



Sawyer County

Agenda

Tourist Rooming House Committee Meeting

Wednesday, July 31, 2024 @ 10:00 AM

Sawyer County Board Room

Revised: Tuesday, July 30, 2024 2:28 PM

Page

1. CALL TO ORDER

- a. To view or participate in the **virtual meeting** from a computer, iPad, or Android device please go to: <https://us06web.zoom.us/j/87403034030>. You can also use the dial in at 1-312-626-6799 with the Meeting ID: 874 0303 4030. Use *9 to Raise/lower hand and *6 to Unmute/mute. If additional assistance is needed please contact the County Clerk's Office at 715-634-4866 prior to the meeting. If you are on a computer, click the "Raise Hand" button and wait to be recognized. If you are on a telephone, dial *9 and wait to be recognized.

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. CERTIFICATION OF COMPLIANCE WITH THE OPEN MEETINGS LAW

5. MEETING AGENDA

6. PUBLIC COMMENTS

- a. At this time, members of the public will be given the opportunity to address the Board. Please adhere to the following when addressing the Board:
 - Comments will be limited to 3 minutes or less per individual.
 - Comments should be directed to the Board as a whole and not directed to individual Board members.
 - The Board cannot respond to your comments during this time.
 - Please sign in and fill out a public comment sheet if you wish to speak on an item.

7. CONSIDER APPROVAL OF MINUTES FROM PREVIOUS MEETING

- a. [3.28.24 TRH Minutes DRAFT](#)

8. BRIEF INTRODUCTION OF AD HOC COMMITTEE MEMBERS VOTING AND NON-VOTING

9. BRIEF UPDATE/REVIEW OF AD HOC COMMITTEE PROCESS SO FAR, INCLUDING RECAP OF THE COMMITTEE ARTIFACTS - GINNY C

- Motions
- Resolution
- Draft Ordinance
 - What was included and what was not included and why
 - 180 Days
 - Special Zone District
 - Conditional Use Permits
 - ATCP/DSPS anticipated updates will be automatically included
 - Wisconsin Counties Association Ordinance will be a Zoning Ordinance and the timing is open-ended

10. DISCUSSION: FAQ DOCUMENT AND DATA PRESENTATION - ANDY ALBARADO

6 - 14

- a. [1\) TRH Data 2024.07.31](#)
[2\) TRH Ordinance FAQ Draft 2024.07.26](#)

11. DISCUSSION: UPDATED DRAFT ORDINANCE - MATT MCKAY TO PRESENT

15 - 35

- a. [1\) TRH Draft Ordinance 04 09 24](#)
[2\) Updated TRH Draft Simplified Ordinance 2024.07.26](#)

12. DISCUSSION/ACTION: NEXT STEPS (DISCUSSION AND POSSIBLE ACTION)

- The Committee may accept changes and return the Draft Ordinance to the HHS Board for Public Hearing
- The Committee may request additional information/discussion/action for a subsequent meeting
- The Committee may recommend additional changes (by the HHS stakeholders) to the draft ordinance and hold a subsequent meeting to review the updated document along with legal counsel
- Schedule next meeting as needed

13. ADJOURNMENT

DISCLAIMER:

Joint Impact Committees. Multiple units of government may also form a joint

impact committee.⁹⁰ A joint committee may include representatives of affected units of government, business, industry, manpower, health, protective or service agencies, school districts, and environmental and other interest groups or other interested parties.⁹¹ A joint local impact committee may be an appropriate tool if a town and county have joint zoning authority. Because Wis. Stat. § 293.41(1) permits multiple governmental bodies to enter into one local agreement, the governmental bodies represented on a joint impact committee may then also be joint parties to a local agreement

**Minutes of the March 28, 2024 meeting of the Sawyer County
Tourist Rooming House Sub Committee
Board; Sawyer County Courthouse/Virtual**



Voting Committee Members Present (X)

- ☒ Ginny Chabek – Chair
- ☒ Phil Nies – Vice Chair
- ☐ Tweed Shuman
- ☒ Stacey Hessel
- ☐ Chris Rusk -
- ☐ Gary Nathan
- ☐ Matt Dale - resigned
- ☒ Cheryl Treland - virtual
- ☐ Kris Viecceli
- ☒ Martin Hanson - virtual
- ☐ Ryan Cari
- ☒ Laura Rusk

Others Present

- ☒ Lynn Fitch
- ☒ Jay Kozlowski
- ☐ Eric Wellauer
- ☒ Matt McKay
- ☒ Julia Lyons
- ☒ Doug Mrotek
- ☐ Andy Albarado
- ☐ Brian DeVries
- ☐ Rick Peters
- ☒ Julie McCallum

Others Present

Rebecca Roeker - virtual

Call to Order/Pledge of Allegiance– Chair Chabek called the meeting to order at 10:00 am. Roll call was taken; quorum was met.

Certification of Compliance with the open meeting law was met.

Public Comments – Linda Zillmer, Jim Bassett, Benjamin Kurtzweil, Douglas Kurtzweil, Tom Stivey, Mary Stivey, Brittany Gradall, Ben Wellnack, Curtis Kessler, Andrew Gradall

Minutes from the previous meeting dated: February 29, 2024

Motion to approve made by: Ms. Hessel Second by: Mr. Nies
Motion carried without negative vote.

Changes and Updates to the Draft Ordinance Per Committee Discussion on February 29th -

14-4-1 (A) Bedroom – Mr. Kozlowski

14-4-8 (C) Owner's Agent – 60-minute drive – Mr. McKay advised that the language was changed per recommendation of previous committee involvement.

14-4-8 (E) & 14-4-9 (E) (1) & (2) 300 feet to 100 feet – Mr. Kozlowski addressed this change and how the definition can get confusing with connectivity. This change would require committee approval.

14-4-9 (E)(4) Owner responsibility to respond – Mr. McKay advised the change was made to clarify how owners would respond to complaints.

14-4-11 (A)(3) Occupancy based on septic system capacity – Mr. Kozlowski advised that DSPC language from the State was added to this requirement to govern codes and ordinances already in existence.

A motion was made by Mr. Nies to change #6 to be clarified by committee governing the parking requirements in section 14.4.12(e); second by Ms. Hessel. Motion carried without negative vote.

A motion was made by Ms. Hessel to discuss item 14-4.13(c) to be discusses; second by Mr. Nies. Motion carried without negative vote.

14-4-13 (F) Calls for Service – Mr. McKay advised that when complaints come through, that they are verified through the Sheriff's office before staff take any action.

A motion was made by Ms. Hessel to approve the changes that came to committee and those that were made were made today; second by Mr. Nies. Motion carried without negative vote.

Any other areas of the Article that the committee finds to be out of alignment with the recommendation --

TRH114941 updated 3.21.24 draft ordinance --

Consideration of Motion on Next Step for the Draft Ordinance -

A motion was made by Ms. Hessel to forward the ordinance with the changes to the proper committees of jurisdiction; second by Mr. Nies. Motion carried without negative vote.

Timeline of Implementation -

A graphic of the proposed implementation timeline was provided. Mr. McKay reviewed the timeline assuming the ordinance goes into effect the summer of 2024. Implementation would then begin in July 2025 to match the current licensing program in the department. A motion was made by Ms. Hessel to include the timeline with the ordinance; second by Mr. Nies. Motion carried without negative vote.

Public Education/website -

The internal team has been working on a website page to host all applicable information. A packet has been developed that owners would receive when licenses are approved and existing owners can use as a refresher. The guide would then be available for the general public as well as owners/agents of TRH facilities. A motion was made by Ms. Hessel; second by Mr. Nies to forward the concept of the guide and website to the committees of jurisdiction. Motion carried without negative vote.

