

Richland County Natural Resources Standing Committee

May 30, 2024

NOTICE OF MEETING

Please be advised that the Richland County Natural Resources Standing Committee will convene on Monday, June 3, 2024 at 9:30 AM in the Richland County Board Room of the Courthouse at 181 West Seminary Street, Richland Center, WI 53581.

Information for attending the meeting virtually (if available) can be found at the following link:

<https://administrator.co.richland.wi.us/minutes/natural-resources-committee/>

If you have any trouble accessing the meeting, please contact MIS Director Barbara Scott at 608-649-5922 (phone) or barbara.scott@co.richland.wi.us (email).

Amended Agenda

1. Call To Order
2. Roll Call
3. Verification Of Open Meetings Law Compliance
4. Approval Of Agenda
5. Approval Of Minutes From May 6, 2024 Meeting
6. Public Comment
7. Reports
 - A. Zoning Administrator – Departmental Activities & Projects
 - B. County Conservationist – Departmental Activities & Projects
 - C. UW-Extension – Departmental Activities & Projects
8. Zoning Petitions
 - A. Wanek
9. Discussion: Dark Skies Project Update
10. Discussion: Board Of Adjustment Members
11. Discussion & Possible Action: Short-Term Rental Ordinance
12. Discussion & Possible Action: Selection Of Representatives To The Southern Area Association Of Land Conservation Committees
13. Correspondence
14. Future Agenda Items
15. Adjourn

A quorum may be present from other Committees, Boards, or Commissions. No committee, board or commission will exercise any responsibilities, authority or duties except for the Natural Resources Standing Committee.

Derek S. Kalish
County Clerk

Richland County

Natural Resources Standing Committee

May 6, 2024

The Richland County Natural Resources Standing Committee convened on Monday, May 6, 2024 in person and virtually at 3 PM in the County Boardroom of the Richland County Courthouse.

Call To Order: Committee Chair Carrow called the meeting to order at 3 PM.

Roll Call: Clerk Kalish conducted roll call. Committee members present: Carrow, Gill, Woodhouse, Fleming, Brookens, and Hendricks (joined 3:20). Committee member(s) absent: McKee.

Verification Of Open Meetings Law Compliance: Clerk Kalish confirmed the meeting had been properly noticed.

Approval Of Agenda: Motion by Fleming second by Gill to approve agenda. Motion carried and agenda declared approved.

Approval Of Minutes From April 1, 2024 Meeting: Motion by Fleming second by Carrow to approve April 1, 2024 minutes. Motion carried and the April 1, 2024 minutes declared approved.

Public Comment: None present for Public Comment.

Zoning Administrator Report: LTE Zoning Administrator Matthew Albright provided a brief overview of the Zoning Department's functions and staffing levels.

County Conservationist Report: County Conservationist Cathy Cooper provided a brief overview of the Land Conservation Department's functions, staffing levels, and recent departmental activities.

UW-Extension Report: Area Extension Director Adam Hady provided a brief overview of UW-Extension's role/responsibilities, partnerships/relationships, staffing levels, programming, and activities within the county.

Zoning Petitions – Winchel/Breining (tabled from April 1, 2024): LTE Zoning Administrator Albright reviewed petition and pertinent background information regarding the petition. Fleming requested it be noted in the minutes that trees will be located on the south side of the mine and inquired about the timing of blasts. Chair Carrow advised committee members to review the non-metallic mining ordinance and inquired about the lifetime of the mine. Carrow inquired about bonding and County Conservationist provided an answer. Motion by Fleming second by Woodhouse to approve petition for non-metallic mining permit. Motion carried and petition for non-metallic mining permit declared approved.

Zoning Petitions – Gebhart: LTE Zoning Administrator Albright reviewed petition and pertinent background information regarding the rezone request. Albright noted the purpose of the rezone request is to bring the property into proper zoning conformity. Motion by Gill second by Fleming to approve zoning petition. Discussion continued. Carrow requested a modification to the notice of zoning petition form. Motion carried and Gebhart zoning petition declared approved.

Richland County Natural Resources Standing Committee

Discussion & Possible Action – Setting Future Meetings Time: County Conservationist Cooper reviewed upcoming 2024 meeting schedule. Motion by Fleming second by Carrow for regularly scheduled Natural Resources Standing Committee meetings to be held at 9:30 AM on the 1st Monday of the month in the County Board Room. Motion carried.

Correspondence: None.

Future Agenda Items:

Cooper: Determine representative and alternate for Southern Area Association.

Albright: Possible review of short-term rental ordinance

Adjourn: Motion by Fleming second by Gill to adjourn. Motion carried and meeting adjourned at 4:10 PM.

A handwritten signature in black ink, appearing to read "Derek S. Kalish", with a long horizontal flourish extending to the right.

Derek S. Kalish
County Clerk

From: [Kelli Myers](#)
To: countycons@wisconsinlandwater.org
Subject: Fwd: You're Invited - LCC Training
Date: Tuesday, May 7, 2024 4:11:02 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello all,

The following message has been sent out to the LCC listserv, but I wanted to forward it along to you as well so that you can share this information with your LCCs who don't have email or who don't check it regularly.

