

**ORDINANCE 2024-002 OF THE TOWN OF LAWRENCE, WISCONSIN
TO CREATE CHAPTER 240, SHORT TERM RENTALS,
SECTIONS 240-1 THROUGH 240-12**

Purpose. The purpose of this section is to ensure that the quality of short-term rentals operating within the Town is adequate for protecting public health, safety and general welfare, including establishing minimum standards of space for human occupancy and for an adequate level of maintenance; determining the responsibilities of owners, operators and property managers offering these properties for tourists or transient occupants, to protect the character and stability of all areas, especially residential areas, within the Town; to provide minimum standards necessary for the health and safety of occupant occupying or using buildings, structures or premises; and provisions for the administration and enforcement thereof.

The Town Board of Supervisors of the Town of Lawrence does ordain as follows:

Section 1: Town of Lawrence Ordinance Chapter 240 – Short Term Rentals, Section 240-1 through 240-12.

240-1 Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

CLERK/TREASURER means the Town Clerk/Treasurer of the Town of Lawrence or designee.

CORPORATE ENTITY means a corporation, partnership, limited-liability company, or sole proprietorship licensed to conduct business in this state.

DWELLING UNIT means one (1) or more rooms which are arranged, designed or used as living quarters for one family. Individual bathrooms and complete kitchen facilities, permanently installed, shall always be included for each dwelling unit.

LICENSE means the short-term rental license issued under this section.

OCCUPANT means a corporation, firm, partnership, association, organization and any other group acting as a unit as well as individuals, including an occupant representative, receiver or other representative appointed according to law. Whenever the word occupant is used in any subsection of this section 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.

OWNER means the person who owns the residential dwelling that has been rented.

PROPERTY MANAGER means any occupant 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 rental.

SHORT-TERM RENTAL means a residential dwelling that is offered for rent for a fee and for fewer than 30 consecutive days, as defined in Wis. Stats., § 66.0615(1)(dk) and (2)(a) and § 66.1014(2)(a) and (d)1.

STATE means the State of Wisconsin Department of Health, or its designee.
Operation of short-term rentals.

240-2 Operation of Short-Term Rentals

- A. No occupant may maintain, manage, or operate a short-term rental for a period of less than 30 consecutive nights without a short-term rental license. Every short-term rental shall be operated by a property owner or property manager.
- B. Each short-term rental is required to have the following licenses and permits:
 - 1. A State of Wisconsin tourist rooming house license;
 - 2. A seller's permit issued by the Wisconsin Department of Revenue pursuant to Wis. Stats., §§ 77.53(3m) and 77.523(1);
 - 3. A room tax permit; and
 - 4. A permit or license issued pursuant to the provisions of this section.
- C. Each short-term rental shall comply with all of the following:
 - 1. The total number of days within license year that the dwelling may be rented, or available for rental shall not exceed 180 consecutive days commencing with the first day of the rental.
 - 2. The property owner or property manager shall notify the Clerk/Treasurer, in writing, when the first rental within a license year begins.
 - 3. No vehicular traffic shall be generated that is greater than normally expected in the residential neighborhood.
 - 4. There shall not be excessive noise, fumes, glare, vibrations generated during the use.
 - 5. Name plates or other signage shall not exceed one 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 all Town, county and state permits and licenses have been obtained.
 - 6. The number of occupants in any unit shall not exceed the limits set forth in the State of Wisconsin Uniform Dwelling Code and other applicable county and Town housing regulations based upon the number of bedrooms in each unit.
 - 7. No recreational vehicles (RVs), 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.
 - 8. Any outdoor event held at the short-term rental shall last no longer than one day occurring between the hours of 8:00 a.m. and 10:00 p.m. and only one event per seven-day period. Any activities shall be in compliance with other noise regulations of the Town, Chapter 189.
 - 9. All rentals of the short-term rental shall be subject to payment of the Town of Lawrence room tax at the current applicable rate. Permit holders are responsible for complying with all regulations of the Town Ordinance, Chapter 40.