Future Agenda Items – Implementation Timelines

Adjournment – 11:09 pm

Next Meeting: TBD

Time: 10:00 am

Location: Board Room

Minutes recorded by Lynn Fitch, County Clerk



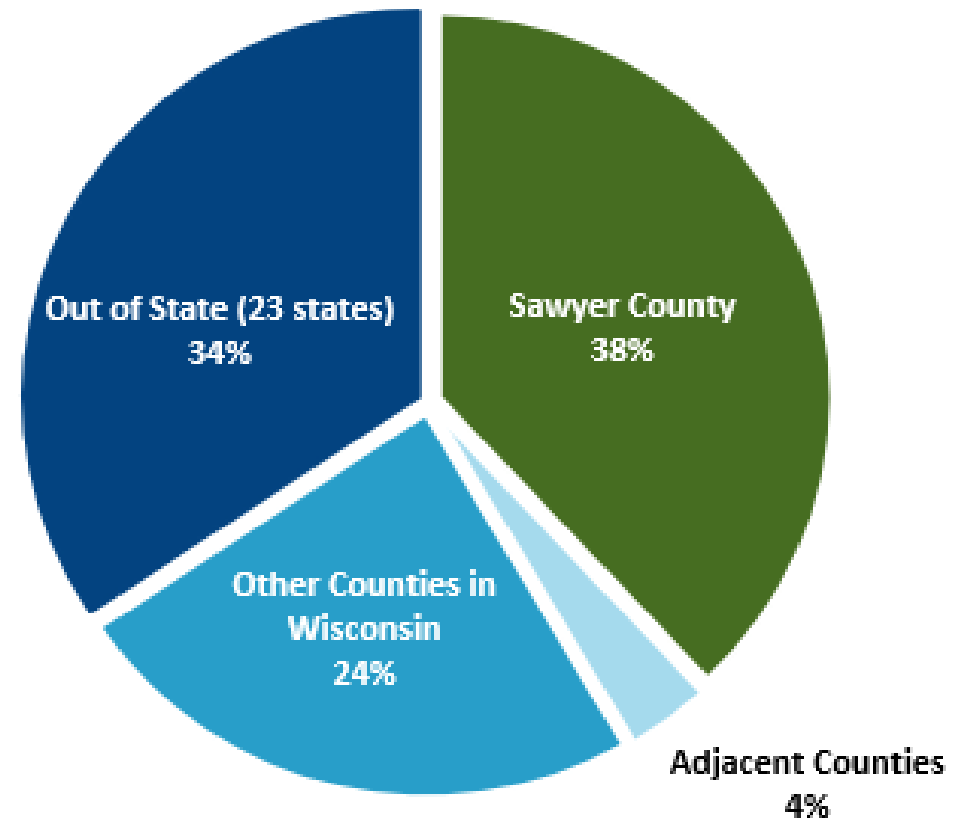
Tourist Rooming House Overview

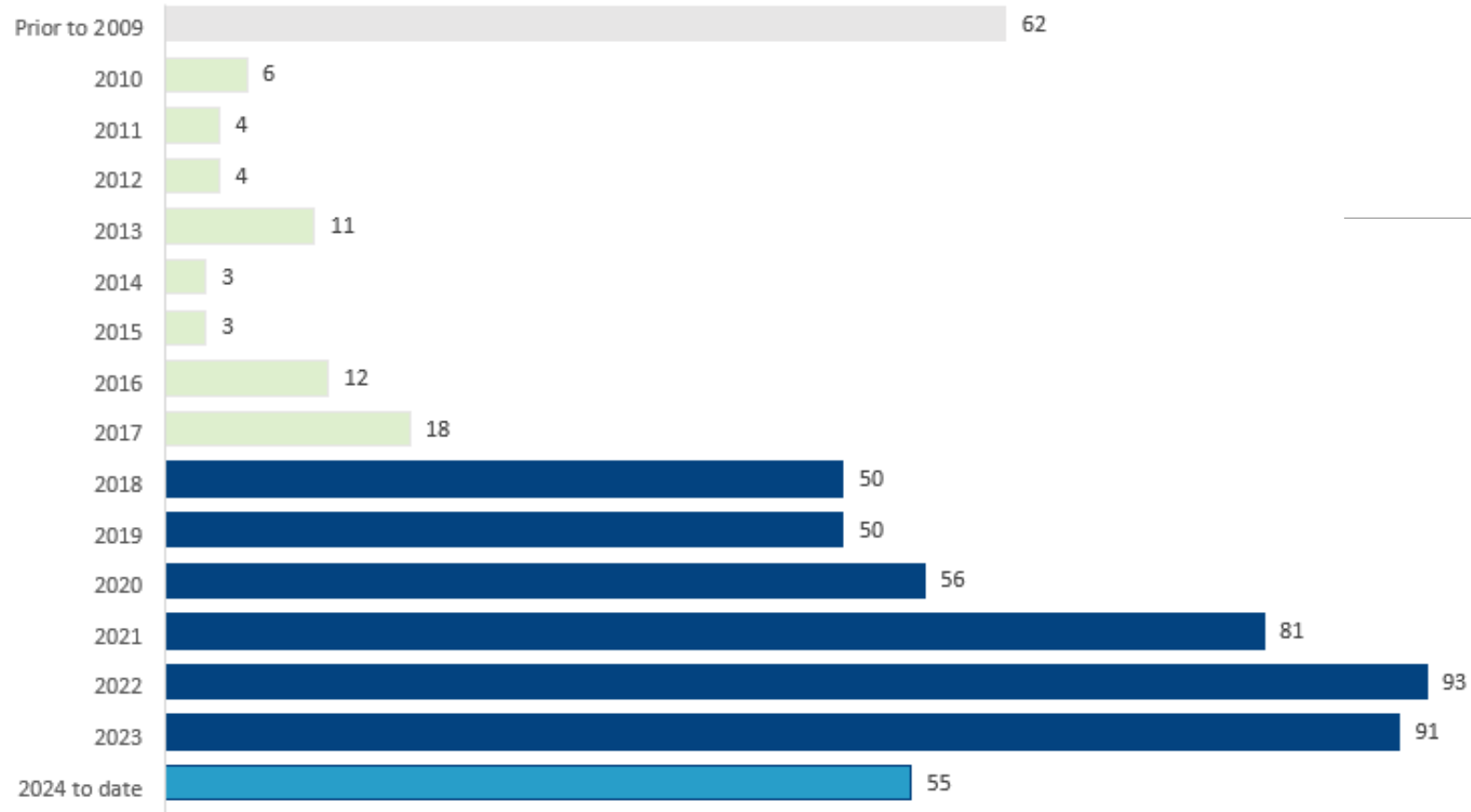
SAWYER COUNTY

7.31.2024

Residence of Tourist Rooming House (TRH) Owners

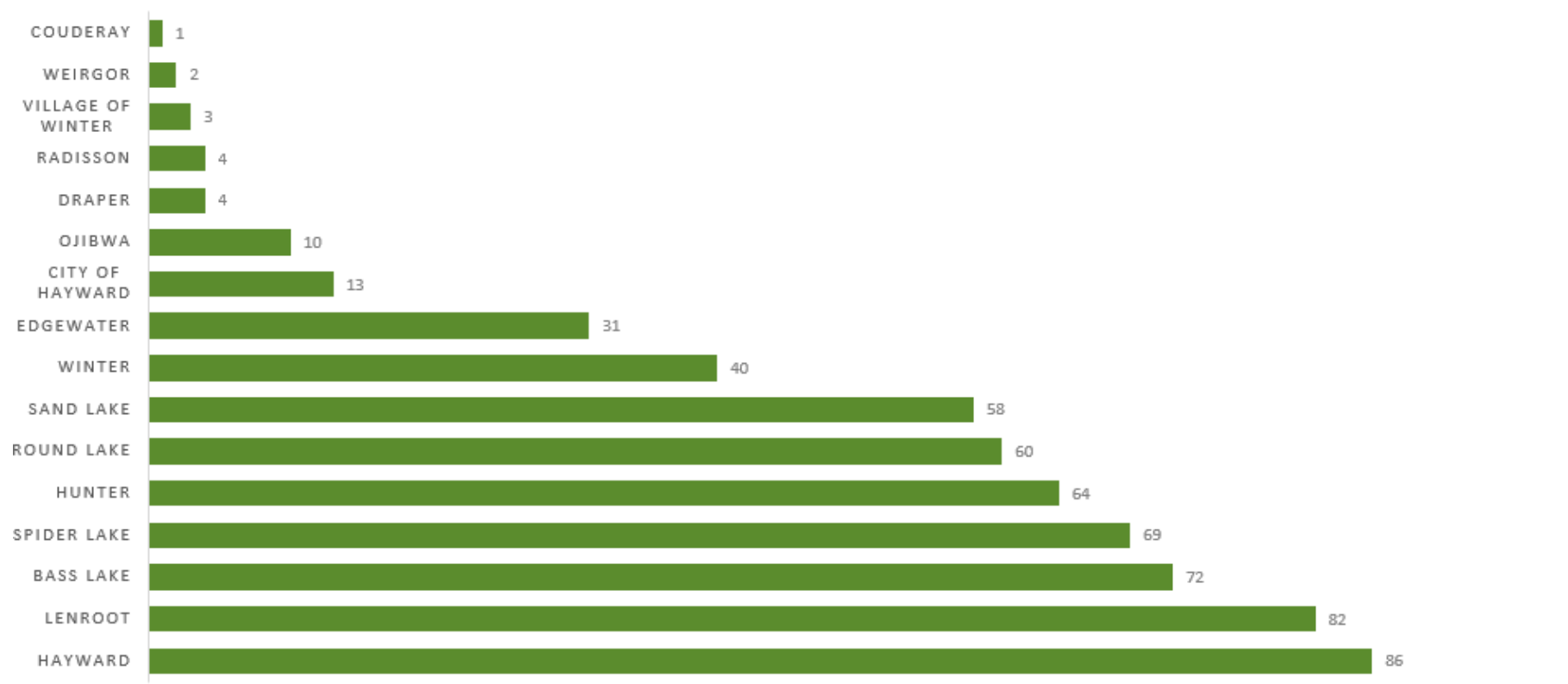
Address on file for Sawyer
County TRH Owners, June
2024