There are 5 opportunities to attend this training in June. Some of these opportunities are partnered with Area Association meetings either beforehand or following the training but any LCC from any area can attend the 2 hour training portion of the day for whichever date/location works best for them. LWCD staff are also welcome to attend and participate in the training.

Best,
Kelli

----- Forwarded message -----

From: **Kelli Myers** <kelli@wisconsinlandwater.org>
Subject: You're Invited - LCC Training
To: <lcc-supervisors@wisconsinlandwater.org>

Hello,

You are invited to attend a training to learn more about the roles and responsibilities of the land conservation committee. We hope you'll join us for this interactive training that aims to cover what conservation looks like at the county level, what the roles of the Land Conservation Committee and the Land and Water Conservation Department are, and the importance of LCCs and staff working together.

This training will feature opportunities to hear directly from other LCC members and Land and Water Conservation Department leadership. New "LCC Handbooks" will also be distributed.

New and returning supervisors are encouraged to attend. County land conservation staff are also welcome to participate!

The training will be offered across 5 locations in the state on different dates. Some of these dates are partnering with local Area Association meetings happening before or after the LCC Training. **Any LCC member is welcome to attend whichever training session works best with their schedule.**

The links to register for any one session are available as follows:

[June 7th - Green Bay](#)
[June 14th - Hayward](#)
[June 18th - Sparta](#)
[June 26th - Wausau](#)
[June 28th - Jefferson](#)

We hope to see you at one of the June training sessions!

--

Kelli Myers

Wisconsin Land+Water
Conservation Training and Membership Services Manager

608-441-2677 ex:409 | kelli@wisconsinlandwater.org



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Kelli Myers
Wisconsin Land+Water
Conservation Training and Membership Services Manager

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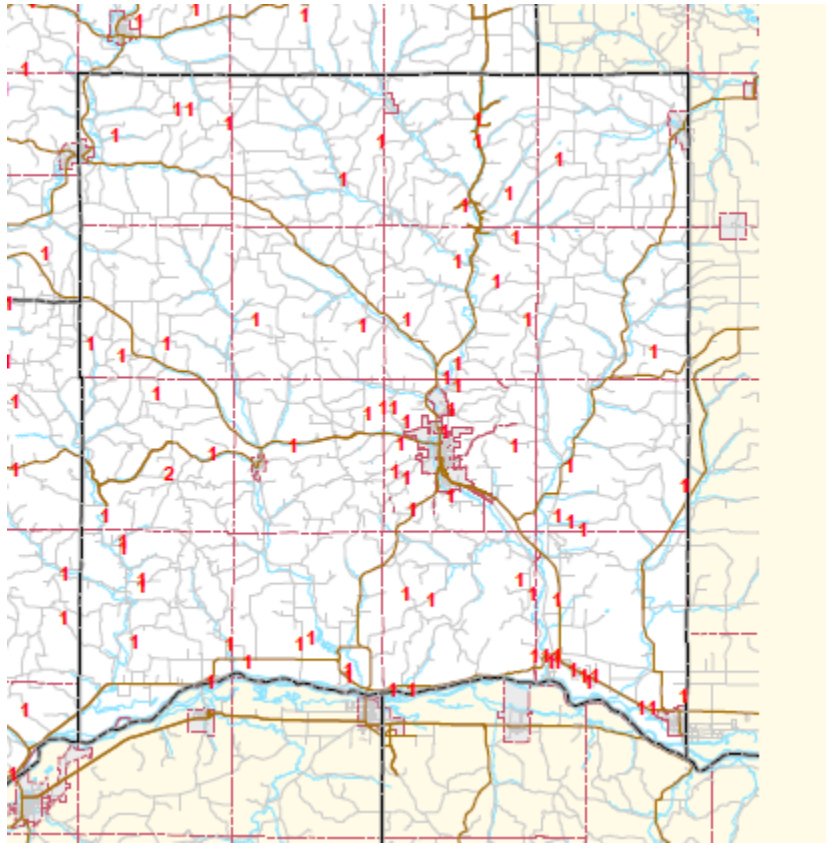
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You received this message because you are subscribed to the Google Groups "County Conservationists" group.

