

VILLAGE OF NORTH FREEDOM, ORDINANCE 16.12

IT IS HEREBY ORDAINED BY THE VILLAGE BOARD OF NORTH FREEDOM,
WISCONSIN, SAUK COUNTY:

Section 1: Purpose

The purpose of this Ordinance is to ensure that the quality and nature of the residential hospitality rentals operating within the Village of North Freedom are adequate for protecting public health, safety, and general welfare and to protect the character and stability of residential neighborhoods with the town.

Section 2: Definitions

1. “Property Manager” means a person who is not the property owner and who provides property management services for one or more residential hospitality 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.
2. “Property Owner” means the person who owns the residential dwelling that is being rented.
3. “Residential Dwelling” means any building, structure, or part of the building or structure, that is used or intended to be used 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.
4. “Residential Hospitality Rental” means a residential dwelling that is offered for rent for a fee and for fewer than 30 consecutive days. There are two (2) forms of Residential Hospitality Rental:
 - a. Overnight rental. A residential dwelling in the commercial district that is offered for rent for a fee for six or fewer consecutive days.
 - b. Short-term rental. A residential dwelling in the residential district that is offered for rent for a fee for more than six and fewer than 30 consecutive days as defined in Wis. Stat. sec. 66.0615(1)(dk) and (2)(a).

Section 3: Residential Hospitality Rental License

1. No person may maintain, manage, or operate a residential hospitality rental more than 10 nights each year without a residential hospitality rental license issued pursuant to this ordinance.
2. Licenses shall be issued using the following procedures:
 - a. All applications for a residential hospitality rental license shall be filed with the Village clerk on forms provided. Applications must be filed by the

Property Owner. No license shall be issued unless the completed application form is accompanied by the payment of the required application fee.

- b. The Village clerk shall issue a residential hospitality rental license to all applicants following payment of the required fee, receipt of all information and documentation requested by the application, and Village board approval of the application.
- c. A residential hospitality 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 Village clerk at least 45 days prior to license expiration so that the Village 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 residential hospitality rental changes.
- d. The Village board may suspend, revoke, or non-renew a residential hospitality rental license following a due process hearing if the 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 residential hospitality rental premises on 2 or more separate occasions within the past 12 months; or c) has outstanding fees, taxes, or forfeitures owed to the Village.

Section 4: Operation of a Residential Hospitality Rental

Each residential hospitality rental shall comply with all of the following requirements:

1. A short-term rental must be the property owner's primary or secondary residential dwelling.
2. Short-term rentals are subject to the following specific time limitations:
 - a. The total number of days of operation within any 365 day period of an annual license shall not exceed 180 consecutive days. The 180 day period of consecutive rental operation shall be specified in the owner's application.
 - b. Rentals shall be a minimum of seven consecutive days by any one party.
 - c. Rentals must be to the same one renter per seven-day period. The renter can rent for one day or up to all seven days or more, but if the rental is for less than all seven days, no other rental may occur of the remainder of that seven-day period.
3. Each residential hospitality rental shall provide a register and require all guests to register their true names, addresses and rental days before beginning occupancy of the residential hospitality rental. The register shall be kept intact and available for inspection by representatives of the village for a least one year.
4. The Property Owner or Property Manager shall notify the village clerk in writing when the first rental within a 365-day period begins.

5. 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.
6. Any activities at the residential hospitality rental will observe the village quiet hours of 10:00 p.m. to 7:00 a.m. and will not create nuisance conditions.
7. A local property management contact (either the Property Owner or an appointed Property Manager) must be on file with the village at all times and must be located within 25 miles of the residential hospitality rental. The Property Owner and/or Property Manager must provide the village with current contact information and must be available 24 hours a day, 7 days a week by telephone. The village must be notified within 24 hours of any change in contact information.
8. Each residential hospitality rental shall maintain a register and require all guests to register with their actual names and addresses. The register shall be kept on file for at least one year. The register shall also include the time period for the rental and the monetary amount or consideration paid for the rental.
9. Each residential hospitality 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.

Section V: 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 nor more than \$750, 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 6: Fees

Initial Residential Hospitality Rental License Application fee: \$500

Renewal Residential Hospitality Rental License Application fee: \$100

Section 7: 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 8: Effective Date and Publication

This ordinance shall become effective upon adoption and publication as required by Wisconsin law.

By the Village Board of North Freedom

Andrew Dear, Village President

Nicki Breunig, Village Clerk/Treasurer

Introduced: 11/13/23 Passed: 11/13/23 Published: 11/18/23