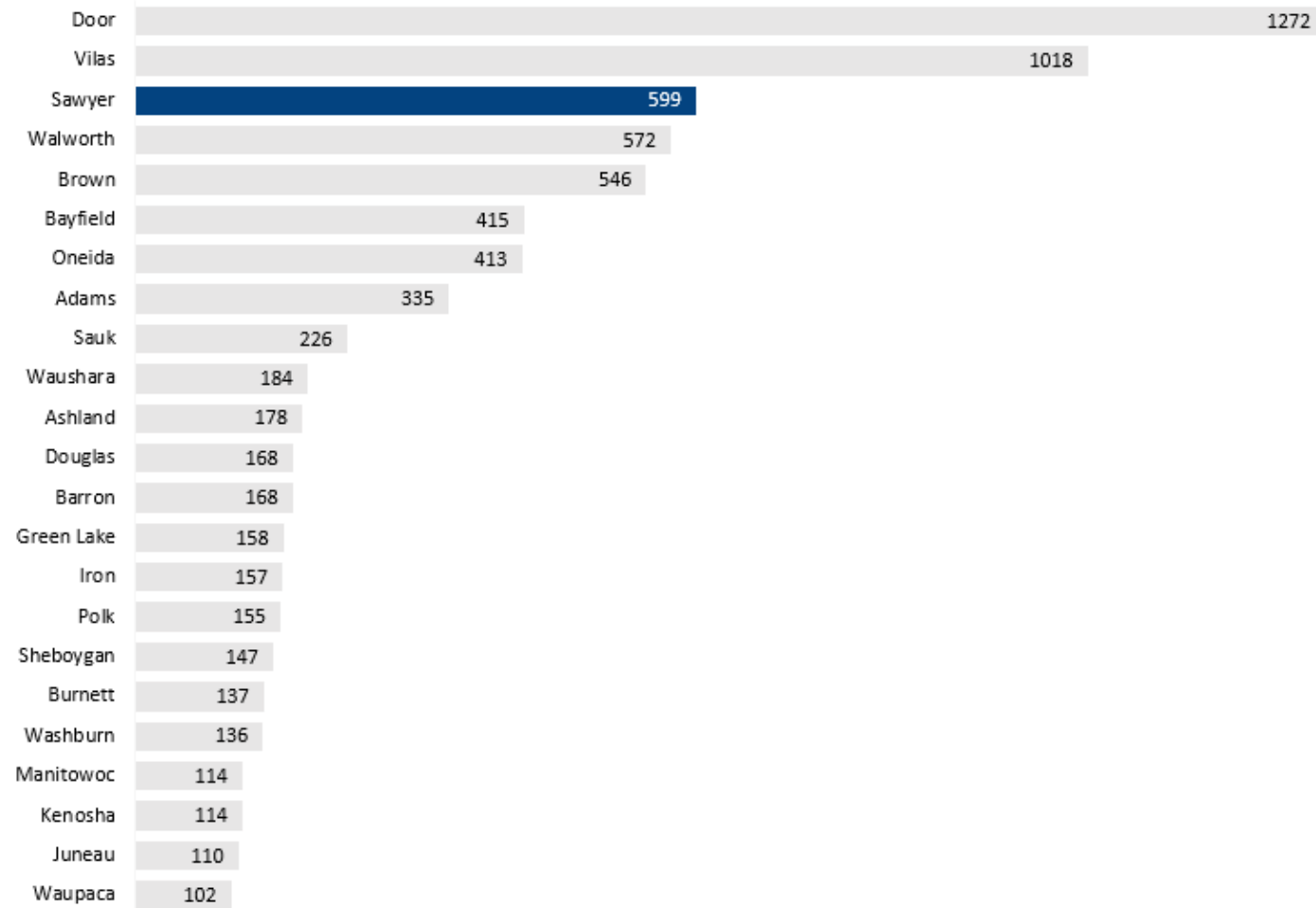


Sawyer County TRH Opening Date, by Year

Sawyer County TRH Count by Municipality



Number of TRHs by Wisconsin County (>100 TRHs)





County Comparison of TRH Ordinances

Legend for Content on Next Slide

N/A – not applicable

N/R – not required

LSD – Land Survey Department

ARP – a subgroup of Zoning

LUP – Limited Use Permit

CUP – Conditional Use Permit

STR – Short Term Rental

POWTS – Private Onsite Wastewater Treatment System (also known as a septic system)

		Occupancy Standard						
County/Municipality	Local Permit/License	Occupancy Limited	2 People per Bedroom	2 People per Bedroom +2	Other	Notification of Adjacent Property Owners/Signage	Contact or Local Agent	Parking Requirements
Sawyer (Proposed)	HHS License	Yes	POWTS			Cert. mail 100 ft	Yes- 60 minutes	Yes
Bayfield (Proposed)	Zoning STR Permit	Yes	POWTS			N/R	A contact person that can be reached at any time	N/R
Ashland	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Washburn	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Barron	Yes - LUP	Yes		X		Yes - Cert. mail 200 ft	Yes - 24 hour contact	Yes
Rusk	Yes - CUP	Yes		X		Yes - Info Sign	Yes - local contact?	N/R
Price	Yes - CUP	Yes			X	Yes - Info Sign	N/R	N/R
Burnett	Yes - LSD permit	Yes	POWTS			Yes - Co. informs adjacent neighbors	Yes - 50 miles	Yes
Vilas	Yes - Zoning TRH	Yes	X			N/R	Yes - 40 miles	Yes
Adams	Yes - Zoning TRH	Yes			X	Yes - Co. informs adjacent neighbors (500 ft)	Yes - 25 miles	Yes
Oneida	Yes - Zoning ARP Permit	Yes	POWTS			N/R	Yes - 25 miles	Yes
Columbia	Yes - CUP	Yes		X		N/R	None	Yes
Buffalo	Yes - Zoning Permit	Yes		X		N/R	N/R	Yes
Walworth	Yes - STR License	Yes	POWTS			N/R	N/R	Yes
Marquette	Yes - TRH License	Yes			X	N/R	Yes - 25 miles	Yes
Lake Delton	Yes - TRH Permit	Yes		X		N/R	Yes - 30 minutes	Yes



Tourist Rooming House (TRH) Ordinance FAQ (07/26/24)

What is the need for the ordinance?

Sawyer County has experienced tremendous growth in the number of TRH properties and as of July 2024 has approximately 600 TRH properties. The increase in TRH properties has resulted in significant economic benefits for the area but has also caused conflict and issues with some TRH properties and their neighbors. At this time, neither Sawyer County nor any Sawyer County municipalities have a permit or license requirement.

TRH's already receive a license from the County, is this a new permit?

Sawyer County Public Health acts as an Agent of the State to issue Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) lodging licenses. The State licenses are issued under the criteria outlined in the State code that address health and safety matters. All lodging and food service entities are required to have a State license.

The Sawyer County Ordinance outlines the criteria for issuance of a County license through Sawyer County Public Health. The license process is intended to be seamless with the State license.

Is Sawyer County the only County considering this?

No, many counties in the State have a County license/permit requirement for TRHs. We have verified that nearly all counties with a significant number of short-term rental properties already have a County license or permit requirement in place. Of the 10 counties with the highest number of TRHs, Sawyer is the only county without a County or Municipal license or permit requirement. Of the 20 highest counties, there are only three without a local license or permit requirement and two of those indicated they are working on it.