10. Compliance with all applicable state, county, and local codes and regulations is required.
11. Annual general fire inspection is required prior to issuance or renewal of license.
12. A local property management contact must be on file with the Town at the time of application. The local property manager must be within 25 miles of the short-term rental property and must be available 24 hours a day. The property owner must notify the Town within 24 hours of a change in management contact information for the short-term rental.
13. A short-term rental license will not be issued until the following contingencies have been met:
 - a. License from the county received;
 - b. General building and fire code inspection completed by the Town and no outstanding orders remain.
14. Property manager has been approved and permitted.
15. Short-term rental licenses are issued for a one-year period commencing July 1st through June 30th. Upon approval of this Ordinance the initial licenses will be issued for up to a fifteen-month period commencing on April 1st, 2024, and valid through June 30th, 2025, and must be renewed annually thereafter subject to Town approval or denial.
16. The property owner of the short-term rental shall have appropriate insurance for the home that is used for short-term rental (over and above normal home policy) and provide proof of insurance with the license application and renewal.
17. Each short-term rental shall provide a register and require all guests to register their true names and addresses before beginning occupancy of the short-term rental. The register shall be kept intact and available for inspection by representatives of the Town for at least one year.

240-3 Short-term rental license; property manager permit.

- A. The Clerk/Treasurer shall issue a short-term rental license to all applicants following the approval of an application and the filing of all documents and records required under this section. The application shall also contain the following information:
 1. Identify the property owner with contact information, including mailing address, physical address, and twenty-four-hour phone number;
 2. Identify the property manager with contact information, including mailing address, physical address, and twenty-four-hour phone number;
 3. The maximum days of occupancy for the premises for individual rentals;
 4. The license term; and
 5. State lodging license number, if any.

240-4 Short-term rental license procedure.

- A. All applications for a short-term rental license shall be filed with the Clerk/Treasurer on forms provided. Applications must be filed by the property owner. No permit shall be issued unless the completed application form is accompanied by payment of the required fee.
- B. Each application shall include the following information and documentation for each short-term rental unit:

1. A copy of a State of Wisconsin license for a tourist rooming house license issued under Wis. Stats., § 254.64;
2. A copy of a completed state lodging establishment inspection form dated within one year of the date of issuance or renewal;
3. Proof of insurance;
4. A copy of seller's permit from the department, if any; Floor plan and requested maximum occupancy; Site plan, including available on-site parking; Property management agreement (if applicable); Designation of the property manager.
5. Certification from the property owner that the property meets the requirements of this section;(j) A room tax permit issued by the Town;
6. An employer identification number issued by the Internal Revenue Service.

240-5 Renewal.

- A. Each application for a renewal of a permit or license shall include updated information for the documentation on file with the Clerk/Treasurer and payment of the applicable fee. The Clerk/Treasurer shall verify that the information provided on the renewal application is complete and in accordance with the requirements of this section. The Clerk/Treasurer shall request reports from the Hobart Lawrence Police Department regarding any complaints received, calls for service or actions taken regarding the short-term rental properties. The Clerk/Treasurer 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 directed enforcement officer and the Code Enforcement Officer indicate that there are complaints or actions involving the property.
- B. If the Clerk/Treasurer finds that the license or permit should not be renewed, the Clerk/Treasurer shall deny the renewal.
- C. No permit or license shall be issued or renewed unless there is filed with the Clerk/Treasurer a completed fire inspection report by the Town Fire Inspector dated within one year of the issue date.
- D. No permit or 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 Code Enforcement Officer, Town Building Inspector/Zoning Administrator, or his designee, to bring the premises into compliance with Town ordinances, unless arrangements for payment have been approved by the Clerk/Treasurer.

240-6 Property manager.

- A. Property manager permit. No occupant may act as a property manager for a short-term rental without a property manager permit issued in accordance with the provisions of this section. The property manager permit shall apply to all short-term rentals for which the property manager has exclusive rights for the rental of the property. The property manager must certify to the Town that each short-term rental operating under the short-term rental license complies with the standards of this section.
- B. Property manager qualifications. To qualify as a property manager the applicant must meet the following requirements:
 1. Be a natural occupant residing in or within 25 miles of the Town or a corporate entity with offices located within 25 miles of the Town.
 2. The applicant does not have pending any criminal charges and has not been convicted

of a felony or misdemeanor of any offense involving dishonesty, fraud, deceit, robbery, the use or threatened use of force or violence upon another.

