

ORDINANCE № 295-041922
AMENDING VARIOUS SECTIONS OF ARTICLE IV, CHAPTER 18
OF THE MUNICIPAL CODE FOR THE VILLAGE OF SISTER BAY CONCERNING
SHORT-TERM RENTAL RESIDENTIAL DWELLINGS

WHEREAS, the Village of Sister Bay passed and adopted Ordinance 293-032322 on March 23, 2022;
and

WHEREAS, a contradictory statement was included in the introductory paragraphs of Ordinance 293,
stating that permits would be required of only those short-term rentals in residential districts; and

WHEREAS, the Village Board of Trustees had intended to regulate short-term rentals in ANY residen-
tial dwelling unit, regardless of zoning designation; and

WHEREAS, numbering references in Section 18.53(8) have been found to be inconsistent with the
text and need to be corrected; and

WHEREAS, Section 18.55(2)(l) shall be amended to identify office staff as the responsible party for
notifying neighboring property owners of short-term rental residential dwellings;

NOW, therefore, the Board of Trustees of the Village of Sister Bay, Door County, Wisconsin, does
hereby ordain as follows:

Section 1 – Text Amendment

The amendments to Sections 18.51, 18.53(8) and 18.55(2)(l) of the Municipal Code for the Village of
Sister Bay shall be made as delineated in red on the attached document.

Section 2 – Ordinances in Conflict

All other Ordinances in conflict herewith are hereby repealed.

Section 3 – Effective Date

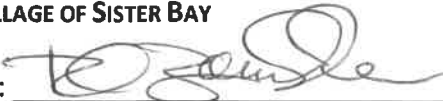
This Ordinance shall take effect and be in full force from and after its passage and publication accord-
ing to law.

Section 4 – Severability.

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.

Passed and adopted this 19th day of April, 2022.

VILLAGE OF SISTER BAY

By: 
Rob Zoschke, President

ATTEST:


Heidi Teich, Village Clerk

Date Introduced: 4-19-22
Date Adopted: 4-19-22
Publication Date: 4-29-22

Ayes 7 Nays 0

Village of Sister Bay Code of Ordinances

ARTICLE IV – SHORT-TERM RESIDENTIAL DWELLINGS

Sec. 18.51 License Required.

No person may own, manage, or operate a short-term rental within ~~a the R-1, R-2, or R-3 Zoning Districts~~ Residential Dwelling for even one (1) night each year without a Village Short-term Rental license issued pursuant to this ordinance.

Sec. 18.52 Definitions.

A. "BTR" means Department of Revenue Business Tax Registration number.

B. "DATCP" means Wisconsin Department of Agriculture, Trade and Consumer Protection.

C. "DCTZC" means Door County Tourism Zone Commission.

D. "POWTS" means Private On-Site Wastewater Treatment System.

E. "Property Owner" means the person or entity who owns the residential dwelling that is being rented.

F. "Resident Agent" means a person or entity who is not the Property Owner and who is authorized to act as the agent of the Property Owner for the receipt of service of notice and remedy of municipal ordinance violations and for service of process pursuant to this ordinance.

G. "Residential Dwelling" means any building, structure, or part of the building or structure, that 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.

H. "STR (Short-Term Rental)" means a dwelling unit in which sleeping accommodations are offered for pay to tourists or transients for periods less than 30 days.

I. "Tourist Rooming House" means a dwelling unit in which sleeping accommodations are offered for pay to tourists or transients for periods of less than 30 days.

J. "Un-hosted" means the owners of the property are not on the premise during the rental.

Sec. 18.53 License Application.

A. Licenses shall be issued using the following procedures:

1. All applications for a Short-term Rental license shall be filed with the Village Clerk on forms provided. Applications must be filed by the Property Owner or authorized Agent. No license shall be issued unless the completed application form is accompanied by the payment of the required application fee.

2. All applications for a STR license shall include a copy of the current inspection report completed by DATCP.

3. The Village Clerk shall issue a Short-Term Rental license to all applicants following payment of the required fee, receipt of all completed documentation and information requested by the application, and approval by the village board or its designee.

4. A Short-term Rental license shall be effective for one year and may be renewed for additional one-year periods. The annual licensing terms begins July 1st and ends on June 30th of the following year.

5. The application process will open on March 1st. A fully completed application of renewal application and fee must be filed with the Village Clerk at least forty-five (45) days prior to the license expiration so that the village board, or its designee, has adequate time to consider the application. A renewal application shall include any updated information since the filing of the original application.

6. Any changes in ownership of the property requires a new license per Wisconsin Administrative Code State

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1 Statute 72.04(b) prior to obtaining a
2 permit from the Village.

3 7. An owner may apply for a new license
4 no less than 12 months after being
5 revoked (see "Revocation" and
6 "Penalties" sections below.

