

Village of Sister Bay Code of Ordinances

Chapter 18

Business Regulation

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ARTICLE I – ROOM TAX

Sec. 18.1 Definitions

In this chapter, the following shall apply:

Commission has the meaning defined in Wisconsin Statutes §66.00615(a). If two or more municipalities in a zone impose a room tax under section (a), the municipalities shall enter into a contract under Wis. Stats. §66.0301 to create a Commission under §66.0301(2). Each municipality in a single zone that imposes a room tax shall levy the same percentage of tax. If the municipalities are unable to agree on the percentage of tax for the zone, the commission shall set the percentage.

Gross receipts has the meaning as defined in Wis. Stats. §76.48(d): A gross receipt means total revenue received from the retail furnishing of rooms, lodging, or similar accommodations by a hotel or motel as defined herein.

Hotel and motel have the meaning as defined in Wis. Stats. §77.52(2)(a)1. “Hotel and motel” means a building or a group of buildings in which the public may obtain accommodations for a consideration, including, without limitation, such establishments as inns, motels, tourist homes, tourist houses or courts, bed and breakfast establishments, lodging houses, rooming houses, summer camps, apartment hotels, resort lodges and cabins, commercial indoor lodging facilities and any other building or group of building in which accommodations are available to the public, except accommodations rented for a continuous period of more than thirty (30) consecutive days and accommodations furnished by any hospitals, sanitariums or nursing homes or by corporations or associations organized and operated exclusively for religious, charitable or educational purposes provided that no part of the net earnings of such corporations and associations inures to the benefit of any private shareholder or individual.

Municipality means the Village of Sister Bay, Wisconsin.

Payor means the person or entity who owes the tax imposed by this article.

Room tax means the tax imposed pursuant to this chapter.

Tourism has the meaning as defined in Wis. Stats. §66.0615(1)(e): Tourism means any travel for recreational, business or educational purposes.

Transient has the meaning as defined in Wis. Stats. §77.52(2)(a)1: Transient means any person residing for a continuous period of less than thirty (30) consecutive days in a hotel, motel, or other furnished accommodations available to the public.

Tourism Entity has the meaning as defined in Wis. Stats. §66.0615. A nonprofit organization that provides staff, development or promotional services for the tourism industry in the municipality, and as one of its primary purposes the generation of paid overnight stays. The tourism entity must have a governing board comprised of over fifty (50%) percent representation from the area’s restaurants, drinking places, gift/souvenir shops, hotels, motels, bed and breakfasts, tourist rooming houses, public golf courses, amusement parks or other tourist attractions; twenty-five (25%) percent or more of the total board must be owners or operators of room tax paying lodging establishments.

Tourism promotion and development has the meaning as defined in Wis. Stats. §66.0615(1)(fm): “Tourism promotion and development” means any of the following that are significantly used by transient tourists and reasonably likely to generate paid overnight stays at more than one establishment on which a room tax may be imposed, that are owned by different persons and located within the municipality;

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1 or, if the municipality has only one such establishment, reasonably likely to generate paid overnight
2 stays in that establishment:

- 3 1. Marketing projects, including advertising media buys, creation and distribution of printed or
4 electronic promotional tourist materials, or efforts to recruit conventions, sporting events, or
5 motor coach groups.
- 6 2. Transient tourist informational services.
- 7 3. Tangible municipal development, including a convention center.

8
9 Tourism Zone has the meaning as defined in Wis. Stats. §66.0615: “Tourism Zone” means an area made up
10 of two or more municipalities that, those municipalities agree, is a single destination as perceived by
11 the traveling public.

12 **Sec. 18.2 Creation of Tourism Zone**

13 Pursuant to Wis. Stats. §66.0615, the Village of Sister Bay joined the Door County Tourism Zone Commis-
14 sion on April 12, 2007 for the purpose of promoting the County as a single destination.

15 **Sec. 18.3 Imposition of Room Tax**

16 (a) Tax Imposed.

17 Pursuant to Wis. Stats. §66.0615, a tax is hereby imposed on the privilege and services of furnishing,
18 at retail, of rooms or lodging to transients by hotel keepers, motel operators and other persons fur-
19 nishing accommodations that are available to the public, irrespective of whether membership is re-
20 quired for the use of the accommodations. Such tax shall be at the rate of 8% percent of the gross re-
21 ceipts from such retail furnishing of rooms or lodgings. Such tax shall not be subject to the selective
22 sales tax imposed by Wis. Stats. §77.52 (2)(a)1 and may not be imposed upon sales to the Federal
23 Government and persons listed under Wis. Stats. §77.54 (9a). (*Amended Ordinance 284*)
24

25 (b) Taxation Effective Date.