- C. Each 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 Town employees, officers and their designees, to enter the owner's property for purposes of inspection and enforcement of this section and/or this Code.

240-7 Standards for short-term rentals.

- A. Each short-term rental shall comply with this section's requirements or any other applicable Town ordinance. Each short-term rental shall comply with the following minimum requirements:
1. One indoor bathroom for every four occupants;
 2. 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 on the basis of 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 people;
 3. Not less than one on-site off-street parking space for every four occupants based upon maximum occupancy;
 4. Safe, unobstructed means of egress from the short-term rental leading to safe, open space at ground level; compliant with requirements SPS 321.03;
 5. Shall have functional smoke detectors and carbon monoxide detectors in accordance with the requirements of Ch. SPS 321, Wis. Adm. Code;
 6. 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, 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;
 7. Shall not have 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 10 feet of any structure;
 8. Shall not have a firepit or other similar device used for heating or any other purpose on any balcony, deck or under any overhanging structure or within 20 feet of any structure;
 9. All property managers shall carry 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 and \$1,000,000 aggregate.
 10. Certification of compliance. As a condition of issuance of a license under this section, the property manager shall certify that each managed property is in compliance with the terms and conditions of the license and this section.

240-8 Room tax.

- A. Each short-term rental shall comply with the room tax reporting requirements of Town Ordinance Chapter 40 and each property manager licensee shall file room tax returns for the managed short-term rentals.
- B. All tax returns and supporting documentation filed with the Clerk/Treasurer are confidential and subject to the protections provided under Town Ordinance 40-11 and Wis. Stats., §§ 66.0615(3) and 77.61.

240-9 Display of permit.

- A. Each license or permit shall be displayed on the inside of the main entrance door of each short-term rental.

240-10 Appeal and license 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 Clerk/Treasurer within 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 and recommendations and may approve or deny the application or renewal.
- B. A license may be revoked by the Town Board for one or more of the following reasons:
 - 1. Failure to make payment on taxes or debt owed to the Town;
 - 2. Failure to make payment on the Town of Lawrence room tax;
 - 3. Three or more calls for police service, building inspection or the Health Department for nuisance activities or other law violations in a twelve-month period as defined in Chapter 189,
 - 4. Failure to comply with annual Town building and/or fire inspection requirements;
 - 5. Failure to maintain all required local, county, and state licensing requirements;
 - 6. Failure to use the property as a short-term rental within 12 months of obtaining the Town license;
 - 7. Failure to comply with any requirements cited within Chapter 240-8 of this chapter;
 - 8. Any violation of local, county, or state laws that substantially harm or adversely impact the predominantly residential uses and nature of the surrounding neighborhood.

240-11 Penalties.

- A. Any occupant who shall violate any provision of this section shall be subject to a penalty as provided in, Chapter 1-3, Violations and Penalties, and in the forfeiture amounts as provided for in the bond schedule for the Town Municipal Court.
- B. Penalties set forth in this section shall be in addition to all other remedies of injunction, abatement or costs whether existing under this section or otherwise.

240-12 Fees.

- A. Fees for any applications, licenses, inspections and/or permits required under this section shall be as set forth in Chapter 175, Licenses and Permits.

Section 2: Severability.

If any provision of this ordinance is found invalid or unconstitutional, or if the application of this Ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or application of this Ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.

Section 3: This amendment to existing, or creation of new, ordinances shall be effective upon passage and publication as provided by Law.

Dated at Town of Lawrence, Wisconsin on this 11th day of March 2024.

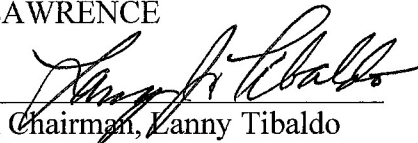
TOWN OF LAWRENCE

Introduced by: Supervisor Bain

Seconded by: Supervisor Vannieuwenhoven

Vote: 4-ayes, 0-nay




Town Chairman, Lanny Tibaldo

Attest: 
Town Clerk, Cindy Kocken