

ANNUAL SHORT-TERM RENTAL APPLICATION

Allouez Village Hall
1900 Libal Street, Green Bay, WI 54301
(920) 448-2800
Fax (920) 448-2850
www.villageofallouezwi.gov

- ☐ New \$500.00 Fee
- ☐ Renewal \$500.00 Fee
License will expire annually on June 30; applications received after July 1 will include \$150.00 late fee.

SHORT-TERM RENTAL (STR) PROPERTY INFORMATION

Address: _____

Parcel ID: AL-_____ Maximum Occupancy: (4 guests per bathroom) _____

Owner Occupied? ☐ YES ☐ NO *If Yes, include copy of driver license.*

PROPERTY MANAGER/OPERATOR INFORMATION

Name: _____

Address: _____

24 hour Contact No.: (_____) _____ - _____ DOB: ____ / ____ / ____

Email: _____

Do you rent or own this property? ☐ Own ☐ Rent *If rent, complete Tenant Notification to Property Owner Form*

PROPERTY OWNER INFORMATION *(If different than Property Manager/Operator)*

Property Owner Name: _____

Phone No. (_____) _____ - _____ Email: _____

The following documents are to be submitted with the application:

- ☐ Copy of State of Wisconsin License for a Tourist Rooming House License issued by Brown County Public Health Division under Wis. Stat. Sec. 254.64
- ☐ Copy of completed State Lodging Establishment Inspection form from Brown County Public Health Division dated within one year of the date of issuance or renewal
- ☐ Certificate of dwelling insurance issued by insurance company
- ☐ Copy of Seller's Permit from the Department of Revenue (only if not listing on lodging marketplace AirBNB)
- ☐ Floor plan and maximum occupancy (clearly indicate rooms- bedroom, bathroom, ½ bath, kitchen, etc.)
- ☐ Site plan including available on-site parking (use aerial photo from Brown County GIS website)
- ☐ Room Tax Permit Application
- ☐ Tenant Notification to Property Owner Form (if applicable)

Once submitted, contact will be made within two (2) weeks to schedule an inspection.

I state that I have read the foregoing answers and the same are true to the best of my knowledge. I understand that any short-term rental license shall comply with all provisions of the Village of Allouez Municipal Code Chapter 270 and I hereby certify that the property meets those requirements. I hereby additionally designate the Property Manager, if any, as an agent for the purposes of accepting service of process in any civil action arising out of/or in conjunction with the use of this license. The Village of Allouez Municipal Code Chapter 270 requires that every applicant will not be issued a license until all debts are paid in full. I hereby certify that I do not have any outstanding debts owing to the Village of Allouez.

Owner Signature: _____ Date: ____ / ____ / ____

Property Manager Qualifications:

- Be a natural person or a corporate entity with a representative available twenty-four (24) hours a day and accessible by phone.
- Applicant does not have pending any criminal charge and has not been convicted of a felony or misdemeanor of any offense involving dishonesty, fraud, deceit, robbery, the use or threatened use of force or violence upon the person of another.
- Authorized by the Owner to allow Village employees, officers and their designees, to enter the property for purposes of inspection and enforcement of Ordinance No. 2024-02, Municipal Code Chapter 270.

I understand that any short-term rental license shall comply with all provisions of the Village of Allouez Municipal Code Chapter 270.

Property Manager/Operator Signature: _____ Date: ____ / ____ / ____

For Office Use Only:

Date Received ____ / ____ / ____ \$500 Fee Paid ☐ Receipt Number: _____

Permit Number: _____

Background Check Completed ☐

Property Taxes Paid ☐ Yes ☐ No Amount Due: _____ Date Paid: ____ / ____ / ____

Outstanding Village of Allouez Invoices ☐ No ☐ Yes Amount Due: _____ Date Paid: ____ / ____ / ____

Inspection Date ____ / ____ / ____ Inspection by: _____

Date Approved ____ / ____ / ____ Approved by: _____



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ROOM TAX PERMIT APPLICATION

Parcel No.: AL- _____

Address: _____

Name of Establishment (if applicable): _____

Owner's Name: _____

Owner's Address (if different than establishment): _____

Phone No.: (____) ____ - _____ Email: _____

For CORPORATIONS ONLY:

Name of Registered Agent: _____

Name of Resident Manager: _____

Number of Rooms: _____

The applicant hereby authorizes the Village Clerk/Treasurer to make the necessary examination and inspection of the books, records and memoranda required to enforce the provisions of Chapter 50 of the Village of Allouez Municipal Code.

_____/_____/_____
Signature of Applicant Date

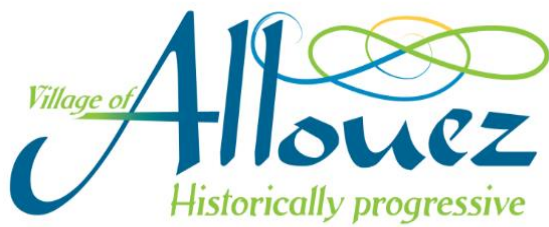
Submit Completed Application to:

Village of Allouez
Clerk/Treasurer
1900 Libal Street
Green Bay, WI 54301
920-448-2800
Email: general@villageofallouezwi.gov

For Office Use Only:

Received by Clerk/Treasurer: ____/____/____

Permit No. Issued: _____



TENANT NOTIFICATION TO PROPERTY OWNER

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SHORT-TERM RENTAL (STR) PROPERTY INFORMATION

Address: _____

Tenant/Operator Name: _____

Phone No.: (____) ____ - ____ Email: _____

- ☐ **Lease Attachment:** A signed copy of the lease is attached, which states a short-term rental operation is allowed in this dwelling unit.
- ☐ **Notice to property owner:** I agree to abide by all Village of Allouez regulations for the operation of a short-term rental, as detailed in the Village of Allouez Municipal Code of Ordinances, Chapter 270.