7 8. The village board may suspend, revoke,
8 reject, or not-renew a Short-term Rental
9 license or license application following a
10 due process hearing if the board
11 determines that the license has had
12 violations of ~~B1, B2, B3, B4, B5, B6~~ **2B,**
13 **2C, 2D, 2E, 2G,** under Section 18.55,
14 has been notified by telephone and
15 email of such a breach and has left
16 breach uncured for a period of 24 hours
17 following notification from the village.
18 The village board may suspend, revoke,
19 reject, or not renew a Short-term Rental
20 license or license application following a
21 due process hearing if the board
22 determines that the license has had
23 violations of ~~B7, B8, B9, C, D, R, F,~~ **2F, 2J,**
24 **2K, 2L, 2M** under Section 18.55, has
25 been notified by telephone and email of
26 such a breach, and has left breach
27 uncured for a period of fourteen (14)
28 days following notification from the
29 village.
30 a) Has had two violations at the prop-
31 erty in the last 12 months;
32 b) failed to comply with any of the re-
33 quirements of this ordinance;
34 c) has been convicted or whose Resi-
35 dent Agent or renters have been con-
36 victed of engaging in illegal activity while
37 on the Short-term Rental premises on
38 one (1) occasion within the past twelve
39 (12) months;
40 d) has outstanding fees, taxes, or forfei-
41 tures owed to the village.

42 9. Property owners shall be permitted no
43 more than seven (7) calendar days to
44 correct discrepancies in the application
45 before it is deemed late or ineligible for
46 renewal.
47

48 **Sec. 18.54 Permit Process.**

49
50 Each Short-term Rental shall comply with all the
51 following requirements:
52 A. The Village application shall be com-
53 pleted in its entirety.
54 B. Each rental must register with the State
55 of Wisconsin as a business and receive a
56 Business Tax Registration number (BTR)
57 unless they have contracted with a Resi-
58 dent Agent.
59 C. Each rental application will be shared
60 with the Village of Sister Bay's assessor
61 for personal property tax assessment.
62 D. Each Short-term Rental shall hold a valid
63 State of Wisconsin Tourist Rooming
64 House License issued by the Depart-
65 ment of Agriculture, Trade and Con-
66 sumer Protection (DATCP), and shall
67 provide proof of such license by attach-
68 ing a copy to the initial license applica-
69 tion.
70 E. Each Short-term Rental shall be licensed
71 by the Door County Tourism Zone Com-
72 mission (DCTZC) and shall provide proof
73 of such license by attaching a copy to
74 the initial license application.
75

76 **Sec. 18.55 Operation of a Short-term Rental.**

77
78 1. Every STR shall be operated by a property
79 owner or resident agent.

80 2. Each Short-term Rental shall comply with all
81 the following requirements:
82 a) Any Short-term Rental shall be defined
83 by the Village of Sister Bay Zoning Code
84 definition of Dwelling Unity. This ordi-
85 nance prohibits the use of any structure
86 not qualified as a dwelling unit.
87 b) No recreational vehicle, camper, tent, or
88 other temporary lodging arrangement
89 shall be permitted on site as a means of
90 providing additional accommodations
91 for paying guests or invitees.
92 c) If the property is served by a private on-
93 site wastewater treatment system
94 (POWTS), the occupancy is limited to the
95 number of occupants for which the

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- 1 POWTS was designed. The POWTS must
2 be in full compliance with this Ordinance
3 and serve the property in accordance
4 with Chapter 21 of the Door County
5 Code.
- 6 d) Sufficient off-street parking shall be
7 available to accommodate all vehicles on
8 the Short-term Rental premises. Off-
9 street parking shall comply with the Sis-
10 ter Bay Zoning Code, Chapter 400. On-
11 street parking for renters of the Residen-
12 tial Dwelling is Prohibited.
- 13 e) Pets that accompany a renter are subject
14 to the Sister Bay Municipal Code, Chap-
15 ter 10, with the following additional re-
16 quirements:
- 17 (a) Pets must be under the control of
18 their owner and on a leash when outside
19 the dwelling. Pets may be tethered se-
20 curely to a leash or pulley-run on the
21 premises, provided that the tethered pet
22 is at least ten (10) feet inside the prem-
23 ises lot line .
- 24 (b) Pet owners must adhere to minimiz-
25 ing pet noise, independent of whether
26 the pet is inside or outside the dwelling.
- 27 f) Any outdoor event held at the Short-
28 term Rental shall last no longer than one
29 day occurring between the hours of
30 10AM an 10 PM. From 10PM to 10AM
31 quiet hours shall be enforced.
- 32 g) All STR's must be able to accommodate
33 reliable telephone communications in
34 case of emergency.
- 35 h) All STR's must follow state and federal
36 antidiscrimination regulations.
- 37 i) Un-hosted STR's shall be categorized as
38 public accommodations under Title II of
39 the 1964 Civil Rights Act.
- 40 j) The Property Owner must reside within
41 thirty (30) miles of the Short-term Rental
42 during periods in which the Short-term
43 Rental is rented.
- 44
- 45 1. This requirement may be waived if
46 there is a valid Resident Agent (point of
47 contact) located within thirty (30) miles
48 of the Short-term Rental. In such a case,
49 the Property Owner shall provide a copy
50 of the Resident Agent contract to the
- 51 Village and notify the Village within thirty
52 (30) days of termination of any such con-
53 tract.
- 54 2. To qualify as a Resident Agent the rep-
55 resentative must reside within Door
56 County or be a corporate entity with of-
57 fices located in Door County.
- 58 k) The Property Owner and/or Resident
59 Agent must provide the village with cur-
60 rent contact information and must be
61 available twenty-four (24) hours a day.
- 62 l) The Property Owner and/or Resident
63 Agent must provide the following infor-
64 mation to **office staff, who will forward**
65 **the information to** neighboring residen-
66 tial property owners located within a
67 300-foot radius of the Short-term Rental
68 dwelling property in all directions no
69 later than seven (7) days from the date
70 the rental dwelling permit is issued or at
71 any time the Property Owner/Resident
72 Agent contact information changes:
- 73 1. Telephone and email address to en-
74 able neighboring residential property
75 owners or village personnel to contact
76 Property Owner or Resident Agent
77 twenty-four (24) hours a day, seven (7)
78 days a week regarding disturbances or is-
79 sues arising in connection with the rental
80 of a Residential Dwelling .
- 81 2. Provide a copy of property rules that
82 is provided to renters. 3. Provide their
83 DATCP license number.
- 84 m) The Property Owner shall include the
85 following Property Rules information in
86 the online web listing house rules or
87 equivalent page for their rental property:
- 88
- 89 a. Maximum number of off-street
90 parking spaces.
- 91 b. Quiet hours of 10 PM to 10 AM.
- 92 c. Fireworks strictly prohibited.
- 93 d. Pets must be leashed.
- 94
- 95 **Sec. 18.56 Property Rules.**
- 96
- 97 A copy of the State of Wisconsin tourist rooming
98 house license, Door County Tourism Zone Good
99 Neighbor Policy, and the Village STR license shall

