



Snowmobile Capital of the World ★ ATV/UTV Capital of Wisconsin ★ Hockey Capital of Wisconsin

## **ORDINANCE 590**

### **Short-Term Rental Licensing**

*Addition of Article XII to Chapter 106-Zoning- Effective 4-1-25*

#### **106-800 Title and Purpose**

This ordinance is entitled the Short-Term Rental Licensing Ordinance. The purpose of this ordinance is to ensure that the quality and nature of the short-term rentals operating within the City of Eagle River are adequate for protecting public health, safety, and general welfare and to protect the character and stability of neighborhoods within the city.

#### **106-801 Authority**

The Common Council of the City of Eagle River adopts this ordinance under its Class 4 City powers authority and §66.1014 of the Wisconsin Statutes.

#### **106-802 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 function 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, which 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 29 consecutive days.

#### **106-803 Short Term Rental License**

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

- b) Licenses shall be issued using the following procedures:
- 1) All applications for a short-term rental license shall be filed with the City Clerk on the forms provided. Applications must be filed by the Property Owner or Property Manager. No license shall be issued without the completed application form, documentation requested with said application form provided, and payment of the required application fee.
  - 2) The City Clerk or designee may issue a short-term rental license to all applicants following receipt of all information and documentation requested by the application.
  - 3) A short-term rental license shall be effective for one year and may be renewed for additional one-year periods. A renewal application must be filed with the City Clerk or designee at least 45 days prior to license expiration so that the City Clerk or designee 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.
  - 4) The Common Council may suspend, revoke, or non-renew a short-term rental license following a hearing if the Council determines that the licensee:
    - i. Failed to comply with any of the requirements of this ordinance
    - ii. Has been convicted or whose Property Manager has 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.
    - iii. Has outstanding fees, taxes, or forfeitures owed to the City or its entities.
    - iv. After conviction of a third violation of any provision of this ordinance the short-term rental license will be permanently revoked

#### **106-804 Operation of Short-Term Rentals**

- a) Each short-term rental is required to have the following licenses and permits:
- 1) Proof of licensure from the Vilas County Public Health Department under Chapter 8 of the Vilas County Code or Ordinances or proof of licensure through the State of Wisconsin or its agents under Wis Stats §97.605 or §97.625.
  - 2) Proof of seller's permit and Premier Resort Area Tax (PRAT) registration issued by the Wisconsin Department of Revenue.
  - 3) A City of Eagle River Short-Term Rental License.
- b) All rentals shall be subject to the City of Eagle River Accommodation Tax, Chapter 82, Article II – Accommodations Tax of the Municipal Code. (Room Tax)
- 1) Failure to pay accommodation tax within thirty (30) days after the due date will result in automatic suspension of the Short-Term Rental License granted by the City of Eagle River.

- c) Each short-term rental shall comply with all of the following requirements:
- 1) Single Family zoned residences cannot be rented out more than once in a seven-day period with the exception of property where the owner is residing on site.
  - 2) No recreational vehicle, camper, tent, or other temporary lodging arrangement shall be permitted on site as a means of providing additional accommodation for paying guests or other invitees.
  - 3) Any outdoor event held at the short-term rental shall last no longer than one day, occurring between the hours of 10am and 11pm. At minimum, a seven consecutive day interval must occur between outdoor events held at the short-term rental unless, in special circumstances, written permission is obtained from the Common Council or City Clerk. Any activities occurring at the short-term rental shall comply with other applicable regulations.
  - 4) A local property management contact, either the Property Owner or an appointed Property Manager, must be on file with the City at all times and must be located within 40 miles of the short-term rental. The Property Owner and/or Property Manager must provide the City with current contact information and must be available 24 hours a day, 7 days a week by telephone. The City Clerk must be notified by telephone or email 24 hours prior to any change in contact information.
  - 5) Each short-term rental shall maintain a register and require all primary registrants to register with their full legal names and addresses. The register shall be kept on file for at least one year from the current licensing period. The register shall also include the time period for the rental and the monetary amount or consideration paid for the rental.
  - 6) The maximum occupancy of a short-term rental house served by a Private Onsite Wastewater Treatment System (POWTS) shall be limited to the number of occupants for which the POWTS was designed, or the number of occupants authorized by the State of Wisconsin or its agents under Wis. Stats. §97.605 or §97.625, whichever is less.  
*Note: Residential septic systems are considered to be designed to accommodate two (2) occupants per bedroom.*
  - 7) The number of occupants in any unit shall not exceed the limits set forth in the Wisconsin State Regulation ATCP 72.14 for Hotels, Motels, and Tourist Rooming Houses.
  - 8) The owner of the short-term rental shall have appropriate residential and/or commercial property and liability insurance for the home that is used for short term rental and provide a certificate of insurance with the license application and renewal. All Property Managers shall carry casualty and liability insurance issued by an insurance company authorized to do business in the State of Wisconsin with liability limits of not less than \$300,000 per individual and \$1,000,000 aggregate.
  - 9) Each short-term rental property shall have adequate off-street parking for those using the property at any given time. Parking on City streets or right of way is not permitted. A map of the rental property illustrating designated parking spaces shall be provided by the property owner/manager during the application and/or renewal process and at any time there is a change in designated parking.

- 10) Each short-term rental property shall have an annual fire inspection conducted by the local fire chief or designee.
- 11) Garbage must be stored in a secured container and properly disposed of on a weekly basis.
- 12) A Code of Conduct, created and maintained by the property owner/manager shall be provided to all renters.
- 13) Compliance with all state, county and local regulations is required.

**106-805 Penalties**

- a) Any property owner who violates any provision of this ordinance may be subject to a forfeiture of \$500.00 plus court costs for each offense.
- 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.

**106-806 Fees**

- a) Initial and renewal short-term license application fees are determined and set by the City Council and placed City of Eagle River Fee Schedule which may be revised from time to time by the City Council.

**106-807 Severability**

- a) 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.

**106-808 Adoption of Ordinance**

- a) This ordinance, adopted by a majority vote of the City Council with a quorum present and voting and proper notice having been given, formally adopts the City of Eagle River Short Term Rental Licensing Ordinance.

All existing short-term rental properties shall have a grace period of 120 (one hundred twenty) days to bring rental properties into compliance with the provisions of this ordinance.

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

Adopted this 14<sup>th</sup> day of January, 2025.

\_\_\_\_\_

Jeffrey A. Hyslop, Mayor

\_\_\_\_\_

Becky J. Bolte, Clerk

Date adopted: \_\_\_\_\_

Date published: \_\_\_\_\_

Date effective: \_\_\_\_\_