Tenant/Operator Signature: _____

Date ____ / ____ / ____

PROPERTY OWNER INFORMATION

Name: _____

Company or DAB Name: _____

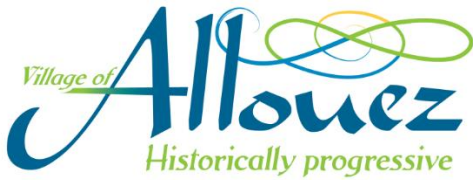
Address: _____

Phone No.: (____) ____ - ____ Email: _____

- ☐ Tenant has notified me of their intent to operate a short-term rental at this dwelling unit, which is allowed in the lease agreement.
- ☐ I understand tenant will abide by all Village of Allouez regulations for the operation of a short-term rental, as detailed in the Village of Allouez Municipal Code of Ordinances, Chapter 270.
- ☐ I approve of the proposed operation of a short-term rental operation at this dwelling unit.

Property Owner Signature: _____

Date ____ / ____ / ____



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Short-Term Rental Application Information

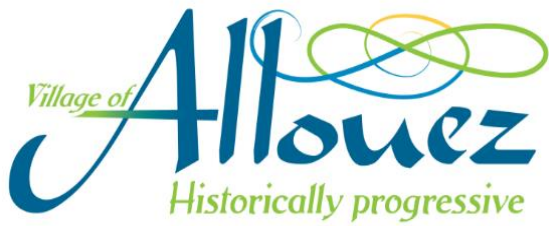
- A short-term rental is a residential dwelling unit provided for lodging for a period of more than 10 nights per year but less than 29 consecutive days, as defined in Wis. Stat. Sec. 66.0615 (1)(dk). *If a residential dwelling is rented for 29 days or more at a time, it is considered a standard month to month rental.*
- A Brown County Health Department license is required for any short-term rental, regardless of the number of rental nights.
- **DO NOT** rent your unit as a short-term rental until licensed by Brown County and the Village of Allouez.
- All required application material must be submitted at the same time along with the application fee. Applications that are not complete at submission will be returned to the applicant without processing.
- If a residential dwelling unit is listed through a marketplace, make sure they know the 10% room tax remittance is provided for a property in the Village of Allouez. If the marketplace does not collect on your behalf, or if you rent outside of a marketplace, a State Sellers permit through the Department of Revenue for the 5.5% sales tax will need to be obtained. Additionally, the 10% room tax will need to be collected and remitted to the Associated Trust via the attached remittance form.
- This is an annual license (July 1 – June 30) through the Village of Allouez and must be renewed every year the home is to be considered a short-term rental. The application and required documents must be submitted with payment every year prior to the current license expiration date.
- The Brown County and Village of Allouez inspections must be performed every year.

Additional Information:

- Brown County Health Department Tourist Rooming House License:
<https://www.browncountywi.gov/departments/public-health/general-information/services/business-licensing> and scroll down to the “Lodging” section.
- Village of Allouez Short-Term Rental Code: (include Link)
- Wisconsin Tourist Rooming House License information (from Brown County Public Health):
<https://www.browncountywi.gov/departments/public-health/general-information/services/business-licensing>
- Village of Allouez Short-Term Rental Inspection Information handout: (attach)

Application and Forms:

- Annual Short-Term Rental Application
- Room Tax Permit Application
- Brown County Room Tax form to be submitted quarterly to Associated Trust Company
- Tenant Notification to Property Owner (if applicable)



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Short-Term Rental Inspection Information

To obtain a short-term rental license in the Village of Allouez, an annual inspection must be completed by the Village Inspector. Below is a summary of what the inspector will be looking at. For more information, please refer to the Municipal Code Chapter 270.

- ☐ No obvious safety hazards such as a missing handrail, guardrail, or open electrical.
- ☐ Must have at least one internal bathroom for every four (4) occupants.
- ☐ Not less than one (1) onsite off-street parking spaces for every four (4) occupants based upon maximum occupancy.
- ☐ Safe, unobstructed means of egress from the short-term rental leading to safe, open space at ground level.
- ☐ Shall have functional smoke detectors and carbon monoxide detectors in accordance with the requirements of Chapter SPS 321 of the Wisconsin Administrative Code.
 - One (1) smoke alarm in every sleeping room
 - Smoke/Carbon monoxide alarm required outside of each sleeping room within 21' and on a path of egress. One alarm meeting this requirement can serve more than one sleeping room.
- ☐ Shall not have an accessible wood burning fireplace unless the property owner provides a certificate from a properly licensed inspector, dated not more than thirty (30) days prior to submission, certifying that the fireplace and chimney have been inspected and are in compliance with National Fire Prevention Association Fire Code Chapter 211 Standard for Chimneys, Fireplaces, Vents, and Solid Fuel-Burning Appliances.
- ☐ Shall not have a hibachi, gas-fired grill, charcoal grill, or other similar devices used for cooking or any other purpose on any balcony, deck or under any overhanging structure or within ten (10) feet of any structure.
- ☐ Shall not have a wood burning fire pit or other similar solid fuel fired device used for heating or any other purpose on any balcony, deck or under any overhanging structure or within twenty (20) feet of any structure.
- ☐ Outdoor gas fire pits shall be listed and labeled for the application in which they are used and meet the setback requirements listed in the manufacturer's instructions or UL listing.
- ☐ Electrical receptacles located in the following locations shall have ground-fault circuit interrupter protection:
 - Bathrooms
 - Garages and accessory buildings that have a floor located at or below grade level not intended as habitable rooms and limited to storage areas, work areas, and areas of similar use.
 - Outdoors
 - Crawl spaces – at or below grade level
 - Unfinished portions or areas of the basement not intended as habitable rooms.
 - Kitchens – where receptacles are installed to serve the countertop services.
 - Sinks – where receptacles are installed within six (6) feet from the top inside edge of the bowl of the sink.