26 The effective date of the Room Tax shall be May 1, 2007. (*Amended Ordinance 124-032707*)
27

28 (c) Room Tax Payment Frequency.

29 Room Tax should be paid by the lodging property on a monthly basis. It should be paid by the end of
30 the month following the month in which it was collected unless the end of the month falls on a Satur-
31 day or Sunday, which would make it due on Monday.

32 (1) If the municipality collects the Room Tax directly from each lodging property on a monthly
33 basis, they must then put together a monthly report showing the total amount of Room Tax
34 collected from each property and submit that along with a check for seventy percent (70%) of
35 the total collected to the Commission by the fifteenth of the month following collection or ap-
36 proximately forty-five (45) days after the end of the month from which the Room Tax was col-
37 lected. The municipality shall also submit copies of each lodging property’s Monthly Room
38 Tax return as specified in Section 18.3(e).

39 (2) The Room Tax is owed to the local municipality which imposed the tax, but for convenience,
40 the municipality can direct that all checks be sent directly to the Commission. If the Room Tax
41 checks for all properties in a municipality are sent directly to the Commission, the Commis-
42 sion will send one check by the fifteenth of each month to the municipality for thirty percent
43 (30%) of all Room Tax collected the previous month along with a report showing the amount
44 of Room Tax collected from each lodging property. In the latter case, the Commission does all
45 the paperwork as part of their monitoring.
46

47 (d) Room Tax Responsibility.

48 The correct amount of Room Tax shall accompany each lodging property’s monthly tax return and be
49 made payable to the municipality, or if the municipality prefers, to the Door County Tourism Zone
50 Commission. If any person liable for any amount of tax under this agreement sells out their business
51 or otherwise quits the business, their successors or assigns shall withhold sufficient of the purchase

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1 price to cover such amount until the former owner produces a receipt from the Municipal Treasurer
2 that it has been paid or a certificate stating that no amount is due. If any person subject to the tax im-
3 posed by this agreement fails to withhold such amount of tax from the purchase price as required,
4 they shall become personally liable for the payment of the amount required to be withheld by them.
5

6 (e) Monthly Room Tax Return.

7 The Monthly Room Tax Return filed with the room tax payment by the lodging property shall con-
8 tain the following information: Name of the business, physical address, postal address, municipality
9 located within, name of the designated person filling out the return, month and year the return is for,
10 total available rental units during the month (number of rental units in the facility multiplied by the
11 days in the month or days they were open), number of rooms or units rented, total lodging sales for
12 the month, room tax to be paid, (which should equal total lodging sales multiplied by the 5.5% Room
13 Tax), and the signature of the person filling out this return, attesting to the accuracy. This information
14 will allow the municipality or Commission to judge the accuracy of the return, and, for the Commis-
15 sion, with all returns in total, to judge the effectiveness of the tourism promotion. The Commission
16 shall establish the form of the monthly tax return as either a paper and/or electronic document.
17

18 (f) Delinquent Room Tax.

19 Delinquent Room Tax returns shall be subject to a twenty-five dollar (\$25) late filing fee. The tax
20 imposed pursuant to this chapter shall become delinquent if not paid by the due date of the return. A
21 forfeiture of twenty-five percent (25%) of the room tax due or five thousand dollars (\$5,000.00)
22 whichever is less, of the tax imposed, is hereby established and due and owing in the event that the
23 room tax is not paid within thirty (30) days after the due date of the return. To prevent payment omis-
24 sions, within ten (10) days of a past due Room Tax payment, the Municipal Treasurer or Clerk or the
25 Commission, if they were to receive the check, should send a written past due statement to the desig-
26 nated person or agent at the late paying lodging business. In addition to this forfeiture, all unpaid
27 taxes under this chapter shall bear interest at the rate of twelve percent (12%) per annum from the
28 due date of the return until received and deposited by the Municipal Treasurer or the Commission.
29 Whenever the Municipal Treasurer or the Commission has probable cause to believe that the correct
30 amount of room tax has not been assessed or that the tax return is not correct, or that the tax has not
31 been paid, the Municipal Treasurer or the Commission is authorized to examine and inspect the
32 books, records, memoranda and property of any person in order to verify the tax liability of that per-
33 son or another person. The Municipal Treasurer or Commission shall make an estimate of the
34 amount of tax owed. Based on this estimate, the Municipal Treasurer or the Commission shall add a
35 penalty of ten percent (10%) thereof. If a person files a false or fraudulent return with the intent of
36 either case to defeat or evade the tax imposed by this chapter, a penalty of fifty percent (50%) shall
37 be added to the tax required to be paid, exclusive of interest and other penalties. If any past due tax,
38 interest or penalties are due at the beginning of a calendar year, a new annual room tax-lodging per-
39 mit will not be issued by the Clerk of the municipality unless satisfactory financial arrangements
40 have been made with the Municipal Treasurer and Commission to satisfy payment.
41

