



Checklist for Short-Term Rental Applications

If you are looking to establish a short-term rental (less than 30 days) within the City of Washburn, you must complete the application form and provide the required fee. In addition, here are other requirements and materials that will need to be provided as part of the application process:

What you must provide to the City:

1. Provide a floor plan of the interior of the structure that shows the rooms and type of rooms and the dimensions (wall to wall) of each of the rooms.
2. Provide a site plan of the exterior that shows the location of on-site parking spaces. Once space must be provided for every two bedrooms.
3. Provide of certificate of insurance to the City of Washburn that shows there is a minimum of \$500,000 liability coverage.
4. Provide a copy of your approved health permit from Bayfield County to operate the rental.
5. Provide a copy of your seller's permit from the Wisconsin Department of Revenue (not necessary if you are exclusively using a marketplace provider such as Airbnb or VRBO.)

What you must maintain during the course of your operation:

1. Keep the owner's/property manager contact information (name, phone number and/or e-mail) current with the City.
2. Provide the necessary reports and information to comply with Room Tax requirements.
3. Renew your short-term rental permit annually.

What you must do at the property:

1. Post owner's/property manager/agent 24/7 contact information, along with other relevant information and property restrictions at a conspicuous place at the rental.
2. Post a sign on the exterior of the property, no larger than 4 square feet, that indicates the name of the rental unit and the address.
3. Post the license that you receive from the City of Washburn to operate the rental.

A copy of the complete regulations of operating a short-term rental follows. Please familiarize yourself with all rules and requirements.

CITY OF WASHBURN
Ordinance No. 21-004

An ordinance adopted by the Common Council for the City of Washburn at its regular meeting of September 13, 2021, for the purpose of adding Title 7, Chapter 11 to its Code of Ordinances to regulate the operation of short-term rentals.

1. Add Title 7, Chapter 11 as follows:

Sec. 7-11-1 Purpose:

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

Sec. 7-11-2 Definitions:

(a) **Bed and Breakfast:** Any place of lodging that provides eight (8) or fewer rooms for rent for more than ten (10) nights in a twelve (12) month period, is the owner's personal residence, is occupied by the owner at the time of rental, and in which the only meal served is breakfast. Notwithstanding this Ordinance, a Bed and Breakfast is required to be licensed by the Wisconsin Department of Agriculture, Trade and Consumer Protection.

(b) **Owner:** The title-owner of a Short-Term Rental Accommodation.

(c) **Property Manager.** A person who is not the property owner who provides property management services and who is authorized to act as the agent of the property owner for the purpose of responding to problems at the property.

(d) **Short-Term Rental:** Rental of a residential dwelling for a period of less than one-month.

(e) **Short-Term Rental Accommodation:** A building, or buildings, on the same lot, with one to four units for human occupancy used for Short-Term Rentals but not including a Bed and Breakfast.

Sec. 7-11-3 Short-Term Rentals:

(a) Exemptions: The restrictions set forth herein do not apply to a Bed and Breakfast.

(b) Restrictions:

(i) A Short-Term Rental Accommodation's Owner must, at all times, keep the City apprised of the Owner's or Property Manager'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 City. The Owner and/or Property Manager must provide the City with updated contact information within three (3) days of such change.

- (ii) The Owner or Property Manager must provide all short-term renters with written information containing the Owner's or Property Manager'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.
- (iii) The Short-Term Rental Accommodation shall have not less than 100 square feet of floor space for the first occupant thereof and at least an additional 50 square feet of floor space for every additional occupant thereof; the floor space shall be calculated on the basis of total habitable room area. Floor space is determined using interior measurements of each room. Floor space does not include kitchens, bathrooms, closets, garages, or rooms not meeting Uniform Dwelling Code requirements for occupancy. The maximum occupancy for any unit without a separate enclosed bedroom is two people.
- (iv) A Short-Term Rental Accommodation must have adequate off-street parking sufficient to accommodate at least one car for every two bedrooms being rented.
- (v) 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.
- (vi) Short-Term Rental Owners, guests, and Property Managers shall comply with all federal, state, county, and local regulations, including but not limited to City of Washburn ordinances regarding sign restrictions, noise restrictions, and parking requirements.
- (vii) If using a Property Manager:
 - a. The Property Manager must be explicitly designated in the license application as the "property manager," including their name, address, telephone number, and email address.
 - b. The Property Manager must be located within 15 miles of the short-term rental property, be available 24-hours a day, and be able to be physically present at the short-term rental within 20-minutes of being notified of a problem. This does not prevent the Property Manager from traveling greater than 15 miles from the short-term rental property, but the Property Manager must have another agent, employee, or designee who can respond to the property in case of emergency.
- (viii) The Owner of the Short-Term Rental shall have liability insurance with a minimum \$500,000 liability limit that covers short-term renters and guests. Proof of such insurance must be provided to the City upon license application and renewal.
- (ix) Each Short-Term Rental shall be designated as such by a sign on the exterior of the building or property identifying the property as a short-term

rental and clearly listing the address of the property. Any short-term rental signs with an area of 4 square feet or less may be placed without obtaining a sign permit. All other signs must comply with Article 18 of the City of Washburn Zoning Code. A property that is used as a short-term rental for only a portion of the year only needs to have the sign posted during those times that it is being rented as a short-term rental.

