

ORDINANCE NO. 2017- 03

AN ORDINANCE TO AMEND SECTIONS 10.02(2)(a) AND 11.02 OF THE MUNICIPAL CODE OF THE VILLAGE OF NORTH BAY, WISCONSIN, RELATING TO RESIDENTIAL RENTALS

The Village Board of Trustees for the Village of North Bay, Wisconsin, do ordain as follows:

1. That section 10.02(2)(a) of the Municipal Code of the Village of North Bay, Wisconsin, be, and hereby is, amended to read as follows:

"(2) Construction Standards.

(a) Single-Family Dwellings Only. All buildings constructed, altered, or modified within the Village of North Bay shall be (i) single-family dwellings and/or one-family dwellings, and/or (ii) Village Municipal buildings, and/or (iii) an accessory building for such buildings/dwellings, all as further described in Chapter 8, "Planning and Zoning," of the Village of North Bay Code of Ordinances. Expressly excluded and prohibited, but without creating any limitation because of enumeration, are two-family dwellings, multiple-family dwellings, industrial buildings, commercial buildings, boarding and rooming houses, lodges, fraternities, cooperative living units, bed and breakfast establishments, and hotels. The term "single-family dwelling" and/or "one-family dwelling", however, shall include a community-based residential facility to the extent that it is necessary to do so in accordance with the applicable laws of the State of Wisconsin and/or the United States of America."

2. That section 11.02 of the Municipal Code of the Village of North Bay, Wisconsin, be, and hereby is, amended to read as follows:

"11.02 NO OPERATION OF BUSINESSES WITHIN VILLAGE LIMITS GENERALLY; RESIDENTIAL RENTALS. Other than as provided in this Chapter, no manufacturing, store, mercantile establishment or commercial business or enterprise of any kind shall be established or maintained or operated within the Village limits. This includes the operation of lodging houses, boarding houses, bed and breakfast establishments or other similar facilities, which offer comparable services with additional services.

(1) Residential Rentals; Registration Required. It shall be unlawful for any individual, partnership, corporation, or other for-profit entity to rent residential units within the Village of North Bay without being registered for that purpose as provided herein. A premises shall be considered rented if any funds are paid for the right to reside at the property.

(a) Purpose. The purpose of the residential rental registration requirement as described herein is as follows:

1. The collection of current and accurate information identifying existing residential rental entities within the Village of North Bay and the initiation or termination of rental of premises.

2. Assistance with the efforts of various Village officials and departments, including the Village Clerk, Assessor, Police Department, and Fire Department in maintaining accurate records of residential rental premises to enable said officials and departments to perform their respective duties.

(b) Registration. Each owner of a rented residential premises within the Village of North Bay subject to this ordinance shall complete and return to the Village Clerk a registration form that shall be available at the Village Office and on the Village's website which shall require the following information pertaining to the residential rental premises: identification of the name, address, and phone number of the property owner; the property location and property location name, if any; the name, phone number, and address of primary contact person and directions for contacting the person. The registration form shall be accompanied with a registration fee in the amount provided on the Village fee schedule. This requirement shall apply to all rented residential premises which exist at the effective date of this ordinance and those initiated after the effective date of this ordinance. The registration shall be completed within 15 days of the rental of the residence.

(c) Term of Registration and Termination of Residential Rental Premises.

1. The residential rental registration described herein shall be effective and valid for a period of two years and may be renewed for an additional two-year period by filing a new registration form and fee. A new residential rental registration is also required for a change in ownership.

2. Each residential rental owner shall notify the Village Clerk upon termination of the rental of the premises. The Village Clerk shall record said termination.

3. Duty to Update. Each residential rental owner shall notify the Village Clerk of any change pertaining to the information provided within 15 days of any such change.

(2) Short Term Rentals.

(a) Allowed; Duration. No residential dwelling may be rented for periods of 6 or fewer days. If a residential dwelling is rented for periods of more than 6 but fewer than 29 consecutive days ("short term rental"), the total number of days within any 365 day period that the dwelling may be rented is 180, which must run consecutively. The short term rental operator shall notify the Village Clerk in writing of the date when the first short-term rental within a 365-day period begins.

(b) Licensing. A person who maintains, manages or operates a short-term rental for more than 10 nights each year shall obtain from the Department of Agriculture, Trade and Consumer Protection (or from its designated agent) a tourist rooming house license, and must also, in addition to maintaining a current residential rental registration, obtain an annual short-term rental license from the Village of North Bay. The short-term rental license fee shall be in the amount provided on the Village fee schedule. A short-term rental license may be non-renewed or revoked by the Village, following a due process hearing before the Village Board, if the licensee fails to comply with the terms of this Section or if the licensee's short-term renters are shown, by sworn testimony, to have repeatedly and unreasonably interfered with the neighbors' quiet enjoyment of their own properties or of the neighborhood.

(c) Restrictions. Short-term rentals must be the operator's primary residence, and only the owner of the residential dwelling may offer it for short-term rental. A short-term rental operator must, at all times, keep the Village apprised of the operator's current phone number and/or email address, and must agree to respond within 24 hours of any attempted contact by any representative of the Village. The short-term rental operator must provide all short-term renters with written information containing the operator's 24/7 contact information, local emergency and non-emergency numbers, and a listing of any special restrictions, limitations, or considerations with respect to the property and/or the neighboring properties so as to minimize the likelihood of any conflict between renters and neighboring residents. The maximum number of short-term renters of a residential dwelling at a single time may not exceed twice the number of bedrooms being rented, plus 1. A short-term rental must have adequate off-street parking sufficient to accommodate at least one car per bedroom being rented. Each short-term rental operator must maintain a renter registry indicating the identity of all renters and the dates of such renters' stay."

3. That this ordinance shall become effective upon adoption and publication as provided by law.

Adopted by the Village Board of the Village of North Bay, Racine County, Wisconsin, this _____ day of _____, 2017.

VILLAGE OF NORTH BAY

By: _____
Roger Mellem
Village President

Attest: _____
Connie Mellem
Village Clerk

4089.100 (10.02(a);11.02)