42 (g) Confidentiality of Reports.

43 All Room Tax returns, schedules, exhibits, writings or audit reports relating to such returns, on file
44 with the Commission and the municipality are deemed confidential pursuant to Wis. Stats.
45 §66.0615(3), except they may divulge their contents to the following, and no others:

- 46 (1) The person who filed the return.
 - 47 (2) Officers, employees or agents of the Municipal Treasurer and the Commission.
 - 48 (3) Other persons for the use in the discharge of duties imposed by law, or in the discharge of the
49 duties of their office (unless otherwise prohibited by law), or by order of a Court.
- 50

51 (h) Exemptions in 2007.

52 The following exemptions shall automatically expire on December 31, 2007. For 2007, there may be
53 exemptions to the collection of the Room Tax subject to audit. Any person or business otherwise

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1 required to file a return and make a payment under this Agreement, will be allowed an exemption
2 from the requirement to collect and pay Room Tax for any signed contract dated prior to the adoption
3 of the Agreement in which the contract guarantees the lodging rates and the applicable taxes. This
4 also applies to any gift certificate purchase before the adoption of this Agreement, which is not for a
5 fixed dollar amount, but, instead, for the amount paid, guarantees a particular lodging rate and the
6 applicable taxes. This exemption does not apply to reservations made before the adoption of this
7 agreement, which are not binding contracts. The Commission shall establish provisions for the
8 proper reporting of these exemptions.

9 **Sec. 18.4 Lodging Establishments to be Licensed**

10 (a) License Required. Any party supplying transient lodging in the Village of Sister Bay shall obtain and
11 maintain a permit from the Village Clerk permitting the rental of accommodations. No accommoda-
12 tions shall be rented or available for rental for a period of less than thirty (30) days by any party not
13 possessing a lodging permit issued by the Village.
14

15 (b) Permit Application. Any party furnishing lodging accommodations to transient guests in the Village
16 shall annually file, on or before the end of the year, with the Village Clerk, an application to operate
17 each place of business subject to this chapter. There shall be no cost for the filing of the application
18 for the permit. The application form shall include, at minimum, the following information:
19

20 (1) The name of the business under which the person, partnership or corporation transacts busi-
21 ness or intends to transact business. (This name shall agree with that used for Sales Tax Per-
22 mits.)

23 (2) The name of the agent for the business or other person designated as responsible to remit the
24 Room Tax, and means to contact this person, including email address, postal address, tele-
25 phone number, fax number and cell phone number.

26 (3) The physical and mailing address of the business.

27 (4) Number of rental units at the location for each month of the year during which the business is
28 operating.

29 (5) The signature of the person designated in item b. above.
30

31 (c) Permit Review and Issuance. The Village Clerk may accept the application, review it for accuracy
32 and issue the permit. A copy of all applications should be submitted by the Village Clerk, before the
33 end of January, to the Commission that is responsible for monitoring the collection of Room Taxes.
34 The permit shall not be assignable. The permit shall only be valid for the person named on the appli-
35 cation as being responsible to remit the Room Tax. In cases where that person should change or the
36 ownership should change during the life of the permit, the application and issuance of a new permit
37 shall be necessary.
38

