

DRAFT ORDINANCE FOR THE TOWN OF BRIDGE CREEK, WISCONSIN

**ORDINANCE NO. [Insert Ordinance Number Here]**

**AN ORDINANCE TO REGULATE AND REQUIRE REGISTRATION OF SHORT-TERM RENTAL PROPERTIES IN THE TOWN OF BRIDGE CREEK, EAU CLAIRE COUNTY, WISCONSIN**

The Town Board of the Town of Bridge Creek, Eau Claire County, Wisconsin, does hereby ordain as follows:

**SECTION I. TITLE AND PURPOSE**

This Ordinance shall be known as the "Town of Bridge Creek Short-Term Rental Registration Ordinance." The purpose of this Ordinance is to establish a registration process for short-term rental properties within the Town of Bridge Creek to:

1. Safeguard the public health, safety, and general welfare of Town residents and visitors.
2. Maintain the residential character and stability of neighborhoods.
3. Ensure compliance with applicable state and local laws, including but not limited to health, safety, and zoning regulations.
4. Provide a point of contact for the Town and for neighbors regarding short-term rental operations.

**SECTION II. DEFINITIONS**

For the purpose of this Ordinance, the following definitions shall apply:

1. **Dwelling Unit:** A residential building, structure, or part of a building or structure, that is used or intended to be used as a home, residence, or sleeping place by one person or by two or more persons maintaining a common household, to the exclusion of all others.
2. **Owner:** The person or entity holding legal title to the Short-Term Rental property.
3. **Property Manager:** A natural person, 18 years of age or older, designated by the Owner to be responsible for the operation and maintenance of the Short-Term Rental and to serve as a local contact person for the Town and for occupants. The Property Manager must be available at all times the property is rented.
4. **Short-Term Rental (STR):** A Dwelling Unit that is offered for rent for a fee and for fewer than twenty-nine (29) consecutive days, as defined in Wis. Stat. § 66.1014(1)(c). This definition does not include hotels, motels, bed and breakfast establishments, or other lodging establishments licensed by the State of Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) that are excluded from this definition by state statute.
5. **Tourist Rooming House License:** A license issued by the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) under ATCP 72.04.

### SECTION III. SHORT-TERM RENTAL REGISTRATION REQUIRED

1. No person may maintain, manage, operate, or advertise a Short-Term Rental for more than ten (10) nights within any consecutive 365-day period without a valid Short-Term Rental Registration from the Town of Bridge Creek, issued pursuant to this Ordinance.
2. Every Short-Term Rental shall be operated by the Owner or a designated Property Manager.

### SECTION IV. REGISTRATION APPLICATION PROCESS

1. **Application Submission:** All Owners seeking to operate a Short-Term Rental shall file a complete application with the Town Clerk on forms provided by the Town of Bridge Creek.
2. **Application Contents:** The application shall include, but not be limited to, the following information and documents:
  - a. The full legal name, mailing address, email address, and telephone number of the Owner(s). If the Owner is a legal entity, the name and contact information of a designated principal or agent of the entity.
  - b. The street address of the Short-Term Rental property.
  - c. If a Property Manager is designated, their full legal name, mailing address, email address, and 24-hour telephone number. The Property Manager must reside within thirty-five 45 miles of the Short-Term Rental property. The Owner shall notify the Town Clerk within three (3) business days of any change in the Property Manager's contact information.
  - d. Proof of a valid Tourist Rooming House License issued by the State of Wisconsin DATCP. A copy of the current license shall be attached to the application.
  - e. Proof of a valid Seller's Permit issued by the Wisconsin Department of Revenue, if applicable.
  - f. Proof of comprehensive general liability insurance coverage for the Short-Term Rental property, with a minimum coverage amount of not less than One Million Dollars (\$1,000,000) per occurrence, naming the Town of Bridge Creek as an additional insured.
  - g. A floor plan of the dwelling unit, indicating all sleeping areas and the maximum occupancy for each sleeping room based on Wisconsin Administrative Code ATCP 72.14 standards (at least 400 cubic feet of air space per adult occupant, 200 cubic feet for occupants 12 and under).
  - h. A site plan or diagram showing the location of the dwelling unit, all accessory structures, and the designated off-street parking areas available for occupants and their guests, with the number of available parking spaces clearly indicated.
  - i. Valid Certificate of Compliance for the septic system, if applicable. Must be issued within 3 years of submission date and note septic capacity (# of people).
  - j. Payment of the required non-refundable application fee as set forth by the Town Board.

3. **Review and Approval:** The Town Clerk shall review the application for completeness. Upon determination that the application is complete and all required documents and fees have been submitted, the Town Clerk shall issue a Short-Term Rental Registration.
4. **Non-Transferability:** A Short-Term Rental Registration is non-transferable and shall apply only to the specific Owner and property for which it was issued. Any change in ownership of the property shall require a new registration application.

## **SECTION V. REGISTRATION PERIOD AND RENEWAL**

1. **Registration Period:** A Short-Term Rental Registration shall be valid for one (1) year from the date of issuance, or until a date specified by the Town Board, and shall expire annually.
2. **Renewal:** An Owner wishing to renew a Short-Term Rental Registration shall submit a renewal application and the applicable renewal fee to the Town Clerk at least forty-five (45) days prior to the expiration date. The renewal application shall include any updated information from the original application and proof of continued compliance with all requirements of this Ordinance.

## **SECTION VI. OPERATIONAL REQUIREMENTS**

Each Short-Term Rental shall comply with all of the following requirements:

1. **Maximum Occupancy:** The maximum number of occupants in a Short-Term Rental at any given time shall not exceed the limits established by the floor plan submitted with the application and consistent with ATCP 72.14, or any other more restrictive Town ordinance.
2. **Parking:** Adequate off-street parking shall be provided as indicated on the approved site plan. No vehicles associated with the Short-Term Rental shall be parked in a manner that obstructs public rights-of-way or negatively impacts neighboring properties.
3. **Refuse and Recycling:** The Owner or Property Manager shall ensure proper storage and disposal of all refuse and recycling in accordance with Town ordinances.
4. **Noise:** Occupants of Short-Term Rentals shall adhere to all Town noise ordinances. The Owner or Property Manager shall take all reasonable steps to ensure that occupants do not create disturbances or nuisances for neighboring properties.
5. **Emergency Contact Information:** A legible sign or notice shall be conspicuously posted within the Short-Term Rental, near the main entrance, providing the 24-hour contact information for the Property Manager (or Owner, if self-managed) and emergency services (911).
6. **Guest Register:** The Owner or Property Manager shall maintain a guest register or similar record for each rental, including the full name and current address of the primary renter, the rental period, and the monetary amount or consideration paid. These records shall be kept on file for at least one (1) year and made available to the Town upon request.

7. **Signage:** No exterior signage advertising the Short-Term Rental shall be permitted on the property, except for a small, non-illuminated identification sign not exceeding one (1) square foot in area, consistent with the residential character of the neighborhood.
8. **Compliance with Laws:** The Short-Term Rental and its operation shall comply with all applicable federal, state, county, and Town laws, ordinances, rules, and regulations, including but not limited to building codes, fire codes, health codes, and zoning ordinances.

## **SECTION VII. ENFORCEMENT AND PENALTIES**

1. **Inspection:** The Town reserves the right to inspect any Short-Term Rental property for compliance with this Ordinance and other applicable Town ordinances upon reasonable notice to the Owner or Property Manager. In the event of an emergency or a verifiable complaint impacting public health, safety, or welfare, immediate inspection may be conducted.
2. **Violations:** Any Short-Term Rental operating without a valid registration or in violation of any provision of this Ordinance shall be subject to penalties.
3. **Forfeitures:** Any person, partnership, corporation, or other legal entity that violates any provision of this Ordinance shall, upon conviction, be subject to a forfeiture of not less than \$200.00 nor more than \$1,000.00 for each violation, plus applicable surcharges, assessments, and costs of prosecution. Each day a violation exists or continues shall constitute a separate offense.
4. **Suspension or Revocation:** The Town Board may suspend or revoke a Short-Term Rental Registration for repeated or egregious violations of this Ordinance or any other applicable law, following a due process hearing. Grounds for suspension or revocation may include, but are not limited to:
  - a. Failure to maintain a valid DATCP Tourist Rooming House License.
  - b. Failure to maintain required insurance.
  - c. Repeated substantiated complaints regarding noise, parking, garbage, or other nuisances.
  - d. Providing false or misleading information on the registration application.
  - e. Operating the Short-Term Rental in a manner that endangers public health, safety, or welfare.

## **SECTION VIII. SEVERABILITY**

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

## **SECTION IX. EFFECTIVE DATE**

This Ordinance shall take effect upon passage and publication as provided by law.

Adopted this [Day] day of [Month], 20[Year].

**TOWN BOARD OF THE TOWN OF BRIDGE CREEK**

By:

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[Name], Town Chairperson

Attest:

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[Name], Town Clerk