



TO: Village Board

FROM: Village Administrator, James March & Clerk/Treasurer, Carrie Zittlow

RE: Proposed Hotel/Motel Licensing Ordinance

DATE: July 29, 2026

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The Village of Allouez currently does not have a Hotel/Motel licensing ordinance. A draft ordinance is included in your packet. The draft ordinance is a revised version of the Grand Chute Hotel/Motel Ordinance. I have personally seen how such an ordinance can provide a great benefit to the community.

The creation of this hotel/motel ordinance by the Village of Allouez will provide improved accountability by owners/operators of hotel/motel businesses with a focus on improving health and safety issues for guests, hotel/motel employees, and the Village of Allouez community, by requiring owners/operators to obtain licenses to operate a hotel/motel within the community.

The ordinance is self-explanatory. The process for obtaining a license is explained as well as the ways a license can be suspended, revoked or non-renewed. We can discuss the components of the ordinance in greater detail at the meeting.

We would like to hear any suggestions from the Village Board or legal counsel for modifications at the meeting. We intend to bring a final version to the Village Board at a subsequent meeting along with corresponding changes to our fee schedule related to implementation.

Chapter 270, Article II HOTELS AND MOTELS

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§270-15. Purpose.

A. The Village of Allouez has determined that hotels/ motels within the Village of Allouez often account for an excessive number of police calls which have a negative effect on the health and safety for guests, hotel/ motel employees and the Village of Allouez Community.

B. The Village of Allouez has identified from past experience that working with area hotels/ motels in a collaborative effort provides a more effective means of addressing issues involving excessive police calls.

C. The creation of this hotel/motel ordinance by the Village of Allouez will provide improved accountability by owners/ operators of hotel/ motel businesses with a focus on improving health and safety issues for guests, hotel/motel employees, and the Village of Allouez community, by requiring owners/operators to obtain licenses to operate hotels/ motels in the Village, by imposing penalties for inappropriate activities, and by providing an opportunity for owners/operators to mitigate those penalties by voluntary cooperation with the Brown County Sheriff's Department.

§270-16. Definitions.

For the purpose of this chapter, unless otherwise expressly stated, the following words and phrases shall have the meanings respectively ascribed to them by this section:

CALLS FOR SERVICE (CFS) — Includes, but is not limited to, any and all calls to emergency services (police, fire, and/or medical) that result in a representative being dispatched or directed to the hotel/ motel. This shall include any calls for service within the surrounding neighborhood that, through information or investigation, can be traced to the hotel/ motel staff and/or registered guest(s) and/or visitor(s). Calls for service also include any self-initiated activity and/or investigation based on the observation(s) of an emergency services representative.

DRUG-RELATED ARRESTS — Include, but are not limited to, arrests that involve the manufacture, cultivation, importation, transportation, possession, possession for sale, sale, furnishing, administering, or giving away, or providing a place to use or fortification of a place involving, any controlled drug, narcotic or drug paraphernalia.

HOTEL or MOTEL — A building or group of buildings in which the public may obtain accommodations for a consideration, including, without limitation, such establishments as inns, motels, hotels, tourist rooms, tourist houses or courts, lodging houses, rooming houses, summer camps, apartment hotels, resort lodges and cabins, and any other building in which accommodations are available to the public, except:

- A. Accommodations rented for a continuous period of more than one month; and
- B. Accommodations furnished by hospitals, sanatoriums, or nursing homes, or by corporations or associations organized and operated exclusively for religious, charitable or educational purposes, provided that no part of the net earnings of such corporations and associations inures to the benefit of any private shareholder or individual.

HOTEL/MOTEL OPERATION — The occupancy of any guestroom or use of any hotel/motel facility regardless of compensation or remuneration.

MANAGER/AGENT — Any person who, in connection with the activities of a hotel/motel, manages the hotel/motel business's operations, including such things as, but not limited to, the collection of rental charges, issuing of keys, direction of personnel, assigning of rooms to guests, handling guest affairs, and overseeing security. The term shall also include resident manager and assistant manager.

OWNER/OPERATOR — Any person, firm, association, partnership, limited liability company, or corporation, which is the record owner, part owner, lessee, receiver, sublessee, or franchisee of real property as listed on the last equalized assessment roll as maintained by the Village Assessor at which a hotel/ motel business is operated, which offers and accepts payment for rooms, guest rooms, sleeping accommodations, or board and lodging, and retains the right of access to, and control of, the dwelling unit on behalf of himself/herself or any entity listed above.