39 (d) Penalty for Failure to Obtain and Maintain a Permit for the Rental of Accommodations. Any party in
40 violation of the terms of this chapter by failing to obtain or maintain a lodging permit, when such
41 permit is required, shall be subject to a forfeiture of not less than \$20 nor more than \$100 for each
42 violation. Each room or unit separately rented or offered for rent, and each day of such rental or offer
43 for rental of such unit shall be a separate violation. In addition, injunctive relief is hereby authorized
44 to discontinue violation of this chapter. Any party deemed to have violated any of the provisions of
45 this chapter shall be obligated to pay the costs of prosecution, in addition to actual attorney fees ex-
46 pended in the course of said enforcement. (*Amended Ordinance 132-081407*)
47

48 (e) Tourism Zone Commission. Authority is hereby delegated to the Door County Tourism Zone Com-
49 mission to act as agent of this municipality in the enforcement of this chapter as amended, for viola-
50 tion of the requirement of obtaining and maintaining a lodging permit when such lodging permit is
51 required. The Door County Tourism Zone Commission shall have and may exercise the full authority
52 which would otherwise be available to this municipality in the enforcement of this chapter, including

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1 the ability to seek enforcement and penalties for failure to comply with the section requiring a lodg-
2 ing permit. (*Amended Ordinance 132-081407*)

3 **Sec. 18.5 Creation of a Commission**

- 4 (a) Commission Purpose. The municipalities shall enter into a contract under Wis. Stats. '§66.0615 to
5 create a Commission under the Intergovernmental Cooperation provisions of Wis. Stats.
6 §66.0301(2). The Commission shall contract with a Tourism Entity for the promotion of the destina-
7 tion with a minimum of 70% of the room taxes collected.
8
- 9 (b) Commission Membership. The Commission created by a Tourism Zone Agreement under Wis. Stats.
10 §66.0615 shall consist of the following members:
11 (1) Two (2) members from each municipality in which annual tax collections exceed \$300,000.
12 (2) One (1) member from each municipality in which annual tax collections are \$300,000 or less.
13 (3) Two additional members, who represent the Wisconsin hotel and motel industry, shall be ap-
14 pointed to the Commission by the Chairperson of the Commission. Those individuals shall
15 serve for a one-year term at the pleasure of the Chairperson and may be reappointed. These
16 members shall not be members of the Board of Directors or employees of the Tourism Entity.
17
- 18 (c) Commission Member Appointment Process and Term of Office. Members of the Commission shall
19 be appointed by the principal elected official in the municipality and shall be confirmed by a major-
20 ity vote of the members of the municipality's governing body who are present when the vote is
21 taken. Commissioners shall serve a one-year term, at the pleasure of the appointing official and may
22 be reappointed. If a member of the Commission resigns or is removed for cause, the municipal body
23 that appointed the member may appoint another person to fulfill the unexpired term. If the subject
24 member was appointed by the Chairperson, they may appoint another person to fill the unexpired
25 term. Members of the Commission shall receive no pay but may be reimbursed for their travel ex-
26 pense.
27
- 28 (d) Applicability of State Open Meetings Law. While membership on the Commission is provided for
29 each municipality in the Zone Agreement, all membership positions need not be filled if a municipal-
30 ity does not see a need. A member community that does not appoint a representative shall not count
31 towards the determination of a quorum. The Commission shall be subject to the provisions of the
32 Wisconsin Open Meetings and Open Records laws as amended.
33
- 34 (e) Role of Commission. The Commission shall perform such tasks as are specified in the Tourism Zone
35 Agreement.

36 **Sec. 18.6 Distribution of Room Taxes Collected**

37 Upon receipt of the room taxes that are collected, the municipality shall distribute a minimum of seventy
38 (70%) percent of the room taxes to the Tourism Zone Commission. The municipality shall retain thirty
39 (30%) percent of the room taxes or less for such purposes as the Village Board of Trustees shall determine.
40 All municipalities will still receive their monthly, quarterly and annual reports if Room Tax checks are sent
41 directly to the Commission.

42 **Sec. 18.7 Tourism Entity**

43 The Commission shall contract with a Tourism Entity who shall spend the room taxes on tourism promo-
44 tion and development. The Tourism Entity shall not use any of the room tax revenue to construct or develop
45 a lodging facility.

46 **Sec. 18.8 Tracking and Reporting Room Tax Revenue Expenditures**

47 The Tourism Entity shall track the use of Room Tax revenues and expenditures and state its impact on gen-
48 erating paid overnight stays in the community. The Tourism Entity shall permit and allow inspections of its
49 records pertaining to the use of the room tax funds upon request of the Tourism Commission at reasonable

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1 times. The Tourism Entity shall provide a written report as determined by the Tourism Commission, no less
2 than annually, and such report shall be available to the municipality and public upon request.

