link:

[http://www.revenue.wi.gov/Pages/Sales and Use/Home.aspx](http://www.revenue.wi.gov/Pages/Sales%20and%20Use/Home.aspx)

- o Copy of State of Wisconsin Rooming House License with the Sauk County Health Department. Please contact the Sauk County Health Dept. 608-355-3290

- o Copy of the property rules which shall be posted at the location which indicate the following: required compliance with parking, Nuisance Ordinance and other applicable Town of La Valle ordinances being met during occupancy of this structure.

- o Date of first rental: _____; Date of last rental: _____
- o A map of the Property Lot Lines and Location of Structure(s), Refuse Containers and Location, Parking Locations, and Septic System or Holding Tank location(s);

I, _____, as the Property Owner, hereby understand and agree to the following statements:

- o I acknowledge receiving a copy or are aware of the residential short-term rental requirements of Sauk County Zoning Ordinance and Town Ordinance Chapter _____
- o I agree to assure that use of the premises by residential short-term rental tenants will not disrupt the neighborhood, and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties;
- o I authorize the Town of La Valle to verify information contained in the application;
- o I acknowledge that the residence may not have been designed, constructed or inspected as a commercial lodging establishment;
- o I acknowledge that if this premises is sold or transferred to a third party, the Short Term Rental License does not transfer with the real property;
- o I agree that I as the property owner or my property manager shall be reasonably available to handle any problems arising from use of the residential short-term rental unit; and
- o I will provide written notification to the Town of La Valle clerk if any circumstances change during the Short Term Rental License period.