

**TOWN OF BAYFIELD  
BAYFIELD COUNTY, WISCONSIN**

**ORDINANCE: 2019-01  
AN ORDINANCE CREATING LICENSING  
OF SHORT-TERM RENTALS**

**WHEREAS**, the Town of Bayfield (the "Town") has determined it is in the interest of the residents of the Town that owners of sleeping accommodations, located in the Town, and rented on a short-term basis are required to obtain a license from the Town, and;

**WHEREAS**, the license enacted hereby is intended to protect and enhance the full enjoyment of the properties located in the Town by both the owners of short-term rentals and those who do not wish to engage in the short-term rental of their properties;

**THE TOWN BOARD OF THE TOWN OF BAYFIELD DOES ORDAIN THIS ORDINANCE CONCERNING LICENSING OF SHORT-TERM RENTALS.**

**I. Purpose.**

The purpose of this ordinance is to allow the Town the opportunity to monitor and assess the growth and potential impact of Short-Term Rentals (as defined below) in the Town and insure the collection of applicable room taxes.

**II. Definitions.**

A. Short-Term Rental ("STR"): All lodging places, other than hotels, motels and Bed and Breakfast establishments (B&Bs) in which sleeping accommodations are offered for pay for a period less than (29) consecutive days to a person(s) who travels to a location away from his or her permanent address for a short period of time for vacation, pleasure, recreation, culture, business or employment. Common examples of short-term lodging places include homes, cabins, cottages, condos, tents, yurts and rooms rented as sleeping accommodations wherever located.

B. STR License: The STR License issued hereunder.

C. Owner: The owner of an STR property.

**III. Operation of Short-Term Rentals.**

A. Anyone who maintains, manages, or operates an STR is required to obtain a tourist rooming house license from the Wisconsin Department of Agriculture, Trade and Consumer Protection (hereinafter "DATCP") and to meet all of the inspection and documentation requirements set forth by the DATCP for STR's. The Bayfield County Health Department is the licensing agent for DATCP. DATCP shall make all determinations relating to life-safety issues and maximum occupancy per unit.

B. Anyone who maintains, manages, or operates an STR in the Town of Bayfield must obtain an STR License from the Town, subject to annual

renewal, and comply with all applicable Town, Bayfield County and State of Wisconsin ordinances.

**IV. Short-Term Rental License.**

A. The Town Clerk (hereinafter the "Clerk") shall issue an STR License to all applicants following the approval of the application and the filing of all documents and records required in the STR License application form.

B. STR Licenses are issued for a one (1) year period and must be renewed annually subject to Town review.

**V. Short-Term Rental License Procedure.**

A. All applications for an STR License shall be filed with the Clerk on forms provided. Applications must be filed by the Owner or on the Owner's behalf, authorized by letter from the Owner, to apply. No STR License shall be issued unless the application form is filled out completely and accompanied by payment of the required fee.

B. STR License holders must provide proof of general liability insurance in the amount of at least one million dollars (\$1,000,000.00) covering the rental property and its operations. If the property is listed solely through short-term rental services that provide insurance to their hosts, a Certificate of Insurance evidencing such coverage must be provided.

C. Each STR License shall expire May 1<sup>st</sup> and be renewed annually. Applications, along with the filing fee, must be submitted by March 1<sup>st</sup>. The Clerk may conditionally accept late applications, subject to payment of a late filing fee. Any application which does not include all of the information and documentation shall be considered incomplete. Filing fees will be prorated for new applicants only. New applicants will be those that have not held an STR License in the past twelve (12) months. The Town will accept applications submitted for review beginning January 1<sup>st</sup> of each year. Approvals will be issued following the April Town Board Meeting.

D. When satisfied that the application is complete and in accordance with the requirements of this Ordinance, the Clerk shall forward the initial application for an STR License to the appropriate Town officials. If the Clerk in consultation with the Town Board determines that the application meets the requirements of this Ordinance, the Clerk may approve the application. If the Clerk in consultation with the Town Board determines that the application does not meet the requirements of this Ordinance, the Clerk may deny the application.