Why is there any occupancy standard?

The occupancy standard is included to maintain the integrity of the sanitary permit that was issued to the property based on the design/occupancy of the structure. Sanitary permits are issued before installation based on the number of bedrooms, which is the direct tie to occupancy.

Why does the ordinance require notification of adjacent property owners?

TRHs are effectively commercial entities operating in a residential setting. In some counties, TRHs are only allowed with a conditional or special use permit through Zoning which requires a public hearing and notification of adjacent property owners.

The requirement of notifying adjacent property owners in the proposed TRH ordinance is a courtesy to inform them that a TRH is operating in the neighborhood. It is also intended to create a connection between the TRH and the neighborhood. So, if issues arise, the first step to resolve the problem is for the neighbor(s) to reach out to the TRH owner/agent.

Why is a local agent required?

Unlike other lodging properties that have owners or staff onsite, TRH's typically do not. The requirement for a local agent (which can be the owner), is intended to maintain accountability for the property should any issues arise. We believe it is important for the



Tourist Rooming House (TRH) Ordinance FAQ (07/26/24)

property owner to be responsive if issues arise from occupants or neighbors which is why proximity is also included.

Why aren't existing ordinances/laws/statutes enforced rather than creating a new ordinance?

Existing ordinances/laws/statutes are enforced, but at present there is no way to create accountability for ongoing issues or repeated violations of existing ordinances/laws/statutes. The new ordinance creates a fair and uniform process tying enforcement to the ability to operate as a TRH.

Why are Public Health staff able to access the property when they want?

This is already granted by the property owner when they are issued their State lodging license. The County ordinance language mirrors the State's license language.

How will the ordinance be enforced if adopted?

There is no plan to have TRH police out on patrol. However, the ordinance provides tools to address problems when/if repeated problems arise. There will be a period for owners/agents to be informed and educated before enforcement will take place.

Why doesn't the County just address the problem TRH's?

The only way to address the problems that may occur with TRHs is with an ordinance that applies to all TRHs. Like nearly all of the laws and ordinances we live under, they are enforced against the bad actors.

Why isn't this a Zoning process/permit?

Going through zoning would require:

1. Rewrite of Zoning Ordinances (Zone Districts)
2. Additional staff to handle workload
3. A Conditional Use Permit (CUP) for 600+ facilities
4. To notify neighbors within 300 ft.
5. Town Review (or Town Planning Committee)
6. Board Approval
7. Cost of \$350.00 for CUP plus cost of a license/permit
8. Minimum of a three-month process + any appeals

SAWYER COUNTY CODE OF ORDINANCES
CHAPTER 14 - HEALTH AND HUMAN SERVICES
ARTICLE IV- TOURIST ROOMING HOUSES AND SHORT-TERM RENTALS

AUTHORITY. This Chapter 14, Article IV – Tourist Rooming Houses and Short-Term Rentals, is adopted pursuant to the authority granted by Chapters 59, 66, 251 and 254 of the Wisconsin Statutes and shall be administered by the Sawyer County Department of Health and Human Services.

COMPLIANCE WITH STATE AND OTHER APPLICABLE LAW. This Article IV is subject to all provisions set forth in the Wisconsin Statutes and other applicable law, as each may amended. Nothing in this Article IV is intended to, and shall not be construed to, amend or otherwise modify the Sawyer County Health Officer's rights, obligations and authority set forth in the Wisconsin Statutes and other applicable law, as each may be amended.

PURPOSE AND INTENT. The purpose of this Article IV shall be to protect the health, safety, and welfare of persons and property in Sawyer County by setting forth clear standards under which a Dwelling may be used as a Tourist Rooming House or Short-Term Rental (as each are defined below). Additional purposes and intent of this Article IV are:

1. Establish minimum standards of space for human occupancy;
2. Establish minimum standards of maintenance and use of property for short term rentals and tourist rooming houses;
3. Establish responsibilities of owners, operators, and owner's agents that offer properties for short term rent to tourists or other users;
4. Protect the character and stability of persons and property in the areas surrounding properties being offered as short-term rentals or tourist rooming houses;
5. Ensure that short term rentals and tourist rooming houses do not become a nuisance or threaten the public health, safety or welfare of neighboring properties or property owners and users; and
6. Provide for the administration and enforcement of this Article IV and to provide penalties for its violation.

14-4-1. DEFINITIONS

- A. *Bedroom* means a term found in SPS 382 and 383, used to calculate residential estimated wastewater flow for POWTS. Number of bedrooms is based on two persons per bedroom, unless otherwise approved by DSPS.
- B. *Call for Service* means a call made or forwarded to the Sawyer County Sheriff or other law enforcement body with jurisdiction over the TRH Property.
- C. *County* means Sawyer County, Wisconsin.
- D. *County Health Department* means the Public Health Unit of the County Health and Human Services Department.
- E. *County Health Officer* means the County Public Health Supervisor/Officer, or the Supervisor/Officer's authorized agent or designee. When used in this Article IV, "County Health Officer" includes any duly appointed County Health Officer Designee.
- F. *County Health Officer Designee* means a subordinate personnel appointed by the County Health Officer to investigate and supervise the sanitary conditions within the jurisdiction of the Health Department.
- G. *Dwelling* means a building designed or used exclusively as the living quarters for one or more families, including manufactured homes which meet the dimensional requirements as originally designed.
- H. *License* or *TRH License* means the granting of permission in a written/certificate form from the County Health Officer to operate a Tourist Rooming House on the TRH Property, and carry on the activities permitted by this Article IV.
- I. *Licensee* means the Person to whom a TRH License is issued pursuant to this Article IV.
- J. *Lodging Marketplace* means an entity that provides a platform through which an unaffiliated third party offers to rent a Tourist Rooming House to an occupant and collects the consideration for the rental from the occupant.
- K. *Occupant* means an individual using any portion of a TRH property as a tenant or guest for overnight stays.
- L. *Operating* means the offering, operating, advertisement or rental of a TRH Property or any part thereof.
- M. *Owner* means the Person or Persons holding title to the real and personal property that makes up the TRH Property.
- N. *Owner's Agent* means the Person appointed by the Owner of a Tourist Rooming House to act as agent on behalf of the Owner.

- O. *Person* means an individual, a natural person, firm, partnership, association, company, corporation, organization, municipality, County, town, or State agency, whether tenant, owner, lessee or licensee, or the agent, receiver, heir, or assignee, or of any of these or any other group acting as a unit. Whenever the word *Person* is used in any section of this Article IV prescribing a penalty or forfeiture, as to partnerships or associations, the word shall include the partners or members thereof, and as to corporations, shall include the shareholders thereof.
- P. *Renter* means any *Person* that rents or uses any portion of a TRH Property.
- Q. *POWTS* means a private on-site wastewater treatment system.
- R. *Sale* means transfer of title by the Owner or transfer of controlling interest in an entity holding title to TRH Property.
- S. *Sanitary Permit* means a permit of record, approved by the County Zoning Department as issuing agent for the Wisconsin Department of Safety and Professional Services indicating wastewater performance capabilities of existing POWTS.
- T. *Secondary Habitable Structure* means a structure that features habitable conditions on the same parcel of land as primary structure.
- U. *Short Term Rental* means a residential dwelling that is offered for rent or fee for fewer than thirty (30) consecutive days.
- V. *Tourist Rooming House* means all lodging places and tourist cabins and cottages, including Short Term Rentals, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists or transients. It does not include private boarding or rooming houses not accommodating tourists or transients, or bed and breakfast establishments regulated under Wis. Admin. Code Ch. ATPC 73.
- W. *Tourist Rooming House Property* or *TRH Property* means the real property on which the Tourist Rooming House sits or is located, any real property that a Renter may use as part of the rental of the Tourist Rooming House, and any personal property that is used in the operation or use of the Tourist Rooming House. TRH Property does not need to be contiguous or adjacent.

14-4-2. TOURIST ROOMING HOUSE LICENSE REQUIRED

No Person or entity shall advertise, rent or Operate a Short Term Rental or Tourist Rooming House in the County unless a TRH License has been issued by the County pursuant to this Article IV. An Owner, Licensee or other Person Operating the Tourist Rooming House shall be responsible for all requirements of this Article IV. Application for a TRH License

shall be in a form prescribed by the County Public Health Officer and be consistent with this Article IV.

