

CHAPTER 18

TOURIST ROOMING HOUSES

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18.01 AUTHORITY. Town of Newbold has the specific authority under Wisconsin Statutes §§ 60.10(2)(c) and 61.34 and 66.1014, to adopt and enforce this chapter.

18.02 PURPOSE. This chapter is adopted to advocate the quality of Tourist Rooming Houses within the Town of Newbold for the purpose of promoting the public health, safety, and general welfare for tourist or transient visitors and identifying, establishing, regulating the responsibilities of owners, property managers, and resident agents and to ensure the values and enjoyment of neighboring properties shall not be substantially impaired or diminished by the operation of the tourist rooming house.

18.03 DEFINITIONS. As used in this chapter, the following terms shall have the meanings indicated:

- 1) **DWELLING UNIT.** One or more rooms with provisions for living, cooking, sanitary, sleeping facilities and a bathroom arranged for exclusive use by person(s) or family.
- 2) **OWNER.** The deeded owner of the property or unit, identified as individuals, personal representatives, corporation, partnership, limited liability company and being the acting person responsible for the property.
- 2) **PROPERTY MANAGER.** Any person providing property management services to at least three short-term rentals and/or is the acting person or agent responsible for the operation of a tourist rooming house.
- 3) **RESIDENT AGENT.** An owner or any person appointed by the owner of a tourist rooming house to act as an agent on behalf of the owner.
- 4) **TOURIST ROOMING HOUSE.** The short-term rental of a residential dwelling unit where sleeping accommodations are offered for a rental fee located within the Town of Newbold for tourists or transients, or persons who stay or intend to stay for fewer than 30 consecutive days as defined in Wis. Stats. 66.0615(1) (dk).

18.04 APPLICABILITY. This chapter shall apply exclusively to all property owners located in the Town of Newbold intending to operate the dwelling as a tourist rooming house from the effective date of this ordinance. This chapter shall not apply to boarding houses not accommodating tourists or transients, bed and breakfast establishments, hotels, motels, and licensed resorts.

18.05 OPERATION OF TOURIST ROOMING HOUSES.

- 1) No person may maintain, manage, or operate a tourist rooming house more than 10 nights each year without a Newbold tourist rooming house permit. Every tourist rooming house shall be operated by a property owner, a resident agent or property manager. A resident agent or property manager is subject to all rules, regulations and penalties that apply to the property owner, including Town, State and County zoning and health department regulations.
- 2) Each tourist rooming house dwelling shall be required to obtain, maintain, and provide the following licenses and permits:
 - a) State of Wisconsin tourist rooming house license issued by the Oneida County Health Department.
 - b) Seller's permit issued by the Wisconsin Department of Revenue.

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c) An Administrative Review – Tourist Rooming House Permit issued by Oneida County Zoning Department.

d) Town of Newbold Tourist Rooming House permit pursuant to the provisions of this chapter.

3) Each tourist rooming house shall comply with all the following:

a) Length of stay requirements and restrictions as set forth by the Oneida County Zoning Ordinance Section 9.58 (D) (3) (a) for the applicable zoning districts adopted by the Town of Newbold in which the tourist rooming house is located.

b) Allowable number of guest occupancy based upon sizing of the Private Onsite Wastewater Treatment System (POWTS), or the allowable occupancy granted by the State for a tourist rooming house license as set forth by Wisconsin Administrative Code, ATCP 72.

c) Off-site advertising, including media channels relating to the availability of the rental, shall be allowed only after all required permits have been obtained and maintained and must comply with all Town, County, State permits and licenses.

d) No recreational vehicles (RVs), campers, tents, or other temporary lodging shall be permitted on a site as a means of providing additional accommodations.

e) Any outdoor events and activities should not impair the normal and orderly enjoyment of the surrounding properties.

f) Notice shall be provided to guests' occupants of all applicable ordinances, such as lake use, etc.

18.06 NEWBOLD TOURIST ROOMING HOUSE PERMIT

1) A Newbold tourist rooming house permit shall not be issued until all the following contingencies have been met, with copies provided:

a) Oneida County zoning tourist rooming house permit.

b) Oneida County Health Department inspection completed, and a copy of the license submitted to the Town (annually or as required by state and county regulations).

2) The Town Clerk shall issue a tourist rooming house permit to all applicants following the approval of a signed application by the Town Board and filing all the required documents and records required within this chapter.

3) Applications and yearly renewals for Newbold tourist rooming house permits shall be available at the Town office, or the Newbold Town Website located at www.newboldwi.gov.

18.07 TOURIST ROOMING HOUSE PERMIT PROCEDURE

1) All applications for a tourist rooming house permit shall be filed with the Town Clerk on the form(s) provided, along with the required fees and documents. Applications must be filed by the property owner or on the owner's behalf by a resident agent or a property manager.

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2) Terms and filing dates. Each permit shall run from January 1 to December 31 of the calendar year. If a permit is granted after November 1 of a permit year, that permit will extend to December 31 of the following year. All renewals must be filed by November 1 of each year. All filing fees shall be paid at the time of application or renewal.

3) Application review procedure. When satisfied, the application is complete and all required documents have been supplied, the Town Clerk shall forward the application to the Town Board for approval. If the Town Board determines the application does not meet all the requirements of this chapter, they may deny the application.

4) Renewal. The Town of Newbold shall require each TRH to be renewed. No permit shall be renewed if the applicant or property has outstanding fees, taxes or forfeitures owed to the Town.

18.08 APPEAL AND PERMIT REVOCATION.

1) The denial of any tourist rooming house permit application or renewal under this chapter may be appealed by filing a written appeal request with the Clerk 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.

2) A permit may be revoked for one or more of the following reasons:

a) Failure to make payment of taxes or any debt owed to the Town.

b) Town notification of three or more calls for police service, violations of building or health codes, reports of nuisance activities or other law violations within a twelve-month period.

c) Failure to obtain and maintain all necessary county and state permits and licenses.

d) Any violation of local, county or state laws that substantially harm or adversely impact the residential uses and nature of the surrounding neighborhood.

18.09 NONTRANSFERABLE

1) Any permit issued under this ordinance is nontransferable. The holder of any permit or license shall notify the Town Clerk in writing of any transfer of the legal control of any property covered by the permit.

18.10 PENALTIES; ENFORCEMENT

1) Any violation of any portion of this chapter shall be punishable by a forfeiture of \$100 for each violation committed hereunder.

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2) Each day a violation exists after the property owner, agent or manager receives a violation notice shall constitute a separate violation of this chapter.

3) In addition to the penalties set forth above, failure to permit the inspection of a premises subject to this chapter by a Town designee, Building Inspector, Fire Inspector, or Health Inspector may result in the revocation of a license.

4) Enforcement. The provisions of this chapter shall be enforced by the Town Board and/or the Town Fire Chief, Building Inspector, or their designee.

5) Tourist rooming house permit cannot be reinstated with a new application for a period of one year from revocation date.

18.11 FEES

All application fees and renewal fees are listed in the Town of Newbold Fee Schedule.