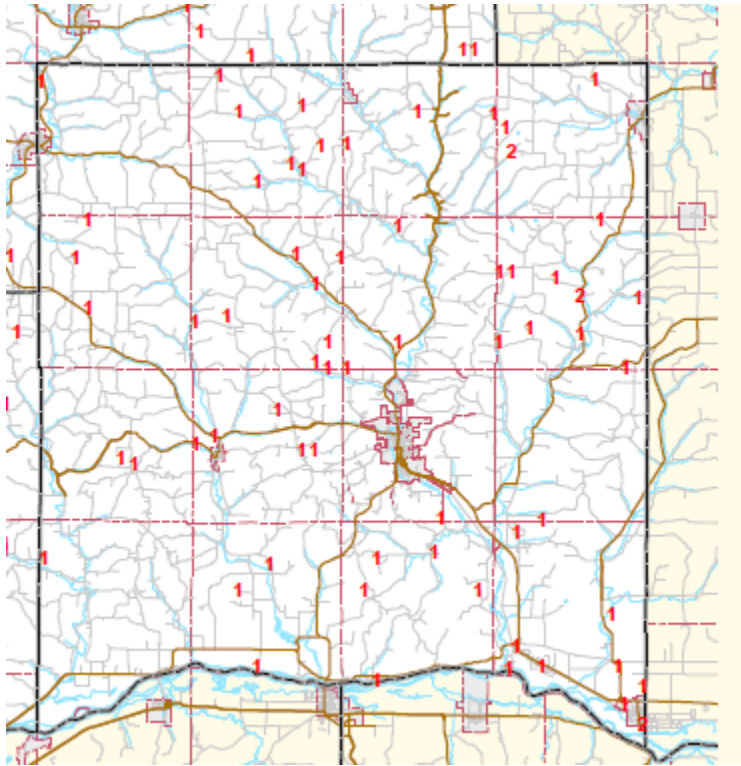
To unsubscribe from this group and stop receiving emails from it, send an email to countycons+unsubscribe@wisconsinlandwater.org.

To view this discussion on the web visit

<https://groups.google.com/a/wisconsinlandwater.org/d/msgid/countycons/CABHJjLxCc37rBMrqEt6ytd8-bLfzSRbxoK5i%3DVsC0G69fQ4GEA%40mail.gmail.com>.



October 2020



April 2021

Spring Well Testing Results

The Driftless Area Water Study of Crawford, Richland and Vernon counties just conducted its second round of private well-water testing to gather data on the quality of drinking water in these counties. Richland County tested 68 wells. The counties worked with the UW-Stevens Point Center for Watershed Science and Education to coordinate the private well-testing project. Participating homeowners were asked to collect their water samples on the morning of April 19th and take them to one of the drop off sites. The samples were all taken to the Water and Environmental Analysis Lab in Stevens Point early the next morning. The testing was conducted that day. Results have been mailed out to the participants.

RICHLAND COUNTY SPECIFICS: There are approximately 4, 175 private wells in Richland County. Letters were sent to 400 randomly chosen well owners, asking for their participation in this sample collection. The first 85 to respond and pick up vials were allowed to participate. There were 68 that actually returned samples for testing. The cost of the testing was \$55 and it was paid for by Richland County Land Conservation department.

In Richland County, of the 68 well samples collected, 8% of them testing greater than 10 mg/L nitrate-nitrogen, 3% tested positive for coliform bacteria with 1 testing positive for E. coli bacteria. Nitrate-nitrogen above 10 mg/L can pose health risks if consumed by infants, pregnant women and women trying to become pregnant. Routine coliform bacteria testing can be used as an indication of whether a well is capable of producing sanitary or bacteria safe water. The presence of E. coli in a water sample is conclusive evidence of fecal contamination in the well. Source tracking was not conducted as part of this project so the sources of E. coli are not known.

Richland

Nitrate (mg/L as N)

	Number	%
None Detected	14	21%
<= 2.0	24	35%
2.1 -5.0	14	21%
5.1-10.0	10	15%
10.1-20.0	5	7%
>20.0	1	1%

Average: 3.4 for 68 Samples

Coliform Bacteria	2	3%
E. Coli Positives of the Coliform pos.	1	50%

Richland

Fall 2020

Spring 2021

Nitrate (mg/L as N)

	Number	%	Number	%
None Detected	13	16%	14	21%
<= 2.0	32	41%	24	35%
2.1 -5.0	15	19%	14	21%
5.1-10.0	8	10%	10	15%
10.1-20.0	8	10%	5	7%
>20.0	3	4%	1	1%

Average:

4 for 79 samples

3.4 for 68 samples

Coliform Bacteria

25 32%

2 3%

E. Coli Positives

of the Coliform pos.

1 4%

1 50%

https://gissrv3.uwsp.edu/webapps/gwc/pri_wells/

RECEIVED

ck 8683

Customer #	1776	COUNTY OF RICHLAND ZONING COMMITTEE NOTICE OF PETITION
Petition #		

(I) (We)	First Name(s)	Frank	Last Name	Wanek	Phone	608-531-1008
Address	33760 Wanek Ln		City	Blue River	State	WI Zip 53518
First Name(s)		Last Name		Phone		
Address		City		State	WI	Zip

hereby petition the Richland County Zoning Committee for a:

<input checked="" type="checkbox"/> Rezone from	Ag Forest	Rezone to	Ag Residential
<input type="checkbox"/> CUP to permit			
<input type="checkbox"/> SUP to permit			
<input type="checkbox"/> Other			
Authorized by Section(s)	of the Richland County Zoning Ordinance.		