3 **Sec. 18.9 Effective Date**

4 This chapter shall be effective on its passage and publication with the following condition that at least two
5 (2) of the municipalities listed below adopt the Room Tax and Tourism Zone Agreement in substantially the
6 same form prior to May 1, 2007.

7 Town of Washington

8 Town of Liberty Grove

9 Town of Baileys Harbor

10 Town of Gibraltar

11 Town of Egg Harbor

12 Village of Egg Harbor

13 Village of Ephraim

14 City of Sturgeon Bay

15 (*Amended Ordinance 124-032707*)

16 **Secs. 18.10 Premier Resort Area Tax**

17 a) Authority. This section is enacted under the authority of (i) §66.113, Wis. Stats., and (ii) subchapter X of
18 the Chapter 77, Wis. Stats., and acts amendatory thereto.

19 (b) Purpose. The sole purpose in the Village of Sister Bay in enacting this section is to raise revenues from
20 the premier resort area tax imposed for infrastructure expenses in accordance with the terms of §66.1113,
21 Wis. Stats.

22
23 (c) Definitions. As used in this section, the following words have the meanings indicated:

24 1. *Infrastructure expenses*. Means those expenses specifically referred to in §66.1113(1)(a), Wis. Stats.

25 2. *Premier resort area*. Means the premier resort area tax referred to in §77.994, Wis. Stats.

26 (d) Findings. The Village of Sister Bay makes the following finding and determinations, to wit:

27
28 1. The Village of Sister Bay is a political subdivision of the State of Wisconsin.

29
30 2. The Board of Trustees has determined that the Village will have in the future certain infrastructure ex-
31 penses, and that the declaration of the Village as a premier resort area and imposition of the premier resort
32 area tax pursuant to §66.1113 (2)(b), Wis. Stats., would serve a public purpose by providing recreation and
33 transportation facilities, encouraging economic development and tourism, and promoting the public safety
34 and welfare of the people of the village.

35
36 3. Pursuant to its authority under §6.1113(2) (a), Wis. Stats., and adoption of Sister Bay Ordinance 256-
37 022118 the Village of Sister Bay has declared the village to be a premier resort area, as that term is defined
38 in §66.1113(1)(c), Wis.
39 Stats.

40
41 4. Pursuant to, and in strict conformity with, the provisions of §66.113, Wis. Stats., and Subchapter X of
42 Ch. 77, Wis. Stats., the Village does hereby elect to impose a premier resort area tax in the manner and to
43 the extent permitted by Subchapter X of Ch. 77, Wis. Stats.

44
45 5. It is the express intent of the Village that the construction, administration, and application of this section
46 to all persons in all situations shall conform to the laws of the State of Wisconsin in all ways, and it shall be
47 so construed, applied, and administered.

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1 (e) Tax rate. As of July 1, 2018 the premier resort area tax imposed by this section shall be at the rate of
2 0.5% (1/2 cent on the dollar).

3 (f) Severability. The provisions of this section are severable. If any section, subsection, sentence, clause,
4 phrase, or portion of this section is for any reason held invalid or unconstitutional, such portion shall be
5 deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the
6 remaining portion thereof.

7 (g) Effective Date. The premier resort area tax shall become effective as of the first day of July, 2018. (*Or-*
8 *dinance 256-022118*)

9
10 **Secs. 18.11 – 18.30 Reserved**
11

ARTICLE II – Deleted
per Ordinance 306-122022

ARTICLE III – RESERVED

14
15 **Sec. 18.41 – 18.50 Reserved.**
16

ARTICLE IV – SHORT-TERM
RESIDENTIAL DWELLINGS

17
18
19 **Sec. 18.51 License Required.**

20 No person may own, manage, or operate a short-term rental within a Residential Dwelling for even one (1)
21 night each year without a Village Short-term Rental license issued pursuant to this ordinance.
22

23 **Sec. 18.52 Definitions.**

24 A. BTR means Department of Revenue Business Tax Registration number.

25 B. DATCP means Wisconsin Department of Agriculture, Trade and Consumer Protection.

26 C. DCTZC means Door County Tourism Zone Commission.

27 D. POWTS means Private On-Site Wastewater Treatment System.

28 E. Property Owner means the person or entity who owns the residential dwelling that is being rented.

29 F. Quiet hours means a period of time within a day where plainly audible noise shall be held to a mini-
30 mum due to people relaxing, sleeping, or meditating. For purposes of this code, *Quiet hours* are those
31 hours between 10:00 PM and 10:00 AM.