E. No STR License shall be issued if the applicant or property that is the subject of the application has outstanding fees, taxes, forfeitures, or other amounts owed to the Town, unless arrangements for payment have been approved by the Town Board.

**VI. Renewal.**

A. Each application for a renewal of an STR License shall include updated information and payment of the applicable fee. Applications should be filed with the Clerk subject to the deadlines listed above. The Clerk shall verify that the information provided on the renewal application is complete and in accordance with the requirements of this Ordinance. The Clerk may request reports from the Bayfield County Sheriff's Department, Health Department and Zoning Administrator regarding any complaints received, calls for service, or actions taken regarding the STR property that is the subject of the renewal application. The Clerk shall issue a renewal of the STR 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 Ordinance and/or the reports from the entities defined above.

B. If the Clerk finds that the STR License should not be renewed, the Clerk shall deny the renewal.

C. No STR License shall be renewed if the applicant or property has outstanding fees, taxes or forfeitures owed to the Town, or is under an order issued by the State of Wisconsin, or the Bayfield County Health Department to bring the premises into compliance, unless arrangements for payment have been approved by the Town Board.

**VII. Display of STR License.**

Each STR License shall be displayed on the inside of the main entrance door of each Short-Term Rental.

**VIII. Appeal and License Revocation.**

A. The denial of any STR License application or renewal under this Ordinance may be appealed by filing a written appeal request with the Clerk within ten (10) days of the Town's notice of denial. The appeal shall be heard by the Town Board. The Town Board shall consider the application or renewal request and recommendations and may approve or deny the application or renewal.

B. An STR License may be revoked at any time by a majority vote of the Town Board for one or more of the following reasons. The Owner will be notified of pending revocation considerations and Town Board decisions in writing.

1. Failure to make payment on taxes or debt owed to the Town.
2. Failure to properly collect and provide to the State, County, and/or Town any taxes owed by tenants, including room taxes.
3. Justified and validated calls for police service or building inspection and health department violations during the term of the STR license.
4. Failure to obtain and maintain all necessary county and state permits and licenses.

5. Failure to abide by maximum occupancy and life/safety issues addressed during DATCP inspections made by the Bayfield County Health Department.

6. Failure to maintain insurance as required in V.B. above.

7. If the Town Board is made aware of a problem with an STR property that is determined by the Town Board to be of a severe nature.

**IX. Fees and Penalties.**

A. Initial Short-Term Rental Application Fee – One Hundred Ten dollars (\$110.00).

B. Renewal Short Term Rental renewal application fee – One Hundred dollars (\$100.00). Late fees – Additional One Hundred dollars (\$100.00).

D. Penalties: If the Clerk is made aware that a Short-Term Rental property is in violation of any State of Wisconsin, or Bayfield County licensing or permitting requirements, the Clerk may request that the Town Board approve the revocation of said property's STR License and assess a minimum penalty of Five Hundred dollars (\$500.00) or a maximum penalty of One Thousand dollars (\$1,000.00) for each month that a Short-Term Rental continues to conduct business without a valid STR License.

X. All ordinances or parts of ordinances, in conflict herewith, are hereby repealed.

XI. This Ordinance shall take effect upon its adoption and publication.

Adopted this 20<sup>th</sup> day of May in the year 2019 by roll call vote;

Gordon-~~absent~~, Erickson-yes, Boutin-yes, Hoopman-yes, Meierotto-yes.  
The motion carried 4yes - 1absent.

- Absent -

Thomas J. Gordon, Chair

*Karen Boutin*

Karen Boutin, Supervisor

*Robert Meierotto*

Robert Meierotto, Supervisor

*Fred Erickson*

Fred Erickson, Supervisor

*Craig Hoopman*

Craig Hoopman, Supervisor

THIS IS TO CERTIFY THAT the foregoing is a true and correct copy of a ordinance duly and legally adopted by the TOWN OF BAYFIELD at a Regular Town Board Meeting on the 20th day of May in the year 2019.

*Kelly N. Faye*  
Kelly N. Faye, Clerk

DATE OF PUBLICATION:

*May 25<sup>th</sup>, 2019*