Short-Term Rental FAQ

What permits do I need to rent my home as a short-term rental?

- Village of Allouez Short-Term Rental permit which is obtained with the annual Short-Term Rental Application
- Room Tax Permit Application
- State of Wisconsin License for a Tourist Rooming House License issued by Brown County Public Health Division
- Seller's Permit from the Department of Revenue (if not listing on lodging marketplace)

Does my permit apply to multiple properties?

- A separate application and Short-Term Permit must be obtained for each dwelling unit used as a short-term rental.

If I sell my property, is my Short-Term Rental Permit transferable?

- The Short-Term Rental Permit is NOT transferable. If the property changes ownership, a new permit will be required.

What types of rentals do I need to obtain a permit and collect room tax for?

- You need to obtain a Short-Term Rental Permit and Room Tax permit if you are renting your home to any person(s) for over 10 days in a 365-day time span and less than 29 consecutive days.

My Short-Term Rental is leased through an on-line marketplace or another rental agency. Do I still need a permit?

- Yes, the Village requires a municipal permit regardless of how the rental is advertised.

How do I collect room tax from guests who are renting my home?

- Room tax is a pass-through tax. There are different options to collect room tax and it is up to you to decide what works best for your rental.
 - The amount can be included in the nightly advertised rate.
 - You may list through a lodging marketplace, which may offer to collect the tax for you; however, you are responsible to make sure that the room tax is collected and paid.

What do I pay Room Tax on?

- Room tax is paid on gross lodging sales. If you collect additional money for services or other items, those charges would not be subject to room tax.

What records do I need to keep and how long do I need to keep them?

- Books and records should be maintained of all rental transactions whether you are renting to a guest directly or through an online platform. Include the days/nights rented, all revenue associated with the rental, and documentation of any deductions taken from the gross revenue prior to the calculation of the room tax due.

THE 10% ROOM TAX, EFFECTIVE 7/1/12, collected on retail room rental or lodging is due and payable on or before the 20th day of the following month. Make check, draft, money order payable, or electronic payment₍₁₎ to: **Associated Trust Company** and return with copy to:
***** Associated Trust Company, Attn: Trust Operations Dept., P.O. Box 12800, Green Bay, WI 54307-2800 *****
Unpaid taxes bear interest at 1.0% per month from the due date and the assessment of a \$100.00 late fee.

PART I - Facility, Owner and Preparer Information

Tax Report for:	Allouez	Month:		Year:		Permit No:	
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I declare under penalty of perjury that the room sales information contained on this document and any accompanying documents is true and correct, with full knowledge that all information made on this document are subject to investigation and that any false information may be grounds for legal action.

Facility Name & Address:	Owner Name & Address:	Preparer Information
Name	Name	Preparer Name
Street, Suite, PO Box	Street, Suite, PO Box	Preparer Phone Number
City, State Zip	City, State Zip	Preparer Signature

PART II - Short Term Rental Information

If you rented through AirBNB, VRBO or similar web-based lodging marketplaces who have collected on your behalf, please include in your totals above AND provide detailed information below for each marketplace. Failure to provide exempt tax receipt information will deem the room tax delinquent and late fees and interest will be assessed.

	AirBNB	VRBO	Other (1)	Other (2)	Total
1. Gross Room Nights Sold					
2. Tax Exempt Room Nights Sold					
3. Total Room Sales Revenue (w/o Sales Tax)	\$	\$	\$	\$	\$
4. Less: Tax Exempt Room Sales Revenue	\$	\$	\$	\$	\$
5. Total Taxable Room Sales (Line 3 - 4)	\$	\$	\$	\$	\$
6. 8% Room Tax (of Line 5)	\$	\$	\$	\$	\$
7. 2% Room Tax (of Line 5)	\$	\$	\$	\$	\$
8. Total 10% Room Tax (Line 6 + 7)	\$	\$	\$	\$	\$
9. Late Filing Fee (\$100)	\$	\$	\$	\$	\$
10. Interest (1% per month)	\$	\$	\$	\$	\$
11. TOTAL TAX DUE (Lines 8 + 9 + 10)	\$	\$	\$	\$	\$

Contact Associated Trust Company directly at 920-327-5638 for electronic submission (payment) instructions.

PART III - Tax Exempt Guest Information for Short-Term Rentals

Please summarize all tax exempt guest information below. *Effective November 1, 2013, this section is replaced with the hotel/motel's Property Management System report that provides all the information needed in Part II above.* Failure to provide exempt tax receipt information will deem the room tax delinquent and late fees and interest will be assessed.

