Passed: 10-12-24
Posted: 11-6-24
Removal: 12-7-24

Town of Linn, Walworth County, Wisconsin

Short-Term Rental Licensing Ordinance

Number: 2024-007

A. Title and purpose. The purpose of this ordinance is to ensure that the quality and nature of the short-term rentals operating within the Town of Linn are adequate for protecting public health, safety, and general welfare and to protect the character and stability of neighborhoods within the town.

B. Authority. The Town Board of the Town of Linn has been authorized to exercise village powers pursuant to Wis. Stats. §§ 60.10(2)(c) and 60.22(3). The Town Board adopts this ordinance under its general village powers authority and Wis. Stat. § 66.1014.

C. Definitions.

"Property Manager" means a person who is not the property owner and who provides property management services for one or more short-term 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.

"Property Owner" means the person who owns the residential dwelling that is being rented.

"Residential dwelling" means 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 or more persons maintaining a common household, to the exclusion of all others.

"Short-term rental" means a residential dwelling that is offered for rent for a fee and for fewer than 30 consecutive days.

D. Short-Term Rental License.

1) No person may maintain, manage, or operate a short-term rental more than 10 nights each year without a town short-term rental license issued pursuant to this ordinance.

2) Licenses shall be issued using the following procedures:

A. All applications for a short-term rental license shall be filed with the town 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 town clerk shall issue a short-term rental license to all applicants following payment of the required fee, receipt of all information and documentation requested by the application, and town board approval of the application.

C. A short-term 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 town clerk at least 45 days prior to license expiration so that the town 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 short-term rentals changes.

D. The town board may suspend, revoke, or non-renew a short-term 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 short-term rental premises on 2 or more separate occasions within the past 12 months; or c) has outstanding fees, taxes, or forfeitures owed to the town in violation of the provisions of Chapter 19 of the Town of Linn Code of Ordinances, regarding the Room Tax in the Town of Linn.

E. Operation of a Short-Term Rental. Each short-term rental shall comply with all of the following requirements:

1. If a residential dwelling is rented for periods of more than 6 but fewer than 30 consecutive days, the total number of days within any consecutive 365-day period that the dwelling may be rented shall not exceed 180 days. This period of 180 days shall run consecutively.

2. The Property Owner or Property Manager shall notify the town administrator in writing when the first rental within a 365-day period begins.

3. No recreational vehicle, camper, tent, or other temporary lodging arrangement shall be permitted on site as a means of providing additional accommodations for occupants beyond the number of overnight guests authorized pursuant to the Property Owner's Tourist Rooming House License.

4. The Property Owner and/or Property Manager must provide the town with current contact information and must be available 24 hours a day, 7 days a week by telephone during periods the property is being rented. The town must be notified within 24 hours of any change in contact information.

5. Each short-term 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.

6. Each short-term 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.

7. All short-term rentals shall be subject to the Town of Linn Room Tax Ordinance (Chapter 19 of the Town of Linn Code of Ordinances) and remain in compliance therewith.

8. All short-term rentals must complete the Walworth County Short Term Rental Application.

9. No parking is permitted on gravel, lawn, or planter bed areas.

10. No exterior signage related to the short-term rental property shall be permitted other than the property address and the posting required under paragraph 14, below.

11. Aside from a changing mix of guests and their vehicles, there shall be no evidence of the property being used as a short-term rental home visible on the exterior of the subject property.

12. It shall be unlawful for any occupant of a short-term rental to make, continue, or cause to be made or continued any loud and/or unnecessary

13. The Town of Linn hereby adopts §§ 26-338 (Sanitary Facilities), 26-339 (Occupancy), 26-340 (Parking), 26-341 (Solid Waste Disposal), and 26-343 (Property Rules) of the Walworth County Code of Ordinances and any amendments made thereto.

14. The Property Rules required per Walworth County Ordinance 26-343 shall clearly state the Maximum Occupancy and Parking Restrictions applicable to the property and shall be posted clearly for all occupants and made immediately readily available for police or other government and administrative inspection upon request. The property occupancy and parking restrictions shall be displayed in the front door or window, viewable from the exterior of the home.

15. Short-term rentals shall comply with all applicable Town of Linn Ordinances.

F. Penalties.

1. 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 $50.00 nor more than $1,000.00, plus the applicable surcharges, assessments, and costs for each violation. Each day a violation exists or continues constitutes a separate offense under this ordinance.

2. 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.

G. Fees.

The Initial Short-term Rental License Application and the annual Renewal Fee shall be in the amount in the town's current fee schedule, as updated from time to time.

H. 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.

I. Effective Date and Publication. This ordinance shall become effective upon adoption and publication as required under Wis. Stat. § 60.80.

ADOPTED by a vote of 5 for and 0 against on this 12 day of October, 2026.

James Weiss, Town Chair

Attested to this 6 day of November, 2026.

Town Clerk