14-4-3. APPLICATION FOR TRH LICENSE

A. Application Forms.

1. Application for a TRH License shall be made in writing to the County Health Department on forms developed and provided by the County Health Department.
2. The Applicant shall comply with any requirements for application and approval required by the County Zoning and Conservation Department.

B. Required Information. The applicant shall provide all of the following with the application for TRH License:

1. Name of party submitting the application, and name of the Person intending to hold the TRH License (if different than the applicant).
2. Name of the Owner(s). If Owner is an entity, proof of the entity's ability to conduct business in the State of Wisconsin.
3. Address of TRH Property and tax ID number.
4. A copy of the State of Wisconsin Department of Agriculture, Trade and Consumer Protection License for a Tourist Rooming House issued pursuant to Wis. Stat. § 97.605.
5. The Wisconsin Department of Revenue Sales Tax Number.
6. Requested maximum occupancy
7. Copy of Sanitary Permit (if applicable) or other proof of sufficient sanitary capabilities.
8. Detailed site plan of the TRH Property, including lot lines and property map, available onsite parking, garbage receptacle locations, and any other information reasonably requested by the County Health Officer.
9. Designation of the Owner's Agent and contact information for the Owner's Agent, or a statement that the Owner meets the requirements of an Owner's Agent pursuant to [REDACTED] herein and agrees to perform the obligations of an Owner's Agent for the TRH Property.
10. Any other information the County Health Department deems necessary in order to make an informed determination of the application.
11. Applications for renewal TRH Licenses are not required to include the

documentation for items listed in subparagraphs _____ unless the information on the renewal application has changed.

14-4-4. DECISION ON APPLICATION

- A. *Decision Time.* The County Health Officer shall either approve or deny the application within 30 days after the receipt of a complete application. The County Health Officer and applicant may mutually agree to an additional 30-day review period if circumstances require a longer review period.

Issuance. A TRH License may be issued only after compliance with the requirements of this Article IV, compliance with Sec. 14-3 of the County Ordinances, and compliance with all other applicable laws, including but not limited to issuance of the State of Wisconsin Department of Agriculture, Trade and Consumer Protection License for a Tourist Rooming House issued pursuant to Wis. Stat. § 97.605. Under no circumstances shall the County Health Officer approve an application and grant a TRH License unless all governmental approvals set forth in Sec. _____ are issued prior to or in conjunction with the TRH License.

- B. *Denial of Application for TRH License.*

1. The County Health Officer may deny an application for a TRH License for any of the following reasons:
 - a. Applicant's and/or Owner's failure to provide any materials or information required by Sec. _____ herein.
 - b. Applicant and/or Owner's filing or providing inaccurate, false or misleading information with the TRH License application.
 - c. Information from a local law enforcement agency documenting any complaints or citations that may have been issued due to an Owner or Applicant's operation of another Tourist Rooming House in the County or in another jurisdiction.
 - d. Information that issuance of this TRH License would negatively impact the health, welfare and safety of the County, residents and visitors in the County, or other property in the County.

2. The following procedure shall be followed in the denial of any TRH License:
 - a. A decision by the County Health Officer to deny an application for a TRH License shall be in writing and shall state, with specificity, the reasons for the County Health Officer's decision and shall reference all applicable statutes, ordinances, rules, regulations or orders.
 - b. The County Health Officer shall send to the applicant a copy of the written decision as required by this Sec. .
 - c. Applicant or Owner may seek review of the County Health Officer's decision to deny an application for a TRH License by following requirements as set forth in Sec. .

14.-4-5. TERM

- A. *Term.* A TRH License shall not be prorated and shall expire annually on June 30 of each year following issuance.
- B. *Renewal of TRH License:*
 1. An Owner or Licensee may request renewal of a TRH License between May 1 and June 30 by filing a renewal request with the County Health Department.
 2. Each renewal request shall include:
 - a. Any updated information that is different from the information submitted with the original application or the most recent TRH renewal;
 - b. Any additional information that the County Health Officer may reasonably request in order to make an informed determination on the renewal request;
 - c. The renewal fee, as required by this article shall be as provided through the fee schedule approved by County.
 3. Upon receipt of the renewal request, the County Health Officer shall review the renewal request and information required therein to ensure compliance with all terms and conditions of the original TRH License and all applicable laws. The County Health Officer may contact the local law enforcement agency, the County Sheriff, and the County Zoning and Conservation Department to determine whether any complaints or citations have been issued due to the Tourist Rooming House's operation.
 4. The County Health Officer shall issue a decision on the renewal request within thirty (30) days of receipt of the renewal request.
- C. *Change of Ownership or Transfer of Interest.* The Owner shall notify the County Health Officer of any transfer of ownership interest of any portion of the TRH Property. A TRH

License is not transferable or assignable between any Persons other than immediate family members as defined in Wis. Stat. § 97.605(4)(a)(2), as may be amended

14-4-6. INSPECTION

Authorized employees of the County Health Department, upon presenting proper identification, shall have the authority and duty to enter any licensed TRH Property during regular business hours to inspect the same, with respect to a business open at least 40 hours per week. In the absence of regular business hours, inspections shall be made at any reasonable hour. In the event of an emergency, an inspection may be made at any time.

14-4-7. FEES

Fees for a TRH License application, penalties, processing charges or other fees required by this Article IV shall be as provided through the fee schedule approved by the County Health and Human Services Board and available for review in the County Health Department.

14-4-8. OWNER'S AGENT

- A. *Appointment by Owner.* Every Owner shall appoint an Owner's Agent as a local contact and authorized party to act on Owner's behalf. An Owner's Agent shall not be required if the Owner meets the requirements of an Owner's Agent set forth in this Article IV and agrees to perform the obligations of an Owner's Agent required in this Article IV. No written agreement pursuant to Sec. _____ shall be required if Owner acts as Owner's Agent.
- B. *Designation.* The Owner's Agent shall be designated by the Owner in the TRH License application. The Owner shall provide the County Health Officer written notice of any change in residence or information regarding the Owner's Agent within ten (10) days of any change in designation.
- C. *Required Qualifications.* To qualify as an Owner's Agent under this Article IV, the Owner's Agent must meet the following requirements:
 - 1. Be a Person who can respond within a 60-minute drive (in normal conditions) to the TRH Property.
- D. *Authority.*
 - 1. An Owner's Agent shall be authorized by the Owner to act as Owner's agent and representative in all matters involving the operation of the TRH Property, including but not limited to the following:
 - a. To act as the point of contact for any citizen or neighbor complaints.
 - b. To accept service of process for all County communications, citations, orders, and complaints.

- c. To be authorized by the Owner to allow County employees, officers and their designees, to enter the TRH Property or any portion thereof for purposes of inspection and enforcement of this Article IV and/or any other Applicable Law.
- d. To satisfy any obligation of the Owner required herein, including the Owner's Obligations set forth in Sec. _____.
- 2. The Owner's Agent may perform, on Owner's behalf, any of the duties required in this Article IV.
- 3. The Owner and Owner's Agent shall be party to a written agreement that sets forth these obligations, and a copy of the complete and current written agreement between Owner and Owner's Agent shall be provided to the County.
- E. *Contact Information.* The Owner shall provide a current telephone number for the Owner's Agent to each owner of real property within 100 feet of the perimeter of the TRH Property, in accordance with Sec. _____ herein.

14-4-9. OWNER RESPONSIBILITIES

- A. *Code of Conduct.* Owner shall provide a code of conduct, regulations and restrictions to Renters and any Person using the TRH Property that includes the relevant provisions of this Article IV, and other information to address behavioral, safety, security, and other matters. The Owner or Owner's Agent shall immediately address and correct any violation arising at the TRH Property.
- B. *Records.* Owner and Licensee shall keep records for a period of at least one (1) year as required in Wis. Admin. Code Ch. ATCP 72.16 regarding each rental stay, including the name of the Renters, contact information, dates and length of stay, and the price paid for each stay. The Owner or Owner's Agent shall acknowledge and consent to inspection of records at all reasonable times and places for purposes of enforcement of this Article IV.
- C. *Lodging Marketplace Authorization.* Owner and Licensee shall authorize any Lodging Marketplace on which the TRH Property is listed to provide to the County the listings, rentals, and other information required under the County Ordinances or other applicable law.
- D. *Receipt of Notices.* Owner and Licensee shall consent to receive all County notices and citations regarding the TRH Property by electronic means or US Mail.
- E. *Notification to Neighboring Properties.*
 - 1. Owner shall provide, by certified mail to each owner of real property within 100 feet of the perimeter of the TRH Property, the following information:
 - a. Address of the TRH Property.