Present description of the property involved in this petition is as follows:

Parcel #	024-3314-2000												
Qtr	SE	Qtr	NE	Section	33	Town	9N	Range	2W	Township	RWD	# of acres	14.46
Lot		Block		Subdivision		# of Acres Approved							

Present Use	Ag Land
Present Improvements	None
Proposed Use	Sell 14 acre parcel to family - already existing as ag forest
Legal Description	

Petition Filed	5/20/24	Petitioner Notified		Rezone Decision		Ordinance #	
Catagory	Rezoning	Town Notified		CUP Decision		CB Date	
Fee Amount	\$500.00	<input type="checkbox"/> Township Approval		CUP Expires		CB Decision	
Meeting Date	6/3/24	Decision Date		SUP Decision		Amendment #	

Comments		County Clerk Approval
(Signed) Appellant(s) or Agent(s)	Frank J Wanek	

MAY 13, 2024

Regular Monthly Meeting Minutes For The Town Of Richwood

The meeting was called to order by Chairman Jesse Zimpel at 6:30 pm

All joined in the Pledge of Allegiance.

Present: Chairman: Jesse Zimpel, Supervisors: Ed Chitwood, Ron Georgeson, Jim Kratochwill and Lyle Williams. Treasurer: Christy Ritchie. Clerk: Carol Welsh

Proof of Posting: The notice for the meeting was published in the Boscobel Dial and posted at The Port, town hall and town shop. Motion to approve made by Jim Kratochwill, seconded by Lyle Williams. Motion carried.

April regular meeting minutes were read. Motion to approve made by Jim Kratochwill, seconded by Ron Georgeson. Motion carried.

Patrolman's Report: The gravel, etc will be delivered the week of June 3rd. Spring clean-up went well, we will not be able to collect microwaves any longer, no one will take them. Town & Country will take them at \$50 each. The Ford is repaired, left manifold only so cost was less. Larry will be gone Thurs through Sun, Tyler will be available to help if needed.

Treasurer's Report: By Christy

Beginning Balance April 1, 2024	\$206,696.05
April Deposits	+191,991.47
April Cleared Checks	-25,624.47
Outstanding Checks	-2,119.19
April 30 Township Balance	\$178,952.69

Motion to approve made by Jim Kratochwill, seconded by Ron Georgeson. Motion carried.

Clerk's Report: Reviewed the Budget Summary for the month The AAPR report for the recovery funds has been filed, All the funds have been now spent with the balance being applied to the fire truck cost. Motion to approve made by Jim Kratochwill, seconded by Lyle Williams. Motion carried.

Old Business: None at this time.

New Business: Millard Miller was present to explain his intentions. He and his wife Katey are purchasing the Rodney Martin property along with her sister and brother-in-law. They are dividing the property. The closing is May 30th. He is applying to the DNR and want to put in a separate driveway through a low area. He has contacted Lepke's. He would put in a 12" rock base and then gravel. The board informed him that he would need culverts. He will come back to a meeting after getting a consent from the DNR. No action was taken.

Frank Wanek was present requesting permission from the township to sell 14 acres to family. He needs the township consent to proceed to the county for a variance. After discussion a motion was made by Jim Kratochwill to approve Frank's request, seconded by Ron Georgeson. Motion carried,

Our assessor Derek Flansburgh has presented his contract for 2024 by email for approval. His fee will be \$5000 plus expenses. After review Jim Kratochwill made a motion to approve, seconded by Ron Georgeson. Motion carried.

Open Discussion: Ed Chitwood requested the township take steps to prevent the spread of poison parsnip.

Motion made by Jim Kratochwill to pay the bills, seconded by Lyle Williams, Motion carried.

Motion made by Jim Kratochwill to adjourn, seconded by Lyle Williams. Motion carried

Meeting adjourned at 7:10 pm

Carol Welsh, Clerk

Name	Title	Address	City	State	Zip
Michael D Hanson Irrevocable Trust		12344 County Hwy M	Blue River	WI	53518
Perkins Farms LLC		1255 Arbor Ln	Richland Center	WI	53581
Dean III Revocable Trust		18319 State Hwy 60	Blue River	WI	53518
Jeremy J & Stephanie A Wanek		33822 Buckeye Ln	Blue River	WI	53518
Cody J Bedward & Chelsea A Wanek-Bedward		33896 Buckeye Ln	Blue River	WI	53518
James L Godfrey		33692 Buckeye Ln	Blue River	WI	53518
Carol Welsh	Richwood Township Clerk	10583 Twin Springs Rd	Blue River	WI	53518
Steve Williamson	Supervisory District 17	17998 State Hwy 60	Blue River	WI	53518

33760



Show search results for 33760

STATE HWY 60

Legs-4C

STATE HWY 60

Parcels: 02433142000

GIS Acres: 14.46

Owner: FRANK L & KATHY L WANER

Address:

Tax Information

Click for More Info



Zoom to

STATE HWY 60

Legs-4C

STATE HWY 60

CROSSROADS DR

SAND PRAIRIE SCHOOL DR

Legs-4C

STATE HWY 60

WANER LN

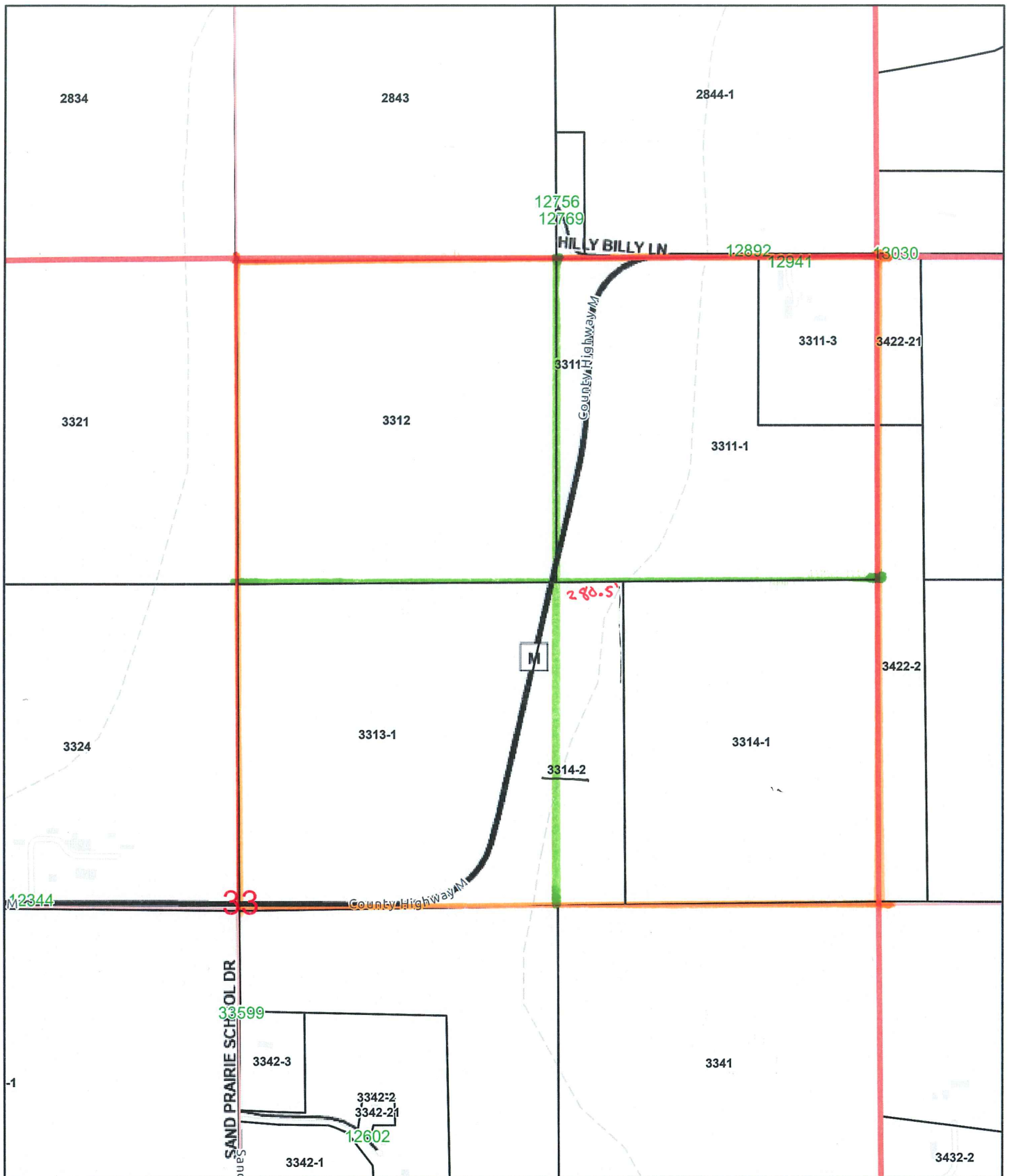
STATE HWY 60

Legs-4C

STATE HWY 60

STATE HWY 60

Richland Public GIS Map



6/3/2024, 9:02:40 AM

- Municipalities
- Sections
- Section Quarter Quarters
- Roads
- Town Roads
- County Highway

1:9,028
0 0.05 0.1 0.2 mi
0 0.07 0.15 0.3 km
Esri Community Maps Contributors, Iowa DNR, © OpenStreetMap, Microsoft, Ed. Tomlin, Google, GeoCock, Contributors, Inc. METI/MAA

View Real Estate Property

Property #: 024-3314-2000

Tax Year: 2024

Bill Number: 0

Current Owner: WANEK, FRANK L & KATHY L

Property Address:

- General
- Legal
- Values
- Taxes
- Special
- Extras

Legal Description

S 1/2 NE 1/4 W280.5' OF
SE1/4NE1/4; E OF CTRLN OF
ROAD IN SW1/4NE1/4

Acres *

15.000

Area (sq ft) *

0.000

Frontage (ft) *

0.000

Depth (ft) *

0.000

Property Descriptions

Primary	Section	Town	Town Dr	1/2	Range	Range Dir
<input checked="" type="checkbox"/>	33	09	N		02	W

Property Addresses

Primary	House #	1/2	P.D.	Street Name	Street Type	S.D.
---------	---------	-----	------	-------------	-------------	------

No records found

Wisconsin has adopted the 2015 International Energy Code Paragraph C405.2.5 requires controls and in part states: "...1. Be provided with a control that automatically turns off the lighting as a function of available daylight. 2. Where lighting the building façade or landscape, the lighting shall have controls that automatically shut off the lighting as a function of dawn/dusk and a set opening and closing time. 3. Where not covered in Item 2, the lighting shall have controls configured to automatically reduce the connected lighting power by not less than 30% from not later than midnight to 6 a.m., from one hour after business closing to one hour before business opening or during any period when activity has not been detected for a time of longer than 15 minutes. All time switches shall be able to retain programming and the time setting during loss of power for a period of at least 10 hours."

