

TOWN OF BROTHERTOWN
CALUMET COUNTY, WISCONSIN

SHORT-TERM RENTAL LICENSING ORDINANCE

Section 1. Purpose.

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

Section 2. Authority.

The Town Board of the Town of Brothertown 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.

Section 3. Definitions.

- (a) “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.
- (b) “Property Owner” means the person who owns the residential dwelling that is being rented.
- (c) “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 excluding of all others.
- (d) “Short-term rental” means a residential dwelling that is offered for rent for a fee and for fewer than 29 consecutive days.

Section 4. Short-Term Rental License.

- (a) No person may maintain, manage, or operate a short-term rental more than 14 nights each year without a town short-term rental license issued pursuant to this ordinance.
 - (1) 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.
 - (2) 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 upon demonstration by the applicant of compliance with this Ordinance.
 - (3) A short-term rental license shall expire annually on June 30 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 licenses for short-term rental changes.
 - (4) 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 occasions within the past 12 months, or (c) has outstanding fees, taxes or forfeitures owed to the town.

Section 5. Operation of a Short-term Rental.

Each short-term rental shall comply with all of the following requirements:

- (a) 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.
- (b) 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. At minimum, a seven consecutive day interval must occur between outdoor events held at the short-term rental. Any activities occurring at the short-term rental shall comply with other applicable noise regulations.
- (c) A local property management contact (either other Property Owner or an appointed Property Manager) must be on file with the town at all times and must be located within 50 miles of the short-term rental. 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. The town must be notified within 24 hours of any change in contact information.
- (d) 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.
- (e) 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.

Section 6. Penalties.

- (a) 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 \$100 nor more than \$1,000, plus the applicable surcharges, assessments and costs for each violation. Each day a violation exists or continues constitutes a separate offense under this ordinance.

- (b) 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 7. Fees.

Initial Short-Term Rental License Application Fee: \$150; Renewal Short-Term Rental License Application fee: \$150.

Section 8. 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 9. Effective Date and Publication.

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

Dated this 15th day of April, 2025.

TOWN OF BROTHERTOWN

By: Charles Schneider
Town Chairperson

Attest: Heanne Karls, Clerk
Town Clerk