32 G. Resident Agent means a person or entity who is not the Property Owner and who is authorized to act as
33 the agent of the Property Owner for the receipt of service of notice and remedy of municipal ordinance
34 violations and for service of process pursuant to this ordinance.

35 H. Residential Dwelling means any building, structure, or part of the building or structure, that is used or
36 intended to be used as a home, residence, or sleeping place by one or more persons maintaining a com-
37 mon household, to the exclusion of all others. For purposes of this Section, a Residential Dwelling is
38 not a unit in a hotel/motel/ condominium whose building or complex has a central, on-site, staffed res-
39 ervation desk, and on-site property management. [Amended Ordinance 303]

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- 1 I. STR (Short-Term Rental) means a dwelling unit in which sleeping accommodations are offered for pay
2 to tourists or transients for periods less than 30 days.
- 3 J. Tourist Rooming House means a dwelling unit in which sleeping accommodations are offered for pay
4 to tourists or transients for periods of less than 30 days.
- 5 K. Un-hosted means the owners of the property are not on the premise during the rental.

6 **Sec. 18.53 License Application.**

7 A. Licenses shall be issued using the following procedures:

- 8 1. All applications for a Short-term Rental license shall be filed with the Village Clerk on forms pro-
9 vided. Applications must be filed by the Property Owner or authorized Agent. No license shall be
10 issued unless the completed application form is accompanied by the payment of the required ap-
11 plication fee.
- 12 2. All applications for a STR license shall include a copy of the current inspection report completed
13 by DATCP.
- 14
- 15 3. The Village Clerk shall issue a Short-Term Rental license to all applicants following payment of
16 the required fee, receipt of all completed documentation and information requested by the applica-
17 tion, and approval by the village board or its designee.
- 18
- 19 4. A Short-term Rental license shall be effective for one year and may be renewed for additional one-
20 year periods. The annual licensing terms begins July 1st and ends on June 30th of the following
21 year.
- 22
- 23 5. The application process will open on March 1st. A fully completed application of renewal applica-
24 tion and fee must be filed with the Village Clerk at least forty-five (45) days prior to the license
25 expiration so that the village board, or its designee, has adequate time to consider the application.
26 A renewal application shall include any updated information since the filing of the original appli-
27 cation.
- 28
- 29 6. Any changes in ownership of the property requires a new license per Wisconsin Administrative
30 Code State Statute 72.04(b) prior to obtaining a permit from the Village.
- 31
- 32 7. An owner may apply for a new license no less than 12 months after being revoked (see “Revoca-
33 tion” and “Penalties” sections below.
- 34
- 35 8. The Village Board may suspend, revoke, reject, or not-renew a Short-term Rental license or li-
36 cense application following a due process hearing if the board determines that the license has had
37 violations of 2a, 2b, 2c, 2d, 2f, under Section 18.55, and has been notified by email or certified
38 mail of such a breach and has left breach uncured for a period of 24 hours following notification
39 from the village. The Village Board may suspend, revoke, reject, or not renew a Short-term Rental
40 license or license application following a due process hearing if the board determines that the li-
41 cense has had violations of 2e, 2i, 2j, 2k, 2l under Section 18.55, has been notified by email or cer-
42 tified mail of such a breach, and has left breach uncured for a period of fourteen (14) days follow-
43 ing notification from the village. The Village Board may also suspend a license if any of the fol-
44 lowing are found to be true:
- 45 a) Has had two violations at the property in the last 12 months;
- 46 b) failed to comply with any of the requirements of this ordinance;
- 47 c) has been convicted or whose Resident Agent or renters have been convicted of engaging in ille-
48 gal activity while on the Short-term Rental premises on at least one (1) occasion within the past
49 twelve (12) months;
- 50 d) has outstanding fees, taxes, or forfeitures owed to the village. [Amended Ordinance 303]

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- 1 2)
2 9. Property owners shall be permitted no more than seven (7) calendar days to correct discrepancies
3 in the application before it is deemed late or ineligible for renewal.

