

# Village of Solon Springs

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P.O. Box 273  
Solon Springs, WI 54873

(715) 378-2235



Section 11 of the Village Code of the Village of Solon Springs offering a residential dwelling as a short-term rental.

An ordinance setting forth the standard for short-term rentals and procedures for short-term rentals in the Village of Solon Springs, which also includes the procedures for applying for a short-term rental license, and renewal of said license. The ordinance sets forth the room tax to be charged as well as the fines imposed by the Village for violating said ordinance.

The full text of this Short-Term Rental Ordinance may be obtained at the Village Clerks office located at 11523 S Business Hwy 53, Solon Springs WI 54873, (715) 378-2235. The full text of the ordinance may also be obtained on the Village of Solon Springs website: [www.villageofsolonsprings.com](http://www.villageofsolonsprings.com).

That this Ordinance shall take effect on July 1, 2023.

Village of Solon Springs Board of Trustee's,  
Dated this 24th day of April, 2023.

Ben Evans, Village President

Kathy Burger, Municipal Clerk

**Village of Solon Springs, Douglas County, Wisconsin  
Amendment to the Municipal Code**

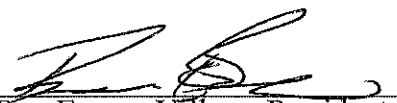
**An Ordinance creating Section 11 of the Village of Solon Springs entitled "Village Code of the Village of Solon Springs Offering a Residential Dwelling as a Short-Term Rental" is hereby created**

§11                      **SHORT TERM RENTALS & TOURIST HOMES**                      (Village Municipal Code)

- A. License Required It shall be unlawful for any person in the Village of Solon Springs to operate a Short term rental/tourist home without first obtaining licenses under the requirements of the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) and Douglas County Health Department. A copy of this license must be kept on file with the Village Clerk, and updated annually. A separate license is required for each short term rental/tourist home, licenses are not transferable with change of ownership.
- B. Definitions
- a. Short term rental private homes and cabins, cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists or transients.
- C. Property Manager The property owner shall designate a Property Manager for each short-term rental who is available twenty-four hours a day, seven days of the week. To qualify as a Property Manager the person must reside in or within 25 miles of the Village of Solon Springs or other legal entity with offices located within 25 miles of the Village of Solon Springs
- D. Penalty The fine for violation of any provision of this section shall be a penalty as provided in §11.11 of this code.

This Ordinance shall take effect July 1, 2023 upon approval and publication.

Dated the 24<sup>th</sup> of April, 2023

BY:   
Ben Evans, Village President

ATTEST:  
  
Kathy Burger, Village Clerk

Adopted: 4/24/23

Notice Published: 5/2/23

**AN ORDINANCE CREATING SECTION 11 OF THE  
VILLAGE CODE OF THE VILLAGE OF SOLON SPRINGS  
OFFERING A RESIDENTIAL DWELLING AS A SHORT- TERM RENTAL**

**11.01 Short-term rental license required.**

- a. Except as provided in (b), no person shall offer a residential dwelling for rent for a fee or similar consideration for less than 29 consecutive days, without first obtaining a license from the Village under this section. Proof of the License and Property Rules shall be posted in a conspicuous location while the property is rented and shall be made available upon request for inspection.
- b. No license shall be required for a single rental of not greater than ten days which occurs in a calendar year.

**11.02 Definitions.**

- A. Residential Dwelling - 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 person or 2 or more persons maintaining a common household to the exclusion of all others. (Wis Stat. § 66.1014(1)(b)).
- B. Village Clerk – The Village Clerk for the Village of Solon Springs or their designee;
- C. Corporate Entity – A corporation, partnership, limited liability company, or sole proprietorship licensed to conduct business in this state;
- D. License – The short- term license issued by the Village;
- E. Owner – The owner of a short-term rental residence;
- F. Person – Shall include a corporation, firm, partnership, association, organization and any other group acting as a unit as well as individuals, including a personal representative, receiver or other representative appointed according to law.  
Whenever the word person is used in any section of this ordinance prescribing a penalty or fine, as to partnerships or associations, the word shall include the partners or members hereof, and as to corporations, shall include the officers, agents or members thereof who are responsible for any violation of such section;
- G. Property Manager – Any person that is not the property owner and is appointed to act as agent and/or provides property management services to one or more short term rentals;

H. State – The State of Wisconsin Department of Health or its designee.

### **11.03 Purpose**

The purpose of this ordinance is to require the disclosure and licensing of short-term rentals operated in the Village of Solon Springs. Furthermore, this ordinance is intended to ensure that residential neighborhoods are not unduly affected by the operation of short-term rentals in the Village. This will be accomplished by a licensing program that enables the Village to monitor and track the proliferation of short-term rentals within its borders and includes modest performance standards intended to protect property owners, renters, and neighbors.

