



Sawyer County

Agenda

Tourist Rooming House Committee Meeting
Thursday, August 22, 2024 @ 10:00 AM
Sawyer County Board Room

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. PUBLIC COMMENTS

- a. At this time, members of the public will be given the opportunity to address the Committee. Please adhere to the following when addressing the Committee:
 - Comments will be limited to 3 minutes or less per individual.
 - Comments should be directed to the Committee as a whole and not directed to individual Committee members.
 - The Committee 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.

6. CONSIDER APPROVAL OF MINUTES FROM PREVIOUS MEETING

- a. [7.31.24 TRH Minutes DRAFT](#)

7. UPDATE TO COMMITTEE ON CHANGES MADE TO THE DRAFT

3 - 4

ORDINANCE BASED ON MEMBER FEEDBACK - GINNY CHABEK

8. DRAFT ORDINANCE (DISCUSSION AND POSSIBLE ACTION)

- a. [TRH Draft Ordinance 8.22.24 Update](#)

9. ONGOING PUBLIC EDUCATION & PARTICIPATION ON THE ROLLOUT

- Lake Associations' Role

10. FOLLOW-UP MEETING DATE - IF REQUIRED

11. CORRESPONDENCE, REPORTS FROM CONFERENCES AND MEETINGS

12. ADJOURNMENT

DISCLAIMER:

A quorum of the County Board of Supervisors or of any of its committees may be present at this meeting to listen and observe. Neither the Board nor any of the committees have established attendance at this meeting as an official function of the Board or committee(s) or otherwise made a determination that attendance at the meeting is necessary to carry out the Board or committee's function. The only purpose for other supervisors attending the meeting is to listen to the information presented. Neither the Board nor any committee (other than the committee providing this notice and agenda) will take any official action with respect to this noticed meeting.

Copy sent via email to: County Clerk and News Media. Note: Any person wishing to attend whom, because of a disability, requires accommodation should call the Sawyer County Clerk's Office (715.634.4866) at least 24 hours before the scheduled meeting so appropriate arrangements can be made.

Mission Statement: The Sawyer County Board of Supervisors will strive to provide excellent services and responsible leadership to protect and enhance Sawyer County citizens, businesses, and resources, while preserving our unique heritage.

**Minutes of the July 31, 2024 meeting of the Sawyer County
Tourist Rooming House Sub Committee
Board; Sawyer County Courthouse/Virtual**



Voting Committee Members Present (X)

- ☒ Ginny Chabek – Chair Y Y
- ☒ Phil Nies – Vice Chair Y Y
- ☒ Tweed Shuman Y Y
- ☒ Stacey Hessel Y Y
- ☒ Marshal Savitski N Y
- ☐ Jim Tiffany - excused
- ☐ Jon Vollmers
- ☒ Cheryl Treland N Y
- ☒ DJ Damanske N Y
- ☒ Martin Hanson N Y
- ☒ Ryan Cari – virtual – left @ 11:40 am
- ☒ Laura Rusk N Y

Others Present

- ☒ Lynn Fitch
- ☒ Jay Kozlowski - virtual
- ☒ Eric Wellauer – left the meeting at 11:06 am
- ☒ Matt McKay
- ☒ Julia Lyons
- ☐ Doug Mrotek
- ☒ Andy Albarado
- ☒ Brian DeVries – left the meeting at 11:14 am
- ☐ 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, Debra Sira (sp), Jean Gillner, Brian Gillner, Kevin Kroll, Chris Bedwell, Doug Kurtzweil, Jim Bassett, Barbara Bolitho

Minutes from the previous meeting dated: March 28, 2024

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

Brief Introduction of Ad Hoc Committee Members --

Members at the table introduced themselves as well as those online.

Brief Update/Review of Ad Hoc Committee Process so Far --

Ms. Chabek provided a recap of the motions that were made at previous meetings. The WCA draft ordinance is now being based off of zoning ordinances and the timing is open-ended. Updates to the last revision of the proposed ordinance were mentioned. The new version defines the process and defines capacity based on state statutes. Reviews of other ordinances were considered in the development of the draft. When the original process was started years ago, the County had 50 TRH units and today there are 599, a drastic growth. The 4/9/24 draft is the last copy that had been considered and the most current version from July is the one being considered for review today. Ms. Hessel left the room at 10:48 and returned at 10:51 am.

FAQ Document and Data --

Mr. Albarado reviewed the DATA education piece that was included in the packet. Owner demographics, a graph of TRH growth, a breakout by municipality, volume of TRH's within the state, among other charts were included. Sawyer County is the third from the top in the list of counties within the State of Wisconsin having TRH units. A chart of

county ordinance/standards was also included along with an FAQ document. Mr. Shuman left the room at 11:01 am and returned at 11:03 am.

Updated Draft Ordinance --

Mr. McKay verbally reviewed the changes that were made in the revised version of the ordinance.

Next Steps --

A motion was made by Mr. Shuman to approve the revised version of the draft ordinance and send on to HHS for a public hearing; second by Ms. Hessel. Several recommendations for edits to consider were mentioned by committee members during the discussion period including requiring a sign providing contact information of the owner/agent. A roll call vote was taken and failed 4-5 with "yes" votes from Shuman, Hessel, Nies, and Chabek; "nay" votes from Savitski, Treland, Rusk, Hanson, Damanske.

A motion was made by Ms. Treland to take into consideration the requests that were made during discussion and provide a revised version to HHS staff; second by Mr. Hanson. A roll call vote was taken and carried without negative vote.

Future Agenda Items --

Adjournment -- 11:55 pm

Next Meeting: August 22, 2024

Time: 10:00 am

Location: Board Room

Minutes recorded by Lynn Fitch, County Clerk

**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. ATPC 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 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. ATPC 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. *Posting of License.* Owner shall post current license(s) issued by Sawyer County Health & Human Services in a place visible to guests.

C. *Required signage* - A placard approximately 8 x 10 inches in size shall be placed at the junction of the main driveway and adjoining street. The sign must contain the name and contact information of the Owner or Owner's Agent, the License Number, and approved occupancy of the TRH. The signage is not required to be displayed when the owner is not operating the property as a rental.

D. *Notification to Neighboring Properties.*

1. Owner shall provide, by **certified** mail to each owner of real property within **200** feet of the perimeter of the TRH Property, the following information:
 - a. Address of the TRH Property.
 - b. TRH License number.
 - c. 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 **200** feet of the perimeter of the TRH Property within ten days of such change.
3. The Owner shall provide, upon request by Sawyer County Health Officer, a **copy of the letter and list of all notification sent to neighboring properties.** Failure to provide said **letter/list** of notifications 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, plus two (2) 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

08/22/24 MM

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. Three ~~Five~~ or more Calls for Service within ~~three months~~ ~~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.

08/22/24 MM

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.

C. *Revocation of a License.* Sawyer County Health & Human Services shall provide notification to each owner of real property within 200 feet of the perimeter of a TRH Property should a TRH license be revoked.

14-4-15. EFFECTIVE DATE.

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

DRAFT