Tax Exempt Organizations - List the organization name(s) and the corresponding number of nights stayed

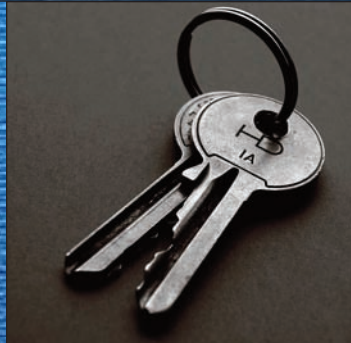
Name(s) of Organization(s):	Nights	Name(s) of Organization(s):	Nights

Customers Staying 30 Days or More

Number of Different Customers		Total Tax-Exempt Room Nights Sold	
Number of Room Nights Sold			

*Updated from new
statutes passed
September 2017*

A GUIDE TO **RENTING OUT YOUR PROPERTY** FOR OVERNIGHT STAYS



***Protect yourself by knowing Wisconsin's
laws for short term rentals.***

a collaboration of:
League of Wisconsin Municipalities
Wisconsin Counties Association
Wisconsin Department of Agriculture, Trade and Consumer Protection
Wisconsin Hotel & Lodging Association
Wisconsin Insurance Alliance

KNOWLEDGE IS THE KEY

Owners thinking of renting out a room, home, second home, investment property, cabin or basically any structure for overnight stays to the general public for a fee may not be aware of what they must do, by law, or what they may want to do to protect themselves, their property, and the guests paying to stay there. Each state is different in how such rentals are regulated, which makes it confusing for owners just wanting to start selling overnight stays at their property.

This guide offers the basics of what an owner needs to know before starting to rent out their property to the public, and the summaries are provided by a collaboration of experts in each facet of the rental operation, to ensure you know and can comply with various laws, and that you can take appropriate steps to avoid surprises for you or your guests that can have measurable safety or financial consequences. Each component provides references to further, more in depth information for you to explore. It is not intended as a comprehensive guide listing every consideration that may arise, but provides the highlights and entry level basics.

Every owner should review this guide when considering renting out their property for overnight stays, as knowledge is the key to protecting your investments.

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by: Wisconsin Insurance Alliance

This compilation was possible thanks to submissions by experts at the state DATCP agency, the Wisconsin Hotel & Lodging Association, the League of Wisconsin Municipalities, the Wisconsin Insurance Alliance, and the Wisconsin Counties Association. Additional components may be added as more information is contributed.

Compilation Contact: Trisha Pugal, CAE
Wisconsin Hotel & Lodging Association
pugal@wisconsinlodging.org

December 2016, revised March 2018

COMPLYING WITH MUNICIPAL LAWS

So, you have decided to become a short term rental landlord. All you need to do now is clean up the place, advertise and wait for the rental requests to roll in right?

Wrong.

Before you start to do any of those things, you must first make sure your short-term rental idea is legal in your community and what you need to do to keep it legal. This requires getting some answers to some critical questions:

- Do you have the right zoning for short-term rental?
- Does your community have a room tax ordinance?
- Are there different building code requirements for a property engaged in commercial activity in your community?

These are just a few questions that must be asked and answered before you start renting. In some smaller communities, one person at the village or city hall, might be able answer all of the relevant questions. In others, you may have to talk to several different officials. However, in most communities whether large or small, the best place to start is with your city or village clerk. If you live in an unincorporated area, you should check with your county land use department.

LICENSING FOR PUBLIC LODGING

The Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) requires all lodging facilities in Wisconsin to hold a current license.

What counts as a lodging facility?

DATCP has several definitions for types of lodging facilities. They include:

- Hotel - A hotel is defined as "a place where sleeping accommodations are offered for pay to transients, in 5 or more rooms, and all related rooms, buildings and areas."
- Motel - Means the same as a Hotel except that guest parking is provided on premise as part of the room charge.
- Tourist Rooming House (TRH) - A TRH is defined as "all lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists or transients."
- Bed and Breakfast (B&B) – A B&B is defined as "any place of lodging that provides 8 or fewer rooms for rent to no more than a total of 20 tourists or other transients for more than 10 nights in a 12 month period, is the owner's personal residence, is occupied by the owner at time of rental, and in which the only meal served to guests is breakfast."

These definitions mention tourists or transients. DATCP has defined a tourist or transient as "a person who travels to a location away from his or her permanent address for a short period of time for vacation, pleasure, recreation, culture, business or employment." Notice that in the definition for tourists or transients a person has to be away from his or her permanent address in order to meet the definition. It does not matter if the tourist or transient is there for the season, the month, a week, a day or less. If it is rented to a tourist or transient, it will require a license.

Lodging facilities come in many forms. Common examples of lodging facilities requiring a DATCP license include: hotels, motels, B&B's, row houses, cabins, cottages, lodges, homes, condos or rental rooms located above a business.

Where do I begin?

Begin the process by contacting a DATCP licensing specialist. They will walk you through the process and help you determine the best license for your lodging operation. They can provide you with an information packet that will guide you through the licensing process. You can contact them by sending an e-mail to datcpdfslicensing@wisconsin.gov or by calling 608/224-4923. After you submit a license application, a Sanitarian will be assigned to your business. The Sanitarian is the inspector responsible for approving your lodging license. They assure that the lodging operation meets health and safety requirements.

Once you know who your Sanitarian is, arrange a time to meet with the Sanitarian at your facility. This arranged meeting is called a Pre-Licensing Inspection. During this inspection your Sanitarian will share with you the applicable code requirements that your structure must meet.

Depending on the type of structure, some of the common items of public health concern may include:

Proper building exits/escapes	Directions of escape	Facility cleanliness
Door locks	Proper linen and towel handling	Size of sleeping rooms
Proper disposal of garbage/solid waste	Proper wastewater disposal (black and gray water)	A recent water test report for private wells (bacteriologically safe)
Fire extinguisher number and placement, fire alarm systems	Smoke/carbon monoxide detector number and placement	Ventilation and combustion air for fuel fired appliances like furnaces, boilers, fireplaces, water heaters & dryers

— COLLECTING & REMITTING STATE, COUNTY AND LOCAL TAXES —

If you are furnishing short-term lodging, you should apply for a seller's permit here: <http://tap.revenue.wi.gov/btr>.