### **11.04 Applicability**

- A. Permitted short-term rentals. Legally existing residential dwelling units may be used as short-term rentals upon the issuance of a short-term rental license for the premises in this ordinance.
- B. Prohibited short-term rentals. No person shall offer for rent, operate, or otherwise use any dwelling unit in the Village of Solon Springs for short term rentals if:
  - 1) Such person has not secured or maintained a valid short-term rental license for the premises; or the accommodations are an accessory apartment, recreational vehicle, trailer, or tent.

### **11.05 Standards for Short Term Rentals.**

- 1. The property owner shall designate a Property Manager for each short-term rental who is available twenty-four hours a day, seven days of the week. If the property owner does not meet the conditions of (a), and cannot provide twenty-four-hour oversight of the short-term rental, a de facto Property Manager shall be appointed by the property owner. The Property Manager shall act on behalf of the property owner and can provide property management services for one or more short-term rentals.
  - (a) Property Manager Qualifications. To qualify as a Property Manager the person must reside in or within 25 miles of the Village of Solon Springs or other legal entity with offices located within 25 miles of the Village of Solon Springs.
  - (b) Property Manager Shall be authorized by the Property Owner to act as the agent for the owner for the receipt of service of notice of violation of this Section's provisions and for service of process pursuant to this Section and shall be authorized by the

owner to allow Village employees, officers, and their designees, to enter the owner's property for purposes of inspection and enforcement of this Ordinance.

2. One (1) internal bathroom for every four (4) occupants;
3. Not less than 150 square feet of floor space for the first occupant thereof and at least an additional 100 square feet of floor space for every additional occupant thereof; the floor space shall be calculated based on total habitable room area. Floor space is determined using interior measurements of each room. Floor space does not include kitchens, bathrooms, closets, garages, or rooms not meeting Uniform Dwelling Code requirements for occupancy. The maximum occupancy for any premises without a separate enclosed bedroom is two (2) people;
4. Not less than one (1) onsite off-street parking space for every four (4) occupants based upon maximum occupancy;
5. A safe, unobstructed means of egress from the short-term rental leading to safe, open space at ground level;
6. Shall have functional smoke detectors and carbon monoxide detectors in accordance with the requirements of Chapter SPS 321 of the Wisconsin Administrative Code;
7. Shall not have an accessible wood burning fireplace unless the property owner provides a certificate from a properly licensed inspector, dated not more than 30 days prior to submission of the short-term rental application or renewal, certifying that the fireplace and chimney have been inspected and are in compliance with National Fire Prevention Association Fire Code Chapter 211 Standard for Chimneys, Fireplaces, Vents, and Solid Fuel Burning Appliances;
8. Unless "Class A" fire-rated deck flooring and railings are used, there shall not be a hibachi, gas fired grill, charcoal grill, or other similar devices used for cooking or any other purpose on any balcony, deck or under any overhanging structure or within ten (10) feet of any structure;
9. Shall not have a fire pit or other similar device used for heating or any other purpose on any balcony, deck or under any overhanging structure or within 25 feet of any structure;
10. Shall have casualty and liability insurance issued by an insurance company authorized to do business in this state by the Wisconsin Office of the Commissioner of Insurance, with liability limits of not less than \$300,000 per individual occurrence and not less than \$1,000,000 in the aggregate;

11. Certification of Compliance. As a condition of issuance of a license under this Section, the Property Owner or Property Manager shall certify that each property is following the terms and conditions of the license and this Section.
12. Shall furnish each short-term renter a copy of the Douglas County "*Good Neighbor Guidelines*".