Sec. 7-11-4 Licensing:

- (a) A person who owns, maintains, manages or operates a Short-Term Rental Accommodation shall obtain and maintain all permits and licenses required by state law, which may include the following:
 - (i) “Tourist Rooming House” permit from the Department of Agriculture, Trade and Consumer Protection, through the Bayfield County Health Department
 - (ii) Seller’s permit issued by the Wisconsin Department of Revenue
 - (iii) City of Washburn Short-Term Rental Permit
 - (iv) City of Washburn Room Tax Permit. Each Short-Term Rental shall be subject to the City of Washburn Accommodations Tax Ordinance Title 3, Chapter 4.
- (b) All applications for a short-term rental license shall be made by the owner of the residential building.
- (c) A renewal application and renewal fee must be filed with the City Clerk at least 45 days prior to a short-term rental license expiration to ensure that there is not a gap in coverage. Reapplications to the City for a short-term rental license shall be required with a change in ownership, alterations to the operational rules, non-compliance with the standards of this Ordinance, or documented violations.
- (d) A copy of the City of Washburn short-term rental license shall be posted on an exterior wall near the main entrance of the Short-Term Rental Accommodation during all times that it is being rented.
- (e) Any license granted under this section shall be valid through December 31 of the year of application. The Applicant must submit a renewal application to continue to operate the short-term rental for the following year.
- (f) Any Short-Term Rental operating under a conditional use permit granted prior to the effective date of this ordinance shall be permitted to continue operating under the conditions of that permit. However, effective on January 1 on the year following the adoption of this ordinance, all pre-existing Short-Term Rentals operating under a conditional use permit shall submit a short-term rental license renewal application containing the necessary information required in this ordinance. No renewal application for such short-term rental operating under a previously granted conditional use permit shall be denied so long as the short-term rental continues to comply with the conditional use permit.

Sec. 7-11-5 Renewal:

- a) Each application for a renewal of a license shall include updated information for the documentation on file with the City Clerk and payment of the applicable fee. The City Clerk shall verify that the information provided on the renewal application is complete and in accordance with the requirements of this article. The City Clerk may request reports from the Fire Department and the Police Department regarding any complaints received, calls for service, or actions taken regarding the short-term rental properties. The City Clerk shall issue renewal licenses within 30 days of the filing of the application unless the information provided is incomplete or otherwise not in compliance with the requirements of this article or the reports from the Police Department, Fire Department, and the City Clerk indicate that there are complaints or actions involving the property.
- b) If the City Clerk finds that the license should not be renewed due to non-compliance with any sections of this Chapter, they shall deny the renewal.
- c) No license shall be issued or renewed unless there is filed with the City Clerk a completed report prepared by the County Department of Health Inspector dated within one year of the application date.
- d) No license shall be renewed if the applicant or property has outstanding fees, taxes or forfeitures owed to the City, unless arrangements for payment have been approved by the City Council.

Sec. 7-11-6 Fees: The short-term rental license fee and renewal fee shall be \$150.00 per short-term rental unit.

Sec. 7-11-7 Non-compliance:

- a) Fines: A fine of \$50.00 shall be assessed for each violation of this Ordinance, plus all applicable surcharges, assessments and costs for each violation. Each day that a violation continues shall be determined to be a separate violation.
- b) The Common Council may suspend, revoke, or non-renew a short-term rental license following a due process hearing if the Council determines that the licensee: (a) failed to comply with any requirements of this ordinance; (b) 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; or (c) has outstanding fees, taxes, or forfeitures owed to the City.
- c) Penalties set forth herein are in addition to all other remedies of injunction, abatement or costs, whether existing under this ordinance or otherwise.

Sec. 7-11-8 Appeal

The applicant may appeal the denial of a License pursuant to § 4-1-1 of the City of Washburn Ordinances. 2. Approval of Short-Term License Application

The Common Council approves of the Short-Term Rental License Application Form as attached hereto.

3. Effective Date of Ordinance. This ordinance shall take effect upon passage and publication.

Attest:

Mary D. Motiff
Mayor

Scott J. Kluver
City Clerk

Adopted: September 13, 2021

Published: September 28, 2021