The Wisconsin Department of Revenue (DOR) has issued public guidance on its website clarifying that the imposition of state sales tax and local room tax on the rental of overnight lodging applies, with the exception now of annual sales of less than \$2,000 (previously \$1,000): <https://www.revenue.wi.gov/Pages/TaxPro/Homeowners-and-Individuals-Providing-Short-Term-Lodging.aspx>

It specifically states "Homeowners or other individuals who make rooms or lodging available to the public for periods less than one month, must report and pay Wisconsin sales tax on such rentals. This includes the short-term rental of a home, room, apartment, cabin, inn, motel, or any other building in which accommodations are made available to the public." "One month" means a calendar month or 30 days, whichever is less, counting the first day of the rental and not counting the last day of rental.

The sales tax rate charged is based on the location where the lodging is furnished. A basic room tax, an additional room tax and a municipal room tax may also apply, depending on the location of the lodging. For example, lodging furnished in Milwaukee County is subject to 5.6% sales tax (5% state, .5% county, and .1% stadium) plus a 2.5% basic room tax. If the sale occurs in the City of Milwaukee, an additional 7.0% room tax applies.

Wisconsin Statute 66.0615 provides the authority and requirements for a **municipal room tax**. If a Wisconsin municipality has imposed a local room tax, it is imposed "on the privilege of **furnishing, at retail**, except sales for resale, **rooms or lodging to transients** by hotelkeepers, motel operators, lodging marketplaces, **owners of short-term rentals**, and other persons furnishing accommodations that are available to the public." View the complete statute here:

<https://docs.legis.wisconsin.gov/statutes/statutes/66/VI/0615>

Exception For Taxes Collected by Residential Short-Term Lodging Marketplaces: Effective September 23, 2017, a "lodging marketplace" is required to register with the Department of Revenue for a license to collect taxes imposed by the state related to a residential short-term rental and to collect room taxes imposed by a municipality. Therefore, if a lodging marketplace notifies the owner that it is collecting the taxes, the owner is not required to collect and remit taxes on those rentals.

NOTE: For further DOR information on criteria and requirements relating to "lodging marketplaces," go to:

<https://www.revenue.wi.gov/Pages/FAQS/Lodging-Marketplace-License-faq.aspx>

Federal Income Tax Implications

The Internal Revenue Service (IRS) provides guidance on Renting Residential & Vacation Property at

<https://www.irs.gov/taxtopics/tc415.html>.

– PROPERTY RISKS, LIABILITY & OBTAINING INSURANCE COVERAGE –

If you are considering renting out your home, your guest room or even your couch your first step should be to **contact your insurance professional**. Online platforms for renting your property to the public for overnight stays, such as Airbnb, can be a great way to bring in extra money and are increasingly popular; however, they can also leave you financially vulnerable. If your renter starts a fire and damages your property or is hurt while renting your home, will you be protected?

Before embarking on a home or property rental financial arrangement, call your insurance professional and get their advice. In general, if you are only planning to rent your home out for a single occasion, many insurance companies will extend your coverage to the renter. **The one caveat is that the insurer must be notified ahead of time.**

It is not unusual for someone to rent out their home or part of it for a major event when there may not be enough hotel space available in the area. Many insurance companies take this situation into account when creating a homeowners or renters policy; other insurance companies may require the purchase of an endorsement to the policy to provide broader coverage for the renters in your home.

If you plan to rent out all or part of your home on a regular basis, many companies will consider this a business use. Standard homeowners and renters insurance policies are designed for personal risks, not commercial risks. In this case you will need to purchase a business policy—specifically either a hotel or a bed & breakfast policy. Some companies offer a home-sharing liability insurance policy that can be purchased on a month-to-month basis, but there may be exclusions and limitations, so read the policy carefully.

ORDINANCE NO. 2024-02

AN ORDINANCE CREATING CHAPTER 270, LODGING FACILITIES OF THE VILLAGE OF ALLOUEZ MUNICIPAL CODE

THE VILLAGE BOARD OF THE VILLAGE OF ALLOUEZ, BROWN COUNTY, WISCONSIN, DOES ORDAIN THAT CHAPTER 270, LODGING FACILITIES, OF THE VILLAGE OF ALLOUEZ MUNICIPAL CODE BE CREATED TO READ AS FOLLOWS:

SECTION 1.

Chapter 270 – Lodging Facilities

Article 1 - Short-Term Rentals

A. Purpose

The purpose of this Article is to ensure that the quality of short-term rentals operating within the Village is adequate for protecting public health, safety and general welfare, including establishing minimum standards of space for human occupancy and for an adequate level of maintenance; determining the responsibilities of owners, operators and property managers offering these properties for tourists or transient occupants, to protect the character and stability of all areas, especially to maintain and preserve the existing familial housing in residential areas, within the Village of Allouez; to provide minimum standards necessary for the health and safety of persons occupying or using buildings, structures or premises; and provisions for the administration and enforcement thereof.

B. Definitions

- (1) For the purpose of administering and enforcing this Article, the terms or words used herein shall be interpreted as follows:
 - (a) Words used in the present tense include the future.
 - (b) Words in the singular number include the plural number.
 - (c) Words in the plural number include the singular number.

- (2) The following definitions and conditions apply unless specifically modified:

365-Day Period. The term of an annual license from July 1 – June 30. The term is understood to include Leap Year.

Clerk. The Village Clerk of the Village of Allouez or designee.

