TOWN OF WASHINGTON CODE OF ORDINANCES
DOOR COUNTY, WISCONSIN

CHAPTER 337
SHORT-TERM RENTAL REGULATION

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§ 337-1. Purpose

The purpose of this ordinance is to establish licensing requirements which allow residential dwellings to be rented as a means to offer guests a safe and enjoyable place to stay while visiting the Town of Washington Island. Concurrently, the ordinance seeks to maintain quality of life, and the character and stability of neighborhoods, while also safeguarding the availability of adequate work force housing. The Town has considered these interests and enacts this Ordinance to protect the public health, safety, and well-being of residents and visitors, and includes provisions for the administration and enforcement thereof.

The Town Board of Washington recognizes the Wisconsin State Law for municipal regulation of Short-Term Rentals, Residential Dwelling Rentals (see 2017 Wisconsin Act 59; Wisconsin Statute § 66.1014). The following Town Ordinance complies with the Short-Term rental, Residential Dwelling Rental portion of ACT 59 and § 66.1014, Wisconsin Statutes.

§ 337-2. Definitions

"RESIDENTAL 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 (1) person or by two (2) or more persons maintaining a common household, to the exclusion of all others.

"SHORT-TERM RENTAL (STR)" means a residential dwelling that is offered for rent for a fee for periods of fewer than thirty (30) consecutive days.

"PROPERTY OWNER ("OWNER")" means the person who owns the Residential Dwelling that has been rented.

"DESIGNATED AGENT ("AGENT")" means a person or an entity who is not the Property Owner of record and who is authorized to act as the Agent of the Property Owner for receipt of service of

notice and remedy of municipal Ordinance violations and for service of process pursuant to this Ordinance.

"LODGING MARKETPLACE" means an entity that provides a platform through which an unaffiliated third party offers to rent a STR to an occupant and collects the consideration for the rental from the occupant. Examples include VRBO and Airbnb.

"DOOR COUNTY TOURISM ZONE COMISSION ("DCTZC")" provides a Property Owner with the permits to rent their property as a lodging facility for transient rentals.

"WISCONSIN DEPARTMENT OF AGRICULTURE TRADE AND CONSUMER PROTECTION ("DATCP")" is responsible for issuing a Tourist Rooming House License to Owners of Residential Dwellings operating as a STR.

"POWT" means Private On-Site Wastewater Treatment System

§ 337-3. Short-Term Rental License Required

A. No Person or Entity shall allow property under their ownership or control to be used, maintained, managed, or operated as a STR for more than ten (10) nights each year without a STR license issued by the Town of Washington pursuant to this Ordinance.
B. Each Residential Dwelling operated as a STR requires its own license, as licenses are non-transferable and non-assignable.
C. Short-term rental licenses shall operate a maximum of 180 days in a calendar year.
D. License shall be issued using the following procedures:
    1. All applications for a license or renewal shall be filed with the Town Clerk, or the designee, on forms provided. All applications shall be filed by the Property Owner or Agent. No license shall be issued unless the completed application form is accompanied by the payment of the required application fee.
    2. The Town Clerk, or the designee, shall issue a STR license to all applicants following payment of the required fee, receipt of all fully completed documentation and information requested by the application, and application approval by the Town Board.
    3. A STR license shall be effective for one year. The annual licensing term begins January 1 and ends December 31 of the same year.
    4. A fully completed license application and fee shall be filed with the Town Clerk with official approval to be considered at the next regular monthly Town Board meeting. A renewal application shall include any updated information since the filing of the original application.
    5. Any changes in ownership of the property require a new license.
    6. No License shall be issued to any property or owner of property which has delinquent fees, taxes, special charges, forfeitures or other debt owed to the Town of Washington, Door County, the DCTZC or Wisconsin DATCAP.

§ 337-4. Application and Renewal Process

Fully completed, new and renewal license applications and fees shall be filed with the Town Clerk, or the designee. Renewal applications shall include all updated information since the filing of the original application.

Any changes in ownership of the property will require a new application per Wisconsin Administrative Code 72.0(b) prior to obtaining a license from the Town. No license shall be issued unless the completed application form is accompanied by the payment of the required application fee.

A. The application shall include the following:
    1. Address of the Residential Dwelling.
    2. Names, addresses, and phone numbers of the Property Owner(s) and/or Agent(s).
    3. A copy of a Department of Agriculture Trade and Consumer Protection (DATCP) Tourist Rooming House License dated within one (1) year of the date of issuance or renewal.
    4. A copy of a Door County Lodging permit issued by the Door County Tourism Zone Commission (DCTZC) unless the Owner is exempt from such permit by state law.
    5. A copy of a Sellers Permit issued by the Wisconsin Department of Revenue unless all rentals of the property are exempt from such permit requirements per state statute; or the Owner is utilizing a Lodging Marketplace (i.e. VRBO or Airbnb) to collect taxes on their behalf.
    6. Proof of liability insurance (this can be satisfied through the use of a Lodging Marketplace such as VRBO or Airbnb).
    7. Proof of design capacity of POWTS approved by the Door County Sanitarian's Office.
    8. Where the Owner exclusively uses a Lodging Marketplace to facilitate STR rentals, the name of the Lodging Marketplace and the online listing ID # shall be listed on the application.
    9. Administrative fee payment, set by the Town Board by Resolution, to offset the costs to administer and enforce this Ordinance.
    10. Signed certification from the Owner and Designated Agent acknowledging that they agree to assume the responsibilities assigned to them under this Ordinance.