An excellent resource for more information about outdoor lighting can be found at the link: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/residentialbusiness-lighting/>

Examples of

Bad vs Good Outdoor Light Shielding

Bad



Light bulb is visible

Good - There are many styles of full cutoff fixtures to choose from - these are just examples.



Light bulb is concealed by top shade

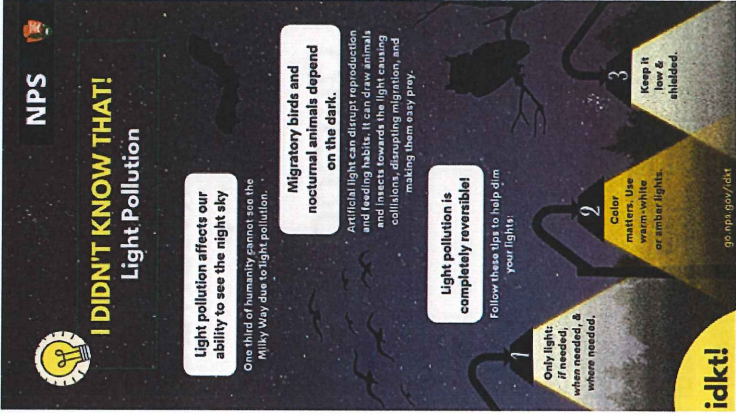
Recommendations for Outdoor Lighting

Outdoor lighting has changed dramatically with the proliferation of Light Emitting Diode (LED) fixtures. Excessive light from the new fixtures are having a major negative impact on the night skies and there is growing evidence of negative impacts on wildlife and even human health



Image Courtesy of Grand County and Moab, Utah





We encourage you to select outdoor lighting that is energy and cost efficient, protects wildlife, and promotes the goal of dark night skies. These choices are critical today because we will be living with them for a generation.

“...as light pollution spreads, we are slowly losing one of the oldest and most universal links of all human history.”

—Peter Lipscomb, Santa Fe Astronomer

Best practices to accomplish this are as follows. We encourage you to share this with your electrical contractor when selecting fixtures and to ensure you have the appropriate wiring for controlling the fixtures.

- Always choose fully shielded fixtures that direct light down to the area where it's needed, provide effective night lighting, but don't send glare to the neighbors or to cars driving by. These are also known as “full cutoff” and “dark sky” fixtures

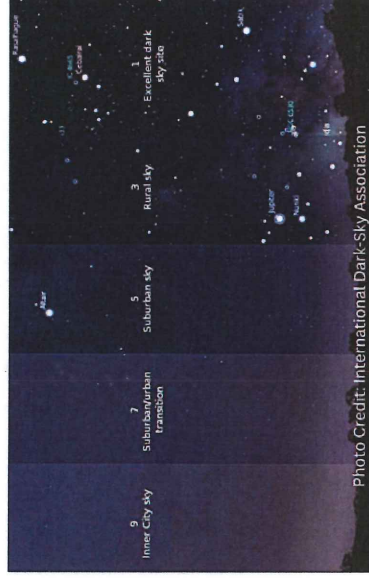


Photo Credit: International Dark-Sky Association

- Use only “warm-white” LEDs with Color Temperature (CCT) of 2700 K or 3000 K (K is degrees Kelvin)

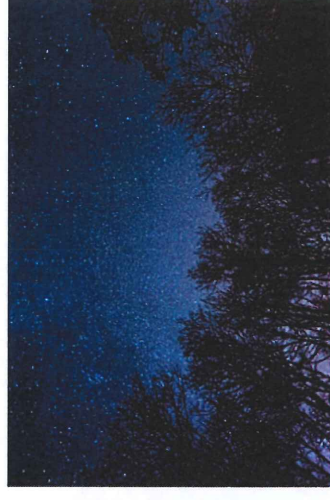
- Look for products that are capable of being dimmed.

- Consider dimming, using motion sensors or turning off lights during overnight hours.

Note that for commercial projects this is a state energy code requirement.*

- Avoid the temptation to over-light because of the higher efficiency of LEDs.

- Only light the exact space and in the amount required for particular tasks.



Ordinance **XXX**. Short-Term Rentals

§ XXX-1. Purposes.