PROSTITUTION -RELATED ARRESTS — Includes, but is not limited to, arrests that involve prostitution or prostitution -related crimes, in violation of Wisconsin Statutes, including, but not limited to, § 944. 30, Prostitution, § 944.31, Patronizing Prostitutes, § 944.32, Soliciting Prostitutes, § 944. 33 Pandering, or 944.34 Keeping Place of Prostitution, and Village of Allouez municipal ordinances adopting the aforementioned state statutes.

§270-17. License to operate required. No hotel/motel shall operate in the Village without a license issued to the owner/operator by the Village Board pursuant to this chapter. Licenses shall be valid for one year, from July 1 through June 30 of the following year, and shall require renewal on an annual basis. Any hotel or motel in operation without a valid license issued pursuant to this chapter shall cease operations.

§270-18. Application for License.

A. The annual license to operate a hotel/motel shall be applied for to the Village Clerk by the owner/operator of each hotel/ motel.

B. All owner/operator seeking issuance or renewal of a license by July 1 shall submit their application by April 15 with the applicable license fee, as identified in the Village's fee schedule. Renewal applications received after April 15th will be subject to a late filing fee as described in the Village Fee Schedule. If a renewal application is received after April 15th notice of the Boards intent to grant, issue, or deny the renewal application, as well as notice of any hearing, may not be available before the license expires on

June 30.

C. All owner/operators applying to the Village Clerk for a license to operate a hotel/motel shall file with the Clerk a sworn application on forms provided by the Village and containing information as follows:

- 1) Current Wisconsin Seller's Permit and federal ID number.
- 2) The name, address, email address, and phone number of the owner/operator, corporation, partnership, limited liability company, if any, of the hotel/motel; the name and address of its agent for service.
- 3) The name, address, email address, and phone number of the manager/agent.
- 4) The trade name, address, email address, and phone number of the hotel/motel, and the emergency contact phone information for the hotel/ motel.
- 5) Proof of liability insurance, including the carrier, policy number, agent's name, address and phone number or a statement of self-insurance.
- 6) Proof of an annual license issued pursuant to § 254.64, Wis. Stats., as well as an inspection report completed by the Brown County Health Department, certifying that the facility is in compliance with Brown County public health requirements.
- 7) Proof of compliance with Village of Allouez Municipal Code, §50, Room Tax.
- 8) If an application results from a sale or other transfer involving a new owner/operator, the applicant shall either submit to the Village Clerk a license surrender form completed by the previous owner/operator or surrender to the Village Clerk the license issued to the previous owner/operator.
- 9) Any such other information as the Village Board requires.

D. The Village Board will approve or deny the license and take action as appropriate at a regular or special meeting of the Village Board.

§270-19. Multiple licenses on same tax parcel.

No more than one license shall be issued for any single tax parcel. The Village Board may grant a new license subject to the surrender or revocation proceedings of any existing license for the same tax parcel.

§270-20. Provisional license.

Provisional hotel/motel licenses may be issued by the Village Clerk at the Clerk's discretion. In exercising such discretion the Clerk may consider whether the applicant meets the qualifications to hold a license, has submitted a complete hotel/motel license application with the required documentation, and any other relevant factors consistent with Wisconsin law, the Allouez Municipal Code, and the protection of public health, safety, and welfare. A provisional license expires sixty (60) calendar days after issuance, unless specified otherwise. Provisional licenses may be revoked if the holder of the license made false statements on the application.

§270-21. Report of changes to application.

Every owner/operator of a hotel/ motel shall report any change in the information upon which the license has been granted, including but not limited to any change in the manager/agent or, owner/operator to the Village Clerk in writing within ten (10) business days after the change has occurred. A change in the information on the application is subject to approval by the Village Board, and may be grounds for suspension, revocation, or nonrenewal of the license to operate.

§270-22. Display of license.

The owner/operator of a hotel/motel shall display the license to operate in an open and conspicuous place on the premises.

§270-23. Nontransferability.

A. Each license to operate issued pursuant to this chapter shall be separate and distinct from all others and shall not be transferable from the owner/operator to whom it was issued to any other owner/ operator.

B. Whenever an owner/operator sells or transfers title to, or assigns the lease of or subleases, a hotel/ motel, the owner/operator shall notify the Village Clerk in writing within ten (10) business days of such transfer.

C. When a change of operator occurs at an existing hotel/ motel, the new operator shall apply for a license to operate within ten (10) business days of the change. If the prior operator's license to operate the hotel/ motel was denied, revoked, or nonrenewed, a provisional license to operate may be issued with special conditions designated by the Village Clerk.

§270-24. Complaints seeking suspension, revocation, and nonrenewal of license; hearing.

A. The Village President, Village Clerk, Fire Department, or Brown County Sheriff's Department may file with the Village Board and Village Clerk a written complaint against any owner/operator holding a license to operate a hotel/ motel in the Village of Allouez seeking suspension, revocation, or nonrenewal of the license.