Corporate Entity. A corporation, partnership, limited liability company, or sole proprietorship licensed to conduct business in this state.

Dwelling Unit. One (1) or more rooms with provisions for living, cooking, sanitary, and sleeping

facilities and a bathroom arranged for exclusive use by one (1) person or one (1) family. Dwelling Units include residential, tourist rooming house, seasonal employee housing and dormitory units.

License. The Short-Term Rental License issued under 370-1-D.

Owner. The owner of a short-term rental.

Owner Occupied. A residential property that is occupied by an individual who has an ownership interest in the property and uses the property as the individual's primary residence.

Person. Shall include a corporation, firm, partnership, association, organization and any other group acting as a unit as well as individuals, including a personal representative, receiver or other representative appointed according to law. Whenever the word person is used in any section of this Article prescribing a penalty or fine, as to partnerships or associations, the word shall include the partners or members hereof, and as to corporations, shall include the officers, agents or members thereof who are responsible for any violation of such section.

Property Manager. Any person that is not the property owner and is appointed to act as agent and/or provides property management services to one or more short-term rental.

Primary Residence. A residential property where the property owner resides and maintains full-time residence and to which, whenever absent from, that individual tends to return. Additional characteristics of a primary residence include, but are not limited to, where an individual receives mail, claims residence for purposes of voter registration and tax returns, pays for utilities, and lists their address on state issued identification cards. An individual can only have one primary residence.

Short Term Rental. A residential dwelling that is offered for rent for a fee and for fewer than 29 consecutive days, as defined in Wis. Stat. Sec. 66.0615 (1)(dk).

State. The State of Wisconsin Department of Health, or its designee.

C. Operation of Short-Term Rentals

- (1) No person may maintain, manage, or operate a short-term rental more than 10 nights each year without a short-term rental license. Every short-term rental shall be operated by a Property Owner or Property Manager.
- (2) Each short-term rental is required to have the following licenses and permits:
 - (a) A State of Wisconsin Tourist Rooming House License;
 - (b) A seller's permit issued by the Wisconsin Department of Revenue;

- (c) A Room Tax Permit; and
 - (d) A permit or license issued pursuant to the provisions of this Article.
- (3) Each short-term rental shall comply with all of the following:
- (a) The total number of days the dwelling unit may be made available for rent within any 365-day period of an annual license shall not exceed 180 consecutive days from date of first rental.
 - (b) The Property Owner or Property Manager shall notify the Director of Planning and Community Development or designee in writing when the first rental within a 365-day period begins.
 - (c) No vehicular traffic shall be generated that is greater than normally expected in the residential neighborhood.
 - (d) There shall not be excessive noise, fumes, glare, vibrations generated during the use.
 - (e) No signage advertising the short-term rental is permitted on site. Off-site advertising in media channels relating to the availability of the rental may take place only after all Village, County and State permits and licenses have been obtained.
 - (f) The number of occupants in any unit shall not exceed the limits set forth in the State of Wisconsin Uniform Dwelling Code and other applicable county and village housing regulations based upon the number of bedrooms in each unit.
 - (g) No recreational vehicles (RVs), camper, tent, or other temporary lodging arrangement shall be permitted on site as a means of providing additional accommodations for paying guests, other invitees, or full-time residents.
 - (h) Any outdoor event held at the short-term rental shall last no longer than one day, occurring between the hours of 8:00 a.m. and 10:00 p.m. Any activities shall be in compliance with other regulations (ex: noise) of the Village.
 - (i) All rentals of the short-term rental shall be subject to payment of the Brown County room tax at the current applicable rate. Permit holders are responsible for complying with all regulations of the room tax.
 - (j) Compliance with all applicable state, county, and local codes and regulations is required.
 - (k) Annual general building inspection is required prior to issuance or renewal of the license.
 - (l) A local property management contact must be on file with the Village at the time of application. The local Property Manager must be available twenty-four (24) hours a day and accessible by phone. The Property Owner must notify the Village within twenty- four (24) hours of a change in management contact information for the short-term rental.
 - (m) A short-term rental license will not be issued until the following contingencies have been met:

- [1] License from the Brown County Health Department received;
- [2] General building and fire code inspection completed by the village and no outstanding orders remain.
- (n) Short-term rental licenses are issued from July 1 to June 30 and must be renewed annually. Denial, revocation, or non-renewal of any license or permit application is subject to Section 270(K)(1) of this chapter.
- (o) The Property Owner of the short-term rental shall have appropriate insurance for the home that is used for short-term rental and provide proof of insurance with the license application and renewal.
- (p) Each short-term rental shall provide a register and require all guests to register their true names and addresses before beginning occupancy of the short-term rental. The register shall be kept intact and available for inspection by representatives of the Village for at least one year from the date of each rental commencing.
- (q) Each short-term rental shall maintain the following written records for each rental of the dwelling unit: the full name and current address of any person renting the property, the time period for that rental, and the monetary amount or consideration paid for that rental.