The purposes of this ordinance are to ensure that the quality of short-term rentals operating within the County is adequate for protecting public health, safety and general welfare by establishing:

- a. minimum standards of space for human occupancy and parking
- b. adequate level of maintenance
- c. the responsibilities of owners and property managers operating or managing these rental properties for tourists or transient occupants

In addition, it is the intent of this ordinance to determine the responsibility of owners/property managers to expeditiously and personally respond to, stop, mitigate, or prevent the reoccurrence of unreasonable activities on, or conditions, uses or misuses of, these rental properties which adversely impact or substantially annoy, disturb, threaten, harm, offend or interfere with the residential uses, nature or values of other properties in the neighborhoods in which these rental properties operate.

§ XXX-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

DWELLING UNIT

One or more rooms designed, occupied, used, or intended to be occupied or used, as separate living quarters, with a food preparation area and sleeping and sanitary facilities provided within such room(s).

ENTITY

A corporation, investment company, limited partnership, limited-liability partnership, limited-liability company, cooperative association, unincorporated cooperative association, common law trust, or any other group or organization licensed to do business in this state.

LAND AND ZONING STANDING COMMITTEE

Committee of the Richland County Board of Supervisors with oversight of the Zoning Department and responsible for due process for appeals. Also referred to as Committee.

LICENSE

The short-term rental license issued under § XXX-4 will be valid for 2 years.

2 YEAR LICENSE

License Duration. Each permit shall expire on June 30, except that licenses initially issued during the period beginning April 1 and ending on June 30 shall expire on June 30 twenty-four two (2) years later. Example: license issued April 1, 2024 would expire June 30, 2026.

OCCUPANT

Any person, over one year of age, living, sleeping, cooking or eating in, or having actual possession of, a dwelling unit.

PERSON

An individual, group of individuals, or an entity.

PROPERTY MANAGER

Any person who is not the property owner and is authorized by the property owner, expressly or impliedly, to act as agent and as the local contact person on behalf of the property owner for one or more short-term rental, and to take remedial action and promptly respond to any violation of this chapter.

PROPERTY OWNER

The owner of a short-term rental.

RENEWAL LICENSE

Any license issued under this Ordinance after the initial 2-year license has expired.

SHORT-TERM RENTAL

The rental of a tourist rooming house for a period of twenty-nine (29) consecutive days or less.

TOURIST ROOMING HOUSE

All lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists or transients. It does not include private boarding or rooming houses not accommodating tourists or transients, or bed and breakfast establishments regulated under Ch. ATCP 73, Wis. Admin. Code.

ZONING ADMINISTRATOR

Richland County Zoning Department employee or designee that is responsible for issuing licenses and renewals.

§ XXX-3. Operation of short-term rentals. Each short-term rental shall comply with this chapter's requirements and any other applicable state, county or local laws, codes, rules or regulations. Each short-term rental shall comply with the following standards:

- A. No person may maintain, manage or operate a short-term rental more than 10 nights each license year without a short-term rental license. Every short-term rental shall be operated by a property owner or property manager.
- B. Each short-term rental property owner is required to have the following licenses:
 - (1) A state of Wisconsin tourist rooming house license. Information can be found at https://datcp.wi.gov/Pages/Programs_Services/TouristRoomingHouses.aspx
 - (2) A license from Richland County issued pursuant to this ordinance.
- C. Each short-term rental shall comply with all of the following:

- (1) The number of occupants in any dwelling unit shall not exceed the limits set forth in Wis. Admin. Code § ATPC 72.14 for hotels, motels, and tourist rooming houses. Add language about septic capacity, what should be allowed SPS 383
- (2) No recreational vehicles (RVs), campers, tents or other temporary lodging arrangements shall be permitted on site as a means of providing additional accommodations for paying guests or other invitees. Exceptions can be made if septic is appropriately sized to handle additional guests.
- (3) If the property owner resides within 60 miles of the short-term rental property, a local property manager is not required to be designated. The property owner shall be available between the hours of 8:00 a.m. and 11:00 p.m. on those days when the property is rented. The property owner must notify the Zoning Administrator within three business days of any change in the property owner's contact information and submit the revised contact information to the Zoning Administrator within the same time period.
- (4) Unless the property owner resides within 60 miles of the short-term rental property, a local property manager must be designated for contact purposes and his or her name must be included in the application filed with the Zoning Administrator. The local property manager must reside within 60 miles of the short-term rental property and shall be available between the hours of 8:00 a.m. and 11:00 p.m. on those days when the property is rented. The property owner must notify the Zoning Administrator within three business days of any change in the property manager's contact information for the short-term rental and submit the revised contact information to the Zoning Administrator within the same time period.
- (5) Must have designated parking that abides by all laws.
- (6) Applicant is required to display county license number on any advertising or on-line reservation system.

§ XXX-4. Short-term rental license. A license is required for each individual unit of rental. Follow DATCP procedure. Discuss further. Ask datcp

- A. The Zoning Administrator shall issue a short-term rental license if an applicant demonstrates compliance with the provisions of Richland County Ordinance XXX. A short-term rental license is issued for two years and may be renewed biennially as provided in § XXX-6. The license shall contain the following information:
 - (1) The name of the property owner, with contact information including mailing address and a telephone number at which the property owner is available. If the property owner is also acting as the property manager, then the requirements of Section 3 Subsection C (3) shall apply to the property owner.
 - (2) The name of the property manager, with contact information, including mailing address, physical address (if different from mailing address) and a telephone number

at which the property manager shall be available between the hours of 8:00 a.m. and 11:00 p.m. on those days when the property is rented.