B. The complaint shall set forth the factual grounds for seeking suspension, revocation, or nonrenewal as set forth in §270-25. A copy of the complaint shall be served on the owner/operator by certified mail, return receipt requested, or personal service, at the address listed on the most recent license application filed pursuant to this chapter.

C. Within 14 calendar days after receipt of the complaint, the owner/operator shall file a written response to the complaint by mail or personal delivery, and shall request an evidentiary hearing before the Village Board. At the hearing, the owner/operator may present evidence, call and cross-examine witnesses, and be represented by counsel. Failure to file an answer shall render the allegations in the complaint deemed true for purposes of imposition of penalties.

D. Upon receipt of a timely hearing request, the Village Board shall conduct an evidentiary hearing. If no hearing is requested timely, the Village Board may proceed on the written record. The Village Board

shall issue a written decision to the owner/operator, regarding suspension, revocation, or nonrenewal, stating the reason(s) for its decision. The Village Clerk shall serve the decision on the owner/operator by certified mail, return receipt requested, or personal service, at the address listed on the most recent license application. The decision shall take effect thirty (30) calendar days after receipt of notice. Notice by mail shall be deemed effective five (5) calendar days from the date of mailing.

E. The owner/operator may appeal the decision under §270-26, imposition of any penalty shall be stayed pending completion of the appeal process.

§ 270-25. Grounds for denial, suspension, revocation, or nonrenewal of license.

The license to operate a hotel/motel may be denied, suspended from five (5) to thirty (30) calendar days, revoked, or nonrenewed for any of the following reasons:

A. The owner/operator or manager/agent has multiple criminal misdemeanor convictions that relate to the hotel/motel or has been convicted of a felony that relates to the licensed activity. This subsection shall not apply to corporations, limited liability companies, or partnerships, but shall apply to all officers, directors of any such corporations and members of any such limited liability companies, and partners of any such partnerships.

B. The owner/operator or manager/agent provides incomplete, false, or misleading information on the application, or pursuant to background checks and questions, if any, submitted on behalf of the Village to either the owner/operator or the manager/agent.

C. Delinquent taxes, assessment, and claims. No new license or license renewal shall be issued under this chapter and any current license may be suspended or revoked for any premises, owner/operator, manager/agent, or person for which or for whom taxes, assessments, or other claims due to the Village of Allouez, State of Wisconsin, Brown County, or bank are delinquent and not paid. Included within the definition of delinquent taxes, delinquent assessments, or other delinquent payments due to the Village of Allouez, State of Wisconsin, Brown County or bank shall be any delinquency (unpaid) for special assessments, real estate taxes, hotel/ motel taxes, failure to pay any adjudicated fines or penalties, failure to pay current fees or moneys due to the Village, State of Wisconsin, Brown County or bank of any kind or nature, etc.

D. The owner/operator, manager/agent, or hotel/motel property has an unabated notice of violation of the Village of Allouez Municipal Code in excess of 30 calendar days.

E. Such other relevant facts as the Village Board may discover or deem applicable or necessary in the course of the review of the application of, or complaint against, the owner/operator, manager/ agent, or hotel/motel such as:

- (1) Incidence of drug-related CFS, or arrests;
- (2) Incidence of prostitution-related CFS, or arrests;
- (3) Incidence of multiple ordinance violations; and
- (4) Excessive number or nature of CFS

F. Noncompliance with federal or state law or Village of Allouez Municipal Code. This noncompliance includes any outstanding fire code violations as determined by the actions outlined in § 234-10 Fire inspection.

G. Good cause in the discretion of the Village Board showing that the operation of the hotel/motel is such that has, is, or will negatively impact the health, safety and/or welfare of its guests, the residents or businesses of the surrounding community, or the Village due to any of the foregoing factors listed above.

H. In processing a revocation, suspension, or nonrenewal, the complainant shall prepare a written report that details the circumstances that led to the recommendation for suspension, revocation, or nonrenewal. It may include any or all of the foregoing factors, or following factors that are applicable:

- (1) Frequency of violations, arrests, or CFS;
- (2) Seriousness of violations, arrests, or CFS in relation to the threat or impact upon public health, safety or welfare;
- (3) History of the violations, arrests, or CFS;
- (4) Good-faith effort taken by the responsible party to correct, reduce and/or alleviate violations, arrests, or CFS;
- (5) Any activity, action or effort taken by the responsible party to obstruct or interfere with correction of the problem;
- (6) The impact of the violations, arrests, or CFS on the surrounding property and community;
- (7) The financial impact to the Village;

§ 270-26. Effective date of decision; appeal; posting of notice.