- b. TRH License number.
 - c. A copy of the regulations set forth in Sec. _____.
 - d. Current contact information for the Owner and Owner's Agent for issues arising on the TRH Property.
- 2. The Owner shall provide updated information upon the change of any information required in Sec. _____ by certified mail to the owner of each real property within 100 feet of the perimeter of the TRH Property within ten days of such change.
 - 3. The Owner shall provide a copy upon request of all notifications to neighboring properties to the County Health Officer. Failure to provide notification to neighboring properties as required by this Sec. _____ shall be a basis upon which to terminate the TRH License.
 - 4. The Owner shall take reasonable measures to respond to any complaint.

14-4-10. ROOM TAX.

Every Owner and Licensee shall comply with the room tax reporting requirements of Wis. Stat. § 66.0615, as it may be amended, or as required by a local municipality with room taxation authority over the TRH Property.

14-4-11. OCCUPANCY AND MINIMUM REQUIREMENTS.

A. Occupancy Requirements.

- 1. Occupancy shall comply with the size requirements set forth in Wis. Admin. Code Ch. ATCP 72.14(2)(b), as may be amended.
- 2. If a TRH Property does not have access to a public sewer facility, a POWTS may be used to serve the TRH Property upon approval by the County Zoning and Conservation Department. The POWTS shall be designed, constructed, and operated in accordance with Wis. Admin. Code Ch. SPS 382, 383, and ATCP 72.10(5), and any other restrictions imposed by the County Ordinances.
- 3. Maximum occupancy of a TRH served by a POWTS shall be limited to residential wastewater design flow calculations of two (2) Persons/Occupants per Bedroom, or any other technologies, methods, or wastewater design flow estimates approved by Wisconsin Department of Safety and Professional Services (DSPS) in accordance with SPS 382 and 383.
- 4. Campers, RVs, tents, yurts, or other means of shelter to increase occupancy on the TRH Property are prohibited.

14-4-12. TOURIST ROOMING HOUSE REGULATIONS. In addition to all other applicable laws, every Renter or Person using or occupying any portion of a TRH Property shall comply with the following:

- A. *Smoke Alarms and Carbon Monoxide Alarms.* Each Tourist Rooming House shall have functional smoke alarms and carbon monoxide alarms in accordance with the requirements of Wis. Admin. Code Ch. SPS 362, ATCP 72.14(c), and ATCP 72.145
- B. *Fire Extinguisher.* Each Tourist Rooming House shall provide at least one (1) fire extinguisher within the TRH Property. If the extinguisher is not readily visible, one or more signs shall be posted indicating the location of the extinguisher.
- C. *Fireworks.* Fireworks, as defined in Wis. Stat. § 167.10, as may be amended, may not be used or operated on a TRH Property at any time.
- D. *Pets.* Any Renter or Person using or occupying the TRH Property shall comply with all provisions of the County Ordinance No. 4-2-10 and 4-2-11 relating to control of animals. Renters or any other Person using the TRH Property shall maintain control of pets at all times.
- E. *Minimum Parking Requirements.* All guest “off-street” parking must be contained on the TRH property. All guest “on-street” parking is prohibited, unless allowed by the governing entity having jurisdiction over the public road. Private roads, access, easements (including utility) may not be used as parking areas unless expressed written consent is given by all entities which have access to said easement.
- F. *Ingress and Egress.* Each Tourist Rooming House shall provide a safe, unobstructed means of egress leading to safe, open space at ground level as defined in SPS 321.03.
- G. *Secondary Habitable Structures.* Structures will not be allowed for overnight sleeping accommodation unless permitted as such by the Sawyer County Zoning and Conservation Department and meets all other licensing requirements.

14-4-13. ENFORCEMENT AND VIOLATIONS.

- A. *Enforcement.* The provisions of this Article IV shall be enforced by the County Health Officer, the County Zoning and Conservation Department, or an appropriate law enforcement body, and each may issue citations for any violations of this Article IV pursuant to Sec. 1-2-3 and Sec. 1-2-4 of the County Ordinances, as may be amended.
- B. *Notice of Violation to Owner and Licensee.* Notice of any violation of the Article IV or other applicable law that is issued to a Person using the TRH Property shall also be delivered to the Owner and Licensee, at the Owner and Licensee’s expense.

- C. *Owner Obligations.* An Owner shall be responsible for the conduct of each Person using the TRH Property.

Penalties. The following penalties shall be assessed for violations of this Article IV:

1. Any Licensee or Person who operates any establishment, business, or other operation without a valid License required under this article shall be subject to any applicable fees, penalties and processing charges, including, but not limited to, a fee for operating without a License for each day in which the Licensee or Person operates without the required License. Fees, penalties and processing charges shall be determined by the County Health and Human Services Board and may be amended from time to time.
 2. In addition to forfeitures listed above, any violation of a provision of this Article IV may result in the suspension or termination of the TRH License.
 3. Penalties set forth in this section shall be in addition to all other remedies of injunction, abatement, or costs whether existing under this Article IV or otherwise.
- E. *Other Remedies for any Violation of Applicable Laws.* Nothing in this Article IV shall be construed as prohibiting enforcement of any other applicable law, including but not limited to County Ordinances for public nuisance, public health hazards, or disorderly conduct.
- F. *Calls for Service.* If three Calls for Service are received and verified by (affidavit) the County for any TRH Property within one month, the County Health Officer may initially suspend the TRH License for a period of not more than 35 days during which time the County Health Officer shall determine whether corrective action is needed, whether to commence suspension or revocation proceedings pursuant to Sec. [REDACTED], or the TRH License may be reinstated without further action. Five or more Calls for Service within one calendar year may result in the revocation of the TRH License.

14-4-14. DENIAL, SUSPENSION OR REVOCATION OF TOURIST ROOMING HOUSE LICENSE.

- A. *Authority.* The Health Officer may deny any TRH License application or suspend or revoke any TRH License issued under this Article IV for noncompliance with this Article IV or noncompliance with any other State or local statute, ordinance, rule, regulation, order, or other applicable requirement. All time sensitive mailings, on the part of the Health Department, will be done through the United States Postal Service Certified Mail Return Receipt Requested mail service or personally with signature of delivery.
- B. *Procedures.* The following procedure shall be followed in the denial, suspension or revocation of any License issued under this Article IV:
1. A decision by the County Health Officer to deny, suspend or revoke a TRH License shall be in writing and shall state, with specificity, the reasons for the County Health

Officer's decision and shall state any and all applicable statutes, ordinances, rules, regulations or orders which may have been violated. The County Health Officer shall send to the TRH Licensee a copy of the written decision as required by this Article IV. Said notice shall inform the Licensee or applicant of the right to have the decision reviewed and a summary of the procedure for such review required by this Article IV.

2. A TRH Licensee aggrieved by a decision of the County Health Officer to deny, suspend or revoke a TRH License must send a written Request for Review and Reconsideration to the County Health Officer within ten (10) working days of receipt of the notice of the County Health Officer's decision. The Request for Review and Reconsideration shall state the grounds upon which the Person or Licensee aggrieved contends that the decision should be reversed or modified.
3. Within ten (10) working days of receipt of the Request for Review and Reconsideration, the County Health Officer shall review its initial determination. The County Health Officer may affirm, reverse or modify the initial determination. The County Health Officer shall mail or deliver to the TRH Licensee or applicant a copy of the County Health Officer's decision on review, and shall state the reasons for such decision. The decision shall advise the TRH Licensee or applicant of the right to appeal the decision by filing a notice of appeal, the time within which appeal shall be taken and the office or person with whom notice of appeal shall be filed.
4. A TRH Licensee or applicant who wishes to appeal a decision made by the County Health Officer on review must file a notice of appeal within ten days of receipt of the County Health Officer's decision on review. The notice of appeal shall be filed or mailed to the County Health Officer. The County Health Officer shall immediately file said notice of appeal with the County Health and Human Services Board.
5. A TRH Licensee or applicant shall be provided a hearing on appeal within 30 days of receipt of the notice of appeal. The County Health Officer shall serve the TRH Licensee or applicant with notice of hearing by mail or personal service at least five days before the hearing.
6. The hearing shall be conducted before the County Health and Human Services Board and shall be conducted in accordance with the procedures outlined in Wis. Stats. § 68.11(2) and (3).
7. Within 15 days of the hearing, the County Health and Human Services Board shall mail or deliver to the TRH Licensee or applicant the County Health and Human Services Board's written determination stating the reasons for its decision.