- (3) Description of the property and maximum occupancy allowed.
- (4) The license term.
- (5) The state of Wisconsin tourist rooming house license number.

§ XXX-5. Short-term rental license procedure.

- A. All applications for a short-term rental license shall be filed with the Zoning Administrator on forms provided by the Administrator. Applications must be filed by the property owner or the property manager. No license shall be issued unless the completed application form is accompanied by payment of the required application fee, which fee shall be nonrefundable.
- B. Each application shall include the following information and documentation for each short-term rental unit in order to demonstrate compliance with all requirements of this chapter, including, but not limited to, § XXX-8:
 - (1) The name of the property owner, with contact information including mailing address and a telephone number at which the property owner is available. If the property owner is also acting as the property manager, then the application shall include mailing address, physical address (if different from mailing address) and a telephone number at which the property owner shall be available between the hours of 8:00 a.m. and 11:00 p.m. on those days when the property is rented. Including a brief description of the unit and maximum occupancy allowed.
 - (2) A copy of a most recent completed State Lodging Establishment Inspection form.
 - (3) A copy of the state of Wisconsin tourist rooming house license issued under Wis. Stats. § 97.605; or proof that such state license has been applied for, in which event a provisional short-term rental license may be issued under this chapter for a period of 30 days but shall be conditioned upon the Zoning Administrator's receipt of a copy of such state license from the applicant within said thirty-day period, and if a copy of such state license is not received by the Zoning Administrator within said period, then such provisional license shall expire and be void at and after the end of said thirty-day period.
 - (4) Designation of a property manager, unless the property owner is acting as the property manager, with contact information, including mailing address, physical address (if different from mailing address) and a telephone number at which the property manager shall be available between the hours of 8:00 a.m. and 11:00 p.m. on those days when the property is rented, and an affirmative statement that the property manager is authorized to act as agent and as the local contact person for the property owner with respect to operation of the short-term rental, including taking

remedial action and promptly responding to any violation of this chapter or the County Ordinance relating to the licensed premises, and receiving service of notice of violation of this chapter's provisions.

- (5) Written certification by the property owner that the short-term rental meets the requirements of this chapter and applicable state and county laws, ordinances and regulations.
 - (6) Written certification by the property owner that the short-term rental meets the requirements of this chapter and applicable state and county laws, ordinances and regulations.
- C. Unless earlier revoked, each license period shall run from July 1 of one year to June 30 of the second year and may be renewed for additional two-year periods. The application fee shall be paid upon filing of the application. Any application that does not include all of the information and supporting documentation required by this chapter shall not be considered as complete.
- D. When the Zoning Administrator determines that an application is complete and meets the requirements of this chapter, the Zoning Administrator shall approve the application and issue a short-term rental license (or, if applicable, a provisional short-term rental license) to the applicant. If the Administrator determines that the application is incomplete or does not meet the requirements of this chapter, the Administrator shall deny the application and inform the applicant, in writing, of the reason(s) why the application was denied and what action is needed to obtain approval of the application.
- E. If the short-term rental property has outstanding fees, taxes, special charges or forfeitures owed to Richland County this may be a factor in whether or not the application will be approved. The Zoning Administrator may refuse to issue or renew a short-term rental license for any property or owner-applicant that has violated this Chapter any time within a period of twelve (12) months prior to the date of the permit application or if the property has had three (3) or more calls for law enforcement services in a twelve (12) month period.
 - (1) No short-term rental license (or, if applicable, a provisional short-term rental license) shall be issued if the applicant or short-term rental property is found to be subject to one of the grounds for revocation as provided in § XXX-9D (check reference).
- F. A short-term rental license is nontransferable and shall expire upon a transfer of legal control of the tourist rooming house property. The holder of any permit or license shall promptly notify the Zoning Administrator in writing of any transfer of the legal control of any property covered by the permit. A transfer of property to an entity or trustee shall not be considered a transfer of legal control as long as the owner(s) continue to have majority control of the entity or are trustees of the trust with control of the property; however, such new form of ownership shall be identified on any permit renewal application after such transfer. No refunds will be issued.

§ XXX-6. Biennial Renewal.

- A. Each application for renewal of a short-term rental license shall include updated information for the documentation on file with the Zoning Administrator, and payment of the renewal fee. A renewal application must be filed with, and a nonrefundable renewal fee must be paid to, the Zoning Administrator at least 90 days prior to the license expiration date to allow the Administrator adequate time to review the application. The Administrator shall determine whether the information provided in the renewal application is complete and meets the requirements of this chapter. The Administrator may also request reports from the Building Inspector, the Sheriff's Department and other law enforcement agencies regarding any enforcement actions taken with respect to the short-term rental properties and operations, and their owners, tenants, occupants or visitors.
- B. The Administrator shall review the renewal application and may approve or deny the application after taking into consideration the number, frequency and/or severity of law violations relating to the short-term rental property and operations, and