4 **Sec. 18.54 Permit Process.**

5 Each Short-term Rental shall comply with all the following requirements:

- 6 A. The Village application shall be completed in its entirety.
7 B. Each rental must register with the State of Wisconsin as a business and receive a Business Tax Reg-
8 istration number (BTR) unless they have contracted with a Resident Agent.
9 C. Each rental application will be shared with the Village of Sister Bay’s assessor for personal property
10 tax assessment.
11 D. Each Short-term Rental shall hold a valid State of Wisconsin Tourist Rooming House License is-
12 sued by the Department of Agriculture, Trade and Consumer Protection (DATCP), and shall provide
13 proof of such license by attaching a copy to the initial license application.
14 E. Each Short-term Rental shall be licensed by the Door County Tourism Zone Commission (DCTZC)
15 and shall provide proof of such license by attaching a copy to the initial license application.

16 **Sec. 18.55 Operation of a Short-term Rental.**

- 17
18 1. Every STR shall be operated by a property owner or resident agent.
19 2. Each Short-term Rental shall comply with all of the following requirements:
20 a) No recreational vehicle, camper, tent, or other temporary lodging arrangement shall be permitted
21 on site as a means of providing additional accommodations for paying guests or invitees.
22 b) If the property is served by a private on-site wastewater treatment system (POWTS), the occupancy
23 is limited to the number of occupants for which the POWTS was designed. The POWTS must be
24 in full compliance with this Ordinance and serve the property in accordance with Chapter 21 of the
25 Door County Code.
26 c) Sufficient off-street parking shall be available to accommodate all vehicles on the Short-term
27 Rental premises. Off-street parking shall comply with the Sister Bay Zoning Code, Chapter 400.
28 On-street parking for renters of the Residential Dwelling is Prohibited.
29 d) Pets that accompany a renter are subject to the Sister Bay Municipal Code, Chapter 10, with the
30 following additional requirements:
31 (a) Pets must be under the control of their owner and on a leash when outside the dwelling. Pets
32 may be tethered securely to a leash or pulley-run on the premises, provided that the tethered pet is
33 at least ten (10) feet inside the premises lot line.
34 (b) Pet owners must adhere to minimizing pet noise, independent of whether the pet is inside or
35 outside the dwelling.
36 e) Any outdoor event held at the Short-term Rental shall last no longer than twelve consecutive hours
37 occurring between the hours of 10 AM and 10 PM. From 10 PM to 10 AM quiet hours shall be en-
38 forced. [Amended Ordinance 303]
39 f) All STR’s must be able to accommodate reliable telephone communications in case of emergency.
40 g) All STR’s must follow state and federal antidiscrimination regulations.
41 h) Un-hosted STR’s shall be categorized as public accommodations under Title II of the 1964 Civil
42 Rights Act.
43 i) The Property Owner must reside within thirty (30) miles of the Short-term Rental during periods in
44 which the Short-term Rental is rented.

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1 1. This requirement may be waived if there is a valid Resident Agent (point of contact) located
2 within thirty (30) miles of the Short-term Rental. In such a case, the Property Owner shall provide a
3 copy of the Resident Agent contract to the Village and notify the Village within thirty (30) days of
4 termination of any such contract.

5 2. To qualify as a Resident Agent the representative must reside within Door County or be a corpo-
6 rate entity with offices located in Door County.

7 j) The Property Owner and/or Resident Agent must provide the village with current contact infor-
8 mation and must be available twenty-four (24) hours a day.

9 k) The Property Owner and/or Resident Agent must provide the following information to office staff,
10 who will forward the information to neighboring residential property owners located within a 300-
11 foot radius of the Short-term Rental dwelling property in all directions no later than seven (7) days
12 from the date the rental dwelling permit is issued or at any time the Property Owner/Resident
13 Agent contact information changes:

14 1. Telephone and email address to enable neighboring residential property owners or village per-
15 sonnel to contact Property Owner or Resident Agent twenty-four (24) hours a day, seven (7) days a
16 week regarding disturbances or issues arising in connection with the rental of a Residential Dwell-
17 ing.

18 2. Provide a copy of property rules that is provided to renters. 3. Provide their DATCP license
19 number.