#### **11.06 Short Term Rental License Application Procedure**

- a. All applications for a short-term rental license shall be filed with the Village Clerk on an application form provided by the Clerk. Only property owners or duly authorized Property Managers shall be responsible for completing the application. No license shall be issued unless the completed application is accompanied by payment of the required fee.
- b. Each application shall include the following information and documentation:
  1. A copy of the Douglas County Tourist Rooming House License issued under Chapter 3.13 of the Douglas County Code of ordinances;  
A seller's permit issued by the Wisconsin Department of Revenue pursuant to Wis. Stat. §§ 77.53(3m) and 77.523(1);
  2. A copy of the Douglas County property inspection report dated within one (1) year of the date of filing the application with the Village Clerk;
  3. Proof of Insurance;
  4. Site Plan – Site Plan shall be drawn neatly and accurately of the parcel but not limited to property lines and parking and locations;
  5. Floor Plan – Floor Plan of all floors to be occupied in the dwelling, drawn neatly and accurately with dimensions clearly shown;
  6. A copy of the short-term rental "Rules and Regulations" specific to the property as developed by the property owner or Property Manager.
  7. Signed certification by the property owner or Property Manager acknowledging the Village of Solon Springs Short-Term Rental Regulations as below:
    - a. No vehicular traffic shall be generated that is greater than normally expected in a typical residential neighborhood;

- b. There shall not be excessive noise, fumes, glare, or vibrations generated during the use;
- c. Name plates or other signage shall not exceed one (1) square foot. No other signage advertising the short - term rental is permitted on site. Off-site advertising in media channels relating to the availability of the rental may take place only after the Village and County licenses have been obtained;
- d. The maximum number of occupants in any residential dwelling unit shall not exceed the limits set forth in the State of Wisconsin Uniform Dwelling Code and other applicable County and Village housing regulations based upon the number of bedrooms in each unit;
- e. No recreational vehicles (RVs), campers, tents, or other temporary lodging arrangements shall be permitted on any residential dwelling unit site as a means of providing additional accommodations for paying guests or other invitees;
- f. Any outdoor event held at a short- term rental shall last no longer than one (1) day and shall not occur before 8:00 a.m. and shall not continue after 10:00 p.m. Any activities conducted at a short-term rental shall follow other noise regulations of the Village of Solon Springs;
- g. All short - term rentals shall be subject to payment of the Village of Solon Springs room tax at the current applicable rate. Property owners or property managers holding the short-term rental license for a residential dwelling unit are responsible for complying with all room tax requirements as set forth.
- h. Compliance with all applicable state, county, and local codes and regulations is required;
- i. A general building inspection by Douglas County is required prior to the initial issuance of a Douglas County Tourist Rooming House license or upon the transfer of ownership of the residential dwelling unit for continued short-term rentals;
- j. The property owner's or property manager's contact information must be on file with the Village Clerk at the time of application. The property owner or Property Manager must notify the Village within 24 hours of a change in management contact information for the short - term rental;
- k. Short term rental licenses are issued for a one (1) year period and must be renewed annually, on April 1st, subject to Village approval or denial;
- l. The property owner or Property Manager of the short- term rental shall maintain appropriate insurance for the residential dwelling unit that is used for short term rental and provide proof of insurance with the license application and renewal;

m. Each short-term rental shall maintain the following written records for each short-term rental of the residential dwelling unit: the full name and current address of any person renting the property, the time period for that rental, and the monetary amount or consideration paid for that rental (the "Register"). A copy of the quarterly Register shall be maintained and subject to review as requested.

(c) License Terms and Filing Date. Each license shall run for a term of one (1) year commencing on April 1st. The filing fee shall be paid upon filing of the application. The Village Clerk may conditionally accept late applications, subject to payment of the late filing fee. Any application which does not include all information and documentation shall not be considered complete.

(d) Application Review Procedure – When satisfied that the application is complete, the Village Clerk shall forward initial applications for licenses to the Village Board President, or their designee, for review. If the Village Clerk, in consultation with the Village Board President or designee, determines that the application meets the requirements of this Section, the Village Clerk may approve the application. If the Village Clerk, in consultation with the Village Board President, or designee, determines that the application does not meet the requirements of this Section, the Village Clerk may deny the application.

(e) Non-Transferability of License – Short term rental licenses issued under this ordinance shall not be transferrable to a new owner or location. Any change of ownership shall require a new license.