D. Short-Term Rental License

- (1) The Director of Planning and Community Development or designee shall issue a short-term rental license to all applicants following the approval of an application and the filing of all documents and records required under this Article. The application shall also contain the following information:
 - (a) Identify the Property Owner with contact information including mailing address, physical address, e-mail address, and twenty-four (24) hour phone number;
 - (b) Identify the Property Manager with contact information including mailing address, physical address, e-mail address, and twenty-four (24) hour phone number capable of receiving text messages;
 - (c) Property Management Agreement, if any ;
 - (d) The maximum days of occupancy for the premises for individual rentals;
 - (e) The license term;
 - (f) State lodging license number, if any;
 - (g) A copy of a completed State Lodging Establishment Inspection form dated within one (1) year of the date of issuance or renewal;
 - (h) A copy of State of Wisconsin License for a Tourist Rooming House License issued under Wis. Stat. Sec. 254.64;

- (i) Proof of Insurance;
- (j) A copy of Seller's Permit from the Department of Revenue, if any;
- (k) Floor plan and requested maximum occupancy;
- (l) Site plan including available onsite parking;
- (m) Certification from the property owner that the property meets the requirements of this Article;
- (n) A Room Tax Permit issued by the Village of Allouez; and
- (o) An employer identification number issued by the Internal Revenue Service, if any.

E. Short-Term Rental License Procedure

- (1) All applications for a short-term rental license shall be filed with the Director of Planning and Community Development or designee on forms provided. Applications must be filed by the Property Owner. No permit shall be issued unless the completed application form is accompanied by payment of the required fee.
- (2) Each application shall include the information and documentation for each short-term rental unit listed in Section 270-1-D of this chapter:
- (3) Terms and Filing date. Each permit and license shall run from July 1 – June 30, annually. The filing fee shall be paid upon filing of the application. The Director of Planning and Community Development or designee may conditionally accept late applications, subject to payment of the late filing fee. Any application which does not include all of the information and documentation shall not be considered as complete.
- (4) Application Review Procedure. When satisfied that the application is complete, the Director of Planning and Community Development or designee shall forward initial applications for permits and licenses to the appropriate Village Departments for review. If the Director of Planning and Community Development or designee in consultation with other Village staff determines that the application meets the requirements of this Article, they may approve the application. If the Director of Planning and Community Development or designee in consultation with other Village staff determines that the application does not meet the requirements of this Article, they may deny the application.
- (5) No permit or license shall be issued or renewed unless there is filed with the Director of Planning and Community Development or designee a completed village inspection report dated not more than one (1) year before the date of issuance or renewal.
- (6) No permit or license shall be issued or renewed, if the applicant or property has outstanding fees, taxes or forfeitures owed to the Village, unless arrangements for payment have been approved by the Director of Planning and Community Development or designee.

F. Renewal

- (1) Each application for a renewal of a permit or license shall include updated information for the documentation on file with the Director of Planning and Community Development or designee and payment of the applicable fee. The Director of Planning and Community Development or designee shall verify that the information provided on the renewal application is complete and in accordance with the requirements of this Article. The Director of Planning and Community Development or designee shall request reports from the Brown County Sheriff and the Neighborhood Compliance Inspector regarding any complaints received, calls for service or actions taken regarding the short-term rental properties. The Director of Planning and Community Development or designee shall issue renewal licenses within thirty (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 and/or the reports from the Brown County Sheriff and Neighborhood Compliance Inspector indicate that there are complaints or actions involving the property.
- (2) If the Director of Planning and Community Development or designee finds that the license or permit should not be renewed, the Director of Planning and Community Development or designee shall deny the renewal.
- (3) No permit or license shall be issued or renewed unless there is filed with the Director of Planning and Community Development or designee a completed village inspection report dated within one (1) year of the issue date.
- (4) No permit or license shall be renewed if the applicant or property has outstanding fees, taxes or forfeitures owed to the Village, or is under an order issued by the Building Inspector, or his designee, to bring the premises into compliance with Village ordinances, unless arrangements for payment have been approved by the Director of Planning and Community Development or designee.

G. Property Manager

- (1) Property Manager Permit. No person may act as a Property Manager for a short-term rental without a Property Manager Permit issued in accordance with the provisions of this Article. The Property Manager Permit shall apply to all short-term rentals for which the Property Manager has exclusive rights for the rental of the property. The Property Manager must certify to the Village that each short-term rental operating under the short-term rental license complies with the standards of this Article.
- (2) Property Manager Qualifications. To qualify as a Property Manager the applicant must meet the following requirements:
 - (a) Be a natural person or a corporate entity with a representative available twenty-four (24) hours a day and accessible by phone.
 - (b) The applicant does not have pending any criminal charge and has not been convicted of a felony or misdemeanor of any offense involving dishonesty, fraud, deceit, robbery, the use or threatened use of force or violence upon the person of another.
- (3) Each Property Manager shall be authorized by the Property Owner to act as the agent for the owner for the receipt of service of notice of violation of this Article's provisions and for service of process pursuant to this Article and shall be authorized by the owner to allow Village employees, officers and

their designees, to enter the owner's property for purposes of inspection and enforcement of this Article and/or the Village Municipal Code.

H. Standards for Short-term Rentals

- (1) Each short-term rental shall comply with this Article's requirements or any other applicable Village ordinance. Each short-term rental shall comply with the following minimum requirements:
 - (a) One (1) internal bathroom for every four (4) occupants;
 - (b) Not less one hundred fifty (150) square feet of floor space for the first occupant thereof and at least an additional one hundred (100) 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 premises without a separate enclosed bedroom is two people;
 - (c) Not less than one (1) onsite off-street parking spaces for every four (4) occupants based upon maximum occupancy;
 - (d) A safe, unobstructed means of egress from the short-term rental leading to safe, open space at ground level;
 - (e) Shall have functional smoke detectors and carbon monoxide detectors in accordance with the requirements of Chapter SPS 321 of the Wisconsin Administrative Code;
 - (f) Shall not have an accessible wood burning fireplace unless the property owner provides a certificate from a properly licensed inspector, dated not more than thirty (30) days prior to submission, certifying that the fireplace and chimney have been inspected and are in compliance with National Fire Prevention Association Fire Code Chapter 211 Standard for Chimneys, Fireplaces, Vents, and Solid Fuel- Burning Appliances;
 - (g) Shall not have a hibachi, gas-fired grill, charcoal grill, or other similar devices used for cooking or any other purpose on any balcony, deck or under any overhanging structure or within ten (10) feet of any structure;
 - (h) Shall not have a wood burning fire pit or other similar solid fuel fired device used for heating or any other purpose on any balcony, deck or under any overhanging structure or within twenty (20) feet of any structure;
 - (i) Outdoor gas fire pits shall be listed and labeled for the application in which they are used and meet the setback requirements listed in the manufacturer's instructions or UL listing.
 - (j) All 125-Volt, single-phase, 15 and 20 ampere receptacles installed in the locations specified below shall have ground-fault circuit interrupter protection for personnel:

[1] Bathrooms

- [2] Garages and accessory buildings that have a floor located at or below grade level not intended as habitable rooms and limited to storage areas, work areas, and areas of similar use.
 - [3] Outdoors
 - [4] Crawl Spaces - at or below grade level
 - [5] Unfinished portions or areas of the basement not intended as habitable rooms.
 - [6] Kitchens - where receptacles are installed to serve the countertop services
 - [7] Sinks – where receptacles are installed within six (6) feet from the top inside edge of the bowl of the sink.
- (k) All Property Managers shall carry casualty and liability insurance issued by an insurance company authorized to do business in this state by the Wisconsin Office of the Commissioner of Insurance, with liability limits of not less than \$300,000 per individual and \$1,000,000 aggregate;
 - (l) Certification of compliance. As a condition of issuance of a license under this Article, the Property Manager shall certify that each managed property is in compliance with the terms and conditions of the license and this Article.
 - (m) Reporting Requirements. Owners or property managers of any Short-Term Rental shall keep and maintain a registration for all guests in accordance with Allouez Municipal Code. The owner or property manager of the dwelling unit shall submit a quarterly report to the Office of the Clerk on the first business day following January 1st, April 1st, July 1st, and October 1st. The report shall indicate the names of the individuals who rented the unit, the number of guests, and the date and time of check-in and check-out for each rental period during the previous quarter. If there were no rentals during a quarterly period, a report shall be submitted with zero values reflected. The report will be on a form approved and provided by the Office of the Clerk. Any violation of this subsection shall be grounds for revocation, suspension, or nonrenewal of the Short-Term Rental License.

I. Room Tax

- (1) Each short-term rental shall comply with the room tax reporting requirements of Chapter 50 of the Village Municipal Code.
- (2) Each Property Manager Licensee shall file room tax returns for the managed short-term rentals, if not already filed by a lodging marketplace.
- (3) All tax returns and supporting documentation filed with the Clerk are confidential and subject to the protections provided under Chapter 50 of the Village Municipal Code and Wis. Stat. Sec. 66.0615 (3) and Wis. Stat. Sec. 77.61.

J. Display of Permit

Each license or permit shall be displayed clearly on the inside of the main entrance door of each short-term rental.

K. Appeal and License Revocation

- (1) The denial, revocation, or non-renewal of any license or permit application under this section may be appealed only by filing a written appeal request with the Clerk within ten (10) business days of the Village's notice of denial, revocation, or non-renewal. The Village Board shall consider the appeal and may approve or deny the appeal.
- (2) A license may be revoked by the Director of Planning and Community Development or designee for one or more of the following reasons:
 - (a) Failure to make payment on taxes or debt owed to the Village in full;
 - (b) Failure to make payment on the Brown County room tax in full;
 - (c) Three (3) or more calls for police service, building inspection, neighborhood compliance inspection, or the health department for nuisance activities or other law violations in a 365-day period as defined in Chapter 307, Article II: Chronic Nuisance Premises, of the Village Municipal Code ;
 - (d) Failure to comply with annual Village building inspection requirements;
 - (e) Failure to maintain all required local, county, and state licensing requirements;
 - (f) Failure to comply with any requirements cited within Chapter 475 of the Village Municipal Code;
 - (g) Any violation of local, county, or state laws that substantially harm or adversely impact the predominantly residential uses and nature of the surrounding neighborhood.

L. Penalties

- (1) Any person who shall violate any provision of this Article shall be subject to a penalty as provided in Section 1-3: Violations and Penalties, of the Village Municipal Code and in the forfeiture amounts as provided for in the bond schedule for the Village Municipal Court.
- (2) Penalties set forth in this section shall be in addition to all other remedies of injunction, abatement or costs whether existing under this Article or otherwise.

M. Fees

All Short-Term Rental License fees shall be in accordance with the Village Fee Schedule and updated from time to time by resolution.

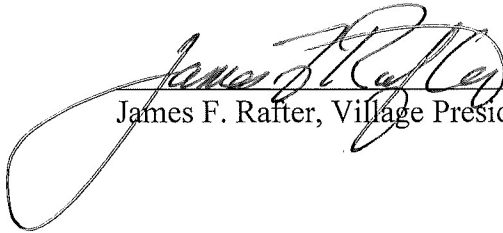
N. Severability

If any provision of this Article and its ordinances is held invalid or unconstitutional by any court of competent jurisdiction, such a decision shall not affect the validity of any other provision of this Article or its ordinances. It is hereby declared to be the intention of the Village of Allouez that all provisions of this Article and its ordinances therein are separable.

SECTION 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect March 1, 2024.

Dated this 16th day of January, 2024.


James F. Rafter, Village President

ATTEST:


Carrie C. Zittlow, Village Clerk