A. Any revocation, suspension, or nonrenewal of a license shall not take effect for a period of thirty (30) calendar days following receipt of the decision of the Village Board, during which time any party aggrieved by this decision may appeal to the Circuit Court for Brown County pursuant to procedures set forth in Ch. 68, Wis. Stats.

B. Following expiration of the thirty (30) calendar days, if no appeal is taken under Ch. 68, Wis. Stats, the Brown County Sheriff or his/her designee shall post a copy or copies of the notice of suspension, revocation, or nonrenewal of license to operate at the hotel/motel, following expiration of the thirty-day time limit set forth below if no appeal is taken under Ch. 68, Wis. Stats.

C. The notice shall not be posted if an appeal is taken under Ch. 68, Wis. Stats. until such appeal process has concluded. Suspension, revocation, or nonrenewal shall be stayed pending a decision by the Circuit Court, and may then be imposed by the Village Board in accordance with the Circuit Court decision.

§ 270-27. Removal or tampering with posted notice.

A posted notice of revocation, suspension, or nonrenewal of a license to operate may be removed only by

an authorized Village official. Any removal, covering, defacing, altering or tampering by unauthorized persons may be prosecuted as a misdemeanor under § 946.72(2), Wis. Stats.

§ 270-28. Surrender of license following revocation, suspension, or nonrenewal.

Whenever a license to operate has been revoked, suspended, or nonrenewed by the Village, the owner/operator of the hotel/motel for which such license was issued shall surrender such license to the Village Clerk, or his/her designee, forthwith. The hotel/motel operation shall cease all operations immediately following of the posting of the notice of revocation, suspension, or nonrenewal of the license to operate.

§ 270-29. Violations and penalties; voluntary mitigation.

- A. It is unlawful to operate a hotel/motel without a valid license to operate or to fail to comply with any of the requirements established by this chapter. Violations of this chapter shall be subject to enforcement by any and all remedies listed in Village of Allouez Municipal Code. Furthermore, this chapter may be enforced by injunctive relief prosecuted through the Circuit Court for Brown County in the event the hotel/motel owner/operator fails to comply with directives to cease operations issued by Village officials declaring the hotel/motel to be in violation of this chapter.
- B. In addition to the foregoing remedies, owner/operators shall be subject to civil forfeitures of \$1,000 per day for operating a hotel/motel without a license, each day being a separate offense. The Village Board may bring action in the name of the Village against the owner/operator to reduce such forfeitures to a civil judgment for purposes of collection from the owner/operator in addition to any other remedy available at law or in equity.
- C. The owner/operator may mitigate penalties authorized herein, and may also mitigate and delay imposition of, or shorten the term of, the suspension, revocation, or nonrenewal pursuant to such conditions as recommended by the complainant for recommendation to the Village Board for final approval.

§ 270-30. Reissuance of license after suspension, revocation, or nonrenewal.

- A. A license that is suspended shall not be reissued until the term of suspension has expired, which shall be a minimum of five (5) calendar days and a maximum of thirty (30) calendar days, unless the period of suspension is either delayed or shortened by the Village Board due to voluntary mitigation action by the owner/operator, and such mitigation action is approved by the Village Board.
- B. A license to operate that is revoked shall not be reissued for a period of one year from the date of such revocation, unless the period of revocation is either delayed or shortened by the Village Board due to voluntary mitigation action by the owner/operator, and such mitigation action is approved by the Village Board.
- C. A license to operate that is nonrenewed shall not be reissued for a period of one year from the date of such nonrenewal unless the period of nonrenewal is either delayed or shortened by the

Village Board due to voluntary mitigation action by the owner/operator, and such mitigation action is approved by the Village Board.

- D. If there is a transfer or sale of the hotel/motel or the real estate on which the hotel/motel is operated, at the time the license is either under suspension, revocation, or nonrenewal, the license may not be reissued if the following apply:
- (1) The new owner/operator or manager/agent is related to the former owner/operator by blood, adoption, or marriage, or common ownership or control.
 - (2) The new owner/operator or manager/agent held a business or financial interest in the previous licensed hotel/motel business, real estate at which the hotel/motel business is operated, or equipment utilized by the hotel/motel business.
 - (3) The former owner/operator retains a business or financial interest in the hotel/motel business, or real estate at which the hotel/motel business is operated or equipment used by the hotel/motel business.
 - (4) The new owner/operator's acquisition of the hotel/motel business did not involve an arm's-length transaction consisting of an open-market sale in which the former owner/operator is willing but not obligated to sell and the new owner/operator is willing, not obligated, to buy.

§ 270-31. Severability.

It is declared to be the intention of the Village Board that the sections, paragraphs, sentences, clauses and phrases of this chapter are severable, and if any phrase, clause, sentence, paragraph or section of this chapter shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this chapter.