§ 337-5. Operation of a Short-Term Rental

Each STR shall comply with all of the following requirements:

A. The Owner or Agent must be available via the provided contact information and methods on those days when the STR is rented.
B. The Owner's and/or Agent's contact information, including phone number and address, must be filed with the Town Clerk, or the designee. The Town must be notified within 72 hours of any change in contact information.
    1. The Town Clerk, or the designee, will provide this contact information to the Law Enforcement Officers for follow up on any violations.
C. The Owner shall have and maintain liability insurance.

D. Sanitary Infrastructure
    1. The maximum number of occupants shall not exceed the design maximum of the Private Onsite Wastewater Treatment System (POWTS) permitted by the Door County Sanitarian Office. For a residence with a holding Tank, the applicable limit is 2 persons per bedroom.
    2. Properties served by an existing holding tank may continue to discharge domestic wastewater and operate with the appropriate use of a holding tank system under Ch. 383 Wisconsin Department of Safety and Professional Services (DSPS) regulations and Ch. 21 of the Door County Code.
    3. No recreational vehicle, camper, tent or other temporary lodging arrangement shall be used to accommodate guests. This applies to those owned by either the STR owner or the guest.
    4. Garbage and waste disposal shall be the responsibility of the property owner or agent at the least upon departure of a renting party.

§ 310-6. Information to be Posted

The following items must be posted in a conspicuous area within the property:

A. A copy of the State of Wisconsin Tourist Rooming House License.
B. A copy of the Town of Washington Short-Term Rental License.
C. Property rules to include but not limited to:
    1. Maximum occupancy of the property
    2. Owner's policy regarding pets (if applicable), along with Town Ordinance Chapter 157, § 157-4 (C). "Restrictions on keeping of dogs."
    3. Outdoor burning policy.
    4. Emergency contact information for Law Enforcement, Fire and Emergency Medical Services (EMS).
    5. Emergency contact information including Property Owner and/or Designated Agent.
    6. Garbage and waste disposal procedures.

§ 310-7. Revocation

The Town Board may suspend, revoke, not renew a license or reject a new license application, following a due process hearing for one or more of the following reasons:

A. Failure to comply with the requirements of this Ordinance on three or more separate occasions within the prior 24 months.
B. Failure by the Owner to make payment of delinquent fees, taxes, special charges, forfeitures or other debt owed to the Town, Door County, or DCTZC and DATCP.
C. Failure to obtain and maintain all required local, county and state licensing requirements.
D. Failure to adhere to the Town and County Ordinances.

§ 310-8. Revocation Process

The Town Board, at its discretion, shall:

A. Notify the Owner of any noncompliance or complaint.
B. Determine whether the violation has been remedied and shall schedule a license revocation hearing, before the Town Board, if the violation is not remedied immediately.
C. Notify the Owner of the hearing date at least two weeks prior to the hearing before the Town Board.
D. Hear written or verbal testimony from other affected parties at the time of the hearing before the Town Board.
E. The Town Board shall mail its decision in writing to the Owner with specific reasons for their determination within ten (10) days of a license revocation hearing.
F. If the Board's decision is to revoke the license, the Owner must surrender their STR license to the Town Clerk, or the designee of the Town.
G. The review procedures in this ordinance replace review procedures under Ch. 68, Wis. Stats., and The Town of Washington elects to not be governed by Wis. Stats. chapter 68 with respect to reviews related to this ordinance as permitted by Wis. Stats. 68.16.

§ 310-9. Penalties and Enforcement

The Town may, in its discretion, send such notices of violation and warning as it deems appropriate. Any person or entity in violation of any provision of this Ordinance shall be subject to a forfeiture of the fee specified in the most current Town fee schedule, plus applicable costs and fees for a first violation thereof, and "subsequent fees" as specified in the fee schedule, plus costs and fees for any subsequent violation thereof. Each day that a violation continues shall be considered a separate offense. The Town may elect to issue citation(s) for violations or may elect to commence action in Door County Circuit Court to impose penalties, enjoin and prohibit further violations. The Town of Washington shall recover its costs of prosecution, including actual attorney fees to be paid by the violator.

§ 310-10. Reinstatement of Licensure

Upon a decision to revoke, suspend, deny or not renew a license, no new application for the same facility will be accepted for a period of time specified in the Board's written decision, not exceeding one year. Such new applications shall be accompanied by a reinstatement fee, found in the Town fee schedule, as required by this article.

§ 310-11. Fees

The license application fees shall be established by the Town Board of Washington and shall correlate with reasonable direct administration costs involved with compliance monitoring. The fees may be changed without notice or amendment to this Ordinance. The current schedule of fees is available from the Town Office.

§ 310-12. Severability

If 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.

§ 310-12. Effective Date and Publication

This ordinance shall become effective upon publication as required under s. 60.80, Wis. Stat. on January 1, 2027.

The foregoing ordinance was adopted at a regular meeting of the Town Board of the Town of Washington Island, Door County, Wisconsin on June 17, 2026.