14-4-15. EFFECTIVE DATE.

This Article IV shall be effective upon passage and publication as provided by law.

**SAWYER COUNTY CODE OF ORDINANCES
CHAPTER 14 - HEALTH AND HUMAN SERVICES
ARTICLE IV- TOURIST ROOMING HOUSES AND SHORT-TERM RENTALS**

AUTHORITY. This Chapter 14, Article IV – Tourist Rooming Houses and Short-Term Rentals, is adopted pursuant to the authority granted by Chapters 59, 66, 251 and 254 of the Wisconsin Statutes and shall be administered by the Sawyer County Department of Health and Human Services.

COMPLIANCE WITH STATE AND OTHER APPLICABLE LAW. This Article IV is subject to all provisions set forth in the Wisconsin Statutes and other applicable law, as each may amended. Nothing in this Article IV is intended to, and shall not be construed to, amend or otherwise modify the Sawyer County Health Officer's rights, obligations and authority set forth in the Wisconsin Statutes and other applicable law, as each may be amended.

PURPOSE AND INTENT. The purpose of this Ordinance is to respect the rights of private property owners to use and enjoy their property, and to ensure that lodging units rented for tourist rooming houses or short-term rentals are operated in a manner that protects the health, safety, and quality of life for the residents and visitors of Sawyer County.

14-4-1. DEFINITIONS

- A. *Bedroom* means a term found in SPS 382 and 383, used to calculate residential estimated wastewater flow for POWTS. Number of bedrooms is based on two persons per bedroom, unless otherwise approved by DSPS.
- B. *Call for Service* means a call made or forwarded to the Sawyer County Sheriff or other law enforcement body with jurisdiction over the TRH Property.
- C. *County* means Sawyer County, Wisconsin.
- D. *County Health Department* means the Public Health Unit of the County Health and Human Services Department.
- E. *County Health Officer* means the County Public Health Supervisor/Officer, or the Supervisor/Officer's authorized agent or designee.
- F. *License* or *TRH License* means the granting of permission in a written/certificate form from the County Health Officer to operate a Tourist Rooming House on the TRH Property, and carry on the activities permitted by this Article IV.
- G. *Licensee* means the Person to whom a TRH License is issued pursuant to this Article IV.
- H. *Operating* means the offering, operating, advertisement or rental of a TRH Property or any part thereof.

- I. *Owner* means the Person or Persons holding title to the real and personal property that makes up the TRH Property.
- J. *Owner's Agent* means the Person appointed by the Owner of a Tourist Rooming House to act as agent on behalf of the Owner.
- K. *Person* means an individual, a natural person, firm, partnership, association, company, corporation, organization, municipality, County, town, or State agency, whether tenant, owner, lessee or licensee, or the agent, receiver, heir, or assignee, or of any of these or any other group acting as a unit. Whenever the word Person is used in any section of this Article IV prescribing a penalty or forfeiture, as to partnerships or associations, the word shall include the partners or members thereof, and as to corporations, shall include the shareholders thereof.
- L. *Renter* means any Person that rents or uses any portion of a TRH Property.
- M. *POWTS* means a private on-site wastewater treatment system.
- N. *Sanitary Permit* means a permit of record, approved by the County Zoning Department as issuing agent for the Wisconsin Department of Safety and Professional Services indicating wastewater performance capabilities of existing POWTS.
- O. *Secondary Habitable Structure* means a structure that features habitable conditions on the same parcel of land as primary structure.
- P. *Short-Term Rental* means a residential dwelling that is offered for rent or fee for fewer than thirty (30) consecutive days.
- Q. *Tourist Rooming House* means all lodging places and tourist cabins and cottages, including Short Term Rentals, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists or transients. It does not include private boarding or rooming houses not accommodating tourists or transients, or bed and breakfast establishments regulated under Wis. Admin. Code Ch. ATCP 73.
- R. *Tourist Rooming House Property or TRH Property* means the real property on which the Tourist Rooming House sits or is located, any real property that a Renter may use as part of the rental of the Tourist Rooming House, and any personal property that is used in the operation or use of the Tourist Rooming House. TRH Property does not need to be contiguous or adjacent.

14-4-2. TOURIST ROOMING HOUSE LICENSE REQUIRED

No Person or entity shall advertise, rent or Operate a Short-Term Rental or Tourist Rooming House in the County unless a TRH License has been issued by the County pursuant to this Article IV. An Owner, Licensee or other Person Operating the Tourist Rooming House shall be responsible for all requirements of this Article IV. Application for a TRH License shall be in a form prescribed by the County Public County Health Officer and be consistent with this Article IV.

14-4-3. APPLICATION FOR TRH LICENSE

A. *Application Forms.*

1. Application for a TRH License shall be made in writing to the County Health Department on forms developed and provided by the County Health Department.
2. The Applicant shall comply with any requirements for application and approval required by the County Zoning and Conservation Department.

B. *Required Information.* The applicant shall provide all of the following with the application for TRH License:

1. Address of TRH Property and tax ID number.
2. Name, billing and contact information of the Owner(s).
3. Name, billing and contact information of the party submitting the application, and name of the Person (Licensee) intending to hold the TRH License (if different than the applicant).
4. Designation of the Owner's Agent and contact information for the Owner's Agent, if required.
5. The Wisconsin Department of Revenue Sales Tax Number.
6. Name of local municipality establishment resides in (Township, City, Village, etc.)
7. Requested maximum occupancy.
8. Any other information the County Health Department deems necessary in order to make an informed determination of the application.

14-4-4. DECISION ON APPLICATION

- A. *Decision Time.* The County Health Officer shall either approve or deny the application within 30 days after the receipt of a complete application. The County Health Officer and applicant may mutually agree to an additional 30-day review period if circumstances require a longer review period.

Issuance. A TRH License may be issued only after compliance with the requirements of this Article IV, compliance with Sec. 14-3 of the County Ordinances, and compliance with all other applicable laws, including but not limited to issuance of the State of Wisconsin Department of Agriculture, Trade and Consumer Protection License for a Tourist Rooming House issued pursuant to Wis. Stat. § 97.605. Under no circumstances shall the County Health Officer approve an application and grant a TRH License unless all governmental approvals set forth in Sec. _____ are issued prior to or in conjunction with the TRH License.

- B. *Denial of Application for TRH License.*

1. The County Health Officer may deny an application for a TRH License for any of the following reasons:
 - a. Applicant's and/or Owner's failure to provide any materials or information required by Sec. _____ herein.
 - b. Applicant and/or Owner's filing or providing inaccurate, false or misleading information with the TRH License application.
 - c. Information from a local law enforcement agency documenting any complaints or citations that may have been issued due to an Owner or Applicant's operation of another Tourist Rooming House in the County or in another jurisdiction.
 - d. Information that issuance of this TRH License would negatively impact the health, welfare and safety of the County, residents and visitors in the County, or other property in the County.
2. The following procedure shall be followed in the denial of any TRH License:
 - a. A decision by the County Health Officer to deny an application for a TRH License shall be in writing and shall state, with specificity, the reasons for the County Health Officer's decision and shall reference all applicable statutes, ordinances, rules, regulations or orders.
 - b. The County Health Officer shall send to the applicant a copy of the written decision as required by this Sec. _____.
 - c. Applicant or Owner may seek review of the County Health Officer's decision to deny an application for a TRH License by following requirements as set forth in Sec. _____.

14.-4-5. TERM

A. *Term.* A TRH License shall not be prorated and shall expire annually on June 30 of each year following issuance.

B. *Renewal of TRH License:*

1. An Owner or Licensee may request renewal of a TRH License between May 1 and June 30 by filing a renewal request with the County Health Department.
2. Each renewal request shall include:
 - a. Any updated information that is different from the information submitted with the original application or the most recent TRH renewal;
 - b. Any additional information that the County Health Officer may reasonably request in order to make an informed determination on the renewal request;

- c. The renewal fee, as required by this article shall be as provided through the fee schedule approved by County.
- 3. Upon receipt of the renewal request, the County Health Officer shall review the renewal request and information required therein to ensure compliance with all terms and conditions of the original TRH License and all applicable laws. The County Health Officer may contact the local law enforcement agency, the County Sheriff, and the County Zoning and Conservation Department to determine whether any complaints or citations have been issued due to the Tourist Rooming House's operation.
- 4. The County Health Officer shall issue a decision on the renewal request within thirty (30) days of receipt of the renewal request.
- C. *Change of Ownership or Transfer of Interest.* The Owner shall notify the County Health Officer of any transfer of ownership interest of any portion of the TRH Property. A TRH License is not transferable or assignable between any Persons other than immediate family members as defined in Wis. Stat. § 97.605(4)(a)(2), as may be amended.