20 l) The Property Owner shall include the following Property Rules information in the online web list-
21 ing house rules or equivalent page for their rental property:

22 a. Maximum number of off-street parking spaces.

23 b. Quiet hours of 10 PM to 10 AM.

24 c. Fireworks strictly prohibited.

25 d. Pets must be leashed.

26 m) Every Short-Term Rental Property Owner, or if authorized by the Owner, their Resident Agent,
27 shall contract for refuse and recycling collection and disposal services that are tailored to the property
28 to ensure compliance with Chapter 50 of the Municipal Code related to Health and Sanitation, garbage
29 and recycling in particular. Said contract shall specify the collection of refuse and recycling will not be
30 at the curb, but at the home itself to comply with Section 50.41 of the Municipal Code, *Preparation,*
31 *Storage and Placement of Solid Waste.* [Amended Ordinance 303]

32 **Sec. 18.56 Property Rules.**

33
34 A copy of the State of Wisconsin tourist rooming house license, Door County Tourism Zone Good Neigh-
35 bor Policy, and the Village STR license shall be posted on the property. A list of property rules must be
36 posted at the Short-term Rental property, provided to the guests, and a copy submitted with the application
37 for a license. Property rules must contain the minimum information:

38 (a) The name, phone number and address of the Property Owner or Resident Agent.

39 (b) A diagram of the property identifying the property lines and the location of off-street parking, in-
40 cluding the maximum number of off-street parking spaces provided for renters.

41 (c) Quiet hours of 10 PM to 10 AM.

42 (d) Fireworks are strictly prohibited.

43 (e) Pet policy: Leash requirements, noise.

44 (f) The contact information for the refuse company who the owner or agent has contracted to service
45 the Short-term Rental. Said contract shall ensure garbage is not stored in violation of Chapter 50 of
46 the Municipal Code. Also, included in the rules is additional information about the trash pick-up

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1 day and applicable rules and regulations pertaining to leaving or storing trash or refuse on the exte-
2 rior of the property. [Amended Ordinance 303]

3 (g) Outdoor burning regulations.

4 (h) Notification that the occupant may be cited or fined by the Village or immediately evicted by the
5 Property Owner or Resident Agent, in addition to any other remedies available at law, for violating
6 any provisions of this ordinance.
7

8 **Sec. 18.57 Revocation Process and Penalties.**
9

10 A. Forfeiture. The owner of any property, whether a person, partnership, corporation, limited liability
11 company, or other legal entity that fails to comply with the provisions of this ordinance shall, upon convic-
12 tion or admission, pay a forfeiture of not less than \$500.00 nor more than \$1000.00 for the first offense, a
13 forfeiture of not less than \$1000.00 nor more than \$2000.00 for the second offense, and a forfeiture of not
14 less than \$2500.00 nor more than \$5000.00 for the third and subsequent offenses, plus the applicable sur-
15 charges, assessments, and costs including legal fees and costs of prosecution for each violation. Each day a
16 violation exists or continues constitutes a separate offense under this ordinance.
17

18 B. Suspension, Revocation, or Nonrenewal. Upon violation, the Village, at its sole discretion, shall:

- 19 1. Notify the owner of the property on noncompliance by email and telephone;
- 20 2. Summarily suspend the STR License, with written notice to the owner;
- 21 3. Determine if the owner has remedied the violation and shall schedule a license revocation hearing
22 before the village board if the violation is not remedied immediately;
- 23 4. Provide the opportunity to the Owner to have a hearing on the matter before the Village Board with
24 an effort to provide notification to property owners within 300-feet of the property and allow them to
25 provide oral or written testimony;
- 26 5. Determine that the STR License shall, or not, be revoked;
- 27 6. Elect to non-renew an STR License for the following year;
- 28 7. In all events, provide notice of any decision in writing to the Owner.

29 Penalties set forth in this section shall be in addition to all other remedies of injunction, abatement of costs
30 whether existing under this ordinance or otherwise.
31

32 **Sec. 18.58 Fees.**
33

34 License fees shall be established by the Village Board in a fee schedule and may, from time to time, be
35 modified. The fees shall be related to costs involved in processing license applications, reviewing plans,
36 conducting inspections, ordinance compliance and documentation. Fees are nonrefundable and shall not be
37 prorated.

38 Annual Village STR application.....\$500.00

39 Late fee.....\$100.00

40 [Ordinance 293]

41 [Revised Ordinance 295]