(f) No permit or license shall be issued, - If the applicant or property has outstanding fees, taxes or forfeitures owed to the Village of Solon Springs, unless arrangements for payment have been approved by the Village Clerk.

#### **11.07 License Renewal.**

(a). Each application for a renewal of a license shall include updated information for the documentation on file with the Village Clerk and payment of the applicable fee. The Village Clerk shall verify that the information provided on the renewal application is complete and in accordance with the requirements of this Section. The Village Clerk may request reports from the Douglas County Sheriff's Department regarding any complaints received, calls for service or actions taken regarding the short-term rental properties. The Village Clerk shall issue renewal licenses within 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 and/or the reports from the



Sheriff's Department indicate that there are complaints or actions involving the property.

(b) If the Village Clerk finds that the license should not be renewed, the Village Clerk shall deny the renewal.

(c) No license shall be renewed if the applicant or property has outstanding fees, taxes or forfeitures owed to the Village, or is under an order issued by the Building Inspector, or their designee, to bring the premises into compliance with Village ordinances, unless arrangements for payment have been approved by the Village Clerk.

#### **11.08 Room Tax.**

(a) Each Property Owner or Property Manager shall file room tax returns for the short- term rentals and shall comply with all room tax requirements.

(b) All room tax returns and supporting documentation is confidential and subject to the protections provided under Wis. Stat. §§ 66.0615(3) and 77.61.

#### **11.09 Fees (see Fee Schedule for the Village of Solon Springs)**

#### **11.10 Display of License.**

(a). Each license shall be displayed on the inside of the main entrance door of each short - term rental.

### 11.11 Violations.

Section	1 <sup>st</sup> Violation	2 <sup>nd</sup> Violation	3 <sup>rd</sup> Violation	4 <sup>th</sup> Violation
Fine for advertising (online or offline) without first having obtained a license.	\$200/day	\$400/day	\$650/day	Upon the 4th violation or subsequent violation in any 24 month period the Village may suspend or revoke any license. The suspension or revocation can be appealed.
Fine for violating any other provision of the short-term rental ordinance.	\$250/day	\$500/day	\$750.00/day	

*Notes: a. Any person found to be in violation of this ordinance in a civil case brought by a law enforcement agency shall be ordered to reimburse the participating law enforcement agencies their full investigative costs, pay all back owed taxes, and remit all illegally obtained short-term rental revenue proceeds to the Village. b. Any unpaid fine will be subject to interest from the date on which the fine became due and payable to the Village until the date of payment. c. The remedies provided for in this fine schedule are in addition to, and not in lieu of, all other legal remedies, criminal or civil, which may be pursued to address any violation or other public nuisance.*

### 11.12 Appeal and License or Permit Revocation.

(a) The denial of any license or permit application or renewal under this Section may be appealed by filing a written appeal request with the Village Clerk within ten (10) days of the Village's notice of denial. The appeal shall be heard by the Planning Commission, which shall make a recommendation to the Village Board. The Village Board shall consider the application or renewal and recommendations and may approve or deny the application or renewal.

(b) A license or permit may be revoked by the Village Board for one (1) or more of the following reasons:

1. Failure to make payment on taxes or debt owed to the Village;
2. Failure to make payment on any Village of Solon Springs room tax;
3. Two (2) or more calls in any 12-month period for law enforcement services, Solon Springs Fire Department services, building code violations, nuisance activities or other ordinance violations as defined in the Village Ordinances;
4. Failure to comply with annual Village building inspection requirements;
5. Failure to maintain all required local, county, and state licensing requirements;
6. Failure to comply with any applicable zoning regulations as described in the Village Code of Ordinances;
7. Any violation of local, county or state laws that harm or adversely impact the predominantly residential uses and nature of the surrounding neighborhood.

**11.13 Repeal of Code.**

All ordinances or parts of ordinances heretofore adopted by the Village of Solon Springs in conflict herewith are hereby repealed.

**11.14 Severability.**

Should any portion of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected.

**11.15 Effective Date.**

This Ordinance shall take effect upon publication as required by law.

Effective this 18 day of July, 2023.

VILLAGE OF SOLON SPRINGS

By:

Ben Evans, President

Date Approved: 4/24/23