14-4-6. INSPECTION

Will be enforced by Wis. Stat. § 97.615(2) and Wis. Admin. Code Ch. ATCP 72.06 (1) as each may be amended.

14-4-7. FEES

Fees for a TRH License application, penalties, processing charges or other fees required by this Article IV shall be as provided through the fee schedule approved by the County Health and Human Services Board and available for review in the County Health Department.

14-4-8. OWNER'S AGENT

- A. *Appointment by Owner.* Every Owner shall appoint an Owner's Agent as a local contact and authorized party to act on Owner's behalf. An Owner's Agent shall not be required if the Owner meets the requirements of an Owner's Agent set forth in this Article IV and agrees to perform the obligations of an Owner's Agent.
- B. *Designation.* The Owner's Agent shall be designated by the Owner in the TRH License application. The Owner shall provide the County Health Officer written notice of any change in residence or information regarding the Owner's Agent within ten (10) days of any change in designation.
- C. *Required Qualifications.* To qualify as an Owner's Agent under this Article IV, the Owner's Agent must be a Person who can respond within a 60-minute drive (in normal conditions) to the TRH Property.
- D. *Authority.* An Owner's Agent shall be authorized by the Owner to act as Owner's agent and representative in all matters involving the operation of the TRH Property. The Owner and Owner's Agent shall be party to a written agreement that sets forth these obligations.

14-4-9. OWNER RESPONSIBILITIES

A. *Records.* Owner and Licensee shall keep records for a period of at least one (1) year as required in Wis. Admin. Code Ch. ATCP 72.16.

B. *Notification to Neighboring Properties.*

1. Owner shall provide, by certified mail to each owner of real property within 100 feet of the perimeter of the TRH Property, the following information:
 - a. Address of the TRH Property.
 - b. TRH License number.
 - c. A copy of the Rules of Conduct distributed to renters.
 - d. Current contact information for the Owner and Owner's Agent for issues arising on the TRH Property.
2. The Owner shall provide updated information upon the change of any information required in Sec. _____ by certified mail to the owner of each real property within 100 feet of the perimeter of the TRH Property within ten days of such change.
3. The Owner shall provide a copy upon request of all notifications to neighboring properties to the County Health Officer. Failure to provide notification to neighboring properties as required by this Sec. _____ shall be a basis upon which to terminate the TRH License.
4. The Owner shall take all reasonable measures to respond to any complaint.

14-4-10. ROOM TAX.

Every Owner and Licensee shall comply with the room tax reporting requirements of Wis. Stat. § 66.0615, as it may be amended, or as required by a local municipality with room taxation authority over the TRH Property.

14-4-11. OCCUPANCY AND MINIMUM REQUIREMENTS.

A. *Occupancy Requirements.*

1. Occupancy shall comply with the size requirements set forth in Wis. Admin. Code Ch. ATCP 72.14(2)(b), as may be amended.
2. If a TRH Property does not have access to a public sewer facility, a POWTS may be used to serve the TRH Property upon approval by the County Zoning and Conservation Department. The POWTS shall be designed, constructed, and operated in accordance

with Wis. Admin. Code Ch. SPS 382, 383, and ATCP 72.10(5), and any other restrictions imposed by the County Ordinances.

3. Maximum occupancy of a TRH served by a POWTS shall be limited to residential wastewater design flow calculations of two (2) Persons per Bedroom, or any other technologies, methods, or wastewater design flow estimates approved by Wisconsin Department of Safety and Professional Services (DSPS) in accordance with SPS 382 and 383.
4. Campers, RVs, tents, yurts, or other means of shelter to increase occupancy on the TRH Property are prohibited.

14-4-12. TOURIST ROOMING HOUSE REGULATIONS. In addition to all other applicable laws, every Renter or Person using or occupying any portion of a TRH Property shall comply with the following:

- A. *Fire Extinguisher.* Each Tourist Rooming House shall provide at least one (1) fire extinguisher within the TRH Property. If the extinguisher is not readily visible, one or more signs shall be posted indicating the location of the extinguisher.
- B. *Fireworks.* Fireworks, as defined in Wis. Stat. § 167.10, as may be amended, may not be used or operated on a TRH Property at any time.
- C. *Pets.* Any Renter or Person using or occupying the TRH Property shall comply with all provisions of the County Ordinance No. 4-2-10 and 4-2-11 relating to control of animals. Renters or any other Person using the TRH Property shall maintain control of pets at all times.
- D. *Minimum Parking Requirements.* All guest “off-street” parking must be contained on the TRH property. All guest “on-street” parking is prohibited, unless allowed by the governing entity having jurisdiction over the public road. Private roads, access, easements (including utility) may not be used as parking areas unless expressed written consent is given by all entities which have access to said easement.
- C. *Secondary Habitable Structures.* Will not be allowed for overnight sleeping accommodation unless permitted as such by the Sawyer County Zoning and Conservation Department and meets all other licensing requirements.
- D. *Recreational Burning.* Will be limited to fires contained within a pit or ring and must be at least 25 feet from the property line and any building, structure, or other combustible materials.
- E. *Waste & Recyclables.* Receptacles for waste and recyclables shall be stored in an enclosed structure or secured as to prevent wildlife, vermin, and insects from accessing and must be kept in a leak-proof, non-absorbent containers equipped with tight fitting covers. Containers must be emptied often and cleaned inside and outside regularly.

14-4-13. ENFORCEMENT AND VIOLATIONS.

- A. *Enforcement.* The provisions of this Article IV shall be enforced by the County Health Officer, the County Zoning and Conservation Department, or an appropriate law enforcement body, and each may issue citations for any violations of this Article IV pursuant to Sec. 1-2-3 and Sec. 1-2-4 of the County Ordinances, as may be amended.
- B. *Notice of Violation to Owner and Licensee.* Notice of any violation of the Article IV or other applicable law that is issued to a Person using the TRH Property shall also be delivered to the Owner and Licensee, at the Owner and Licensee's expense.
- C. *Owner Obligations.* An Owner shall be responsible for the conduct of each Person using the TRH Property.
- D. *Penalties.* The following penalties shall be assessed for violations of this Article IV:
 - 1. Any Licensee or Person who operates any establishment, business, or other operation without a valid License required under this article shall be subject to any applicable fees, penalties and processing charges, including, but not limited to, a fee for operating without a License for each day in which the Licensee or Person operates without the required License. Fees, penalties and processing charges shall be determined by the County Health and Human Services Board and may be amended from time to time.
 - 2. In addition to forfeitures listed above, any violation of a provision of this Article IV may result in the suspension or termination of the TRH License.
 - 3. Penalties set forth in this section shall be in addition to all other remedies of injunction, abatement, or costs whether existing under this Article IV or otherwise.
- E. *Other Remedies for any Violation of Applicable Laws.* Nothing in this Article IV shall be construed as prohibiting enforcement of any other applicable law, including but not limited to County Ordinances for public nuisance, public health hazards, or disorderly conduct.
- F. *Calls for Service.* If three Calls for Service are received and verified by (affidavit) the County for any TRH Property within one month, the County Health Officer may initially suspend the TRH License for a period of not more than 35 days during which time the County Health Officer shall determine whether corrective action is needed, whether to commence suspension or revocation proceedings pursuant to Sec. _____, or the TRH License may be reinstated without further action. Five or more Calls for Service within one calendar year may result in the revocation of the TRH License.

14-4-14. DENIAL, SUSPENSION OR REVOCATION OF TOURIST ROOMING HOUSE LICENSE.

- A. *Authority.* The County Health Officer may deny any TRH License application, or suspend or revoke any TRH License issued under this Article for noncompliance with this Article or any other State or local statute, ordinance, rule, regulation, order, or other applicable requirement. All time sensitive mailings, on the part of the Health Department, will be done through the United States Postal Service Certified Mail Return Receipt Requested mail service or personally with signature of delivery.

- B. *Process.* The denial, suspension or revocation of any TRH License under this Article shall follow the process set forth in Sawyer County Ordinance Chapter 14, Article III, Sec. 14-3-12, as may be amended.

14-4-15. EFFECTIVE DATE.

This Article IV shall be effective upon passage and publication as provided by law.

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