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1 be posted on the property. A list of property
2 rules must be posted at the Short-term Rental
3 property, provided to the guests, and a copy sub-
4 mitted with the application for a license. Prop-
5 erty rules must contain the minimum infor-
6 mation:

- 7 (a) The name, phone number and address
8 of the Property Owner or Resident
9 Agent.
- 10 (b) A diagram of the property identifying the
11 property lines and the location of off-
12 street parking, including the maximum
13 number of off-street parking spaces pro-
14 vided for renters.
- 15 (c) Quiet hours of 10 PM to 10 AM.
- 16 (d) Fireworks are strictly prohibited.
- 17 (e) Pet policy: Leash requirements, noise.
- 18 (f) The trash pick-up day and applicable
19 rules and regulations pertaining to leav-
20 ing or storing trash or refuse on the ex-
21 terior of the property.
- 22 (g) Outdoor burning regulations.
- 23 (h) Notification that the occupant may be
24 cited or fined by the Village or immedi-
25 ately evicted by the Property Owner or
26 Resident Agent, in addition to any other
27 remedies available at law, for violating
28 any provisions of this ordinance.

30 Sec. 18.57 Revocation Process and Penalties.

31 A. Forfeiture. The owner of any property,
32 whether a person, partnership, corporation,
33 limited liability company, or other legal entity
34 that fails to comply with the provisions of this
35 ordinance shall, upon conviction or admission,
36 pay a forfeiture of not less than \$500.00 nor
37 more than \$1000.00 for the first offense, a
38 forfeiture of not less than \$1000.00 nor more
39 than \$2000.00 for the second offense, and a
40 forfeiture of not less than \$2500.00 nor more
41 than \$5000.00 for the third and subsequent
42 offenses, plus the applicable surcharges,
43 assessments, and costs including legal fees and
44 costs of prosecution for each violation. Each
45 day a violation exists or continues constitutes a
46 separate offense under this ordinance.

47

48 B. Suspension, Revocation, or Nonrenewal.
49 Upon violation, the Village, at its sole discretion,
50 shall:

- 51 1. Notify the owner of the property on
52 noncompliance by email and telephone;
- 53 2. Summarily suspend the STR License,
54 with written notice to the owner;
- 55 3. Determine if the owner has remedied
56 the violation and shall schedule a li-
57 cense revocation hearing before the vil-
58 lage board if the violation is not reme-
59 died immediately;
- 60 4. Provide the opportunity to the Owner to
61 have a hearing on the matter before the
62 Village Board with an effort to provide
63 notification to property owners within
64 300-feet of the property and allow them
65 to provide oral or written testimony;
- 66 5. Determine that the STR License shall, or
67 not, be revoked;
- 68 6. Elect to non-renew an STR License for
69 the following year;
- 70 7. Shall, in all events, provide notice of any
71 decision in writing to the Owner.

72 Penalties set forth in this section shall be in ad-
73 dition to all other remedies of injunction, abate-
74 ment of costs whether existing under this ordi-
75 nance or otherwise.

76

77 Sec. 18.57 Revocation Process and Penalties.

78

79 License fees shall be established by the Village
80 Board in a fee schedule and may, from time to
81 time, be modified. The fees shall be related to
82 costs involved in processing license applications,
83 reviewing plans, conducting inspections, ordi-
84 nance compliance and documentation. Fees are
85 nonrefundable and shall not be prorated.

86 Annual Village STR application.....\$500.00

87 Late fee.....\$100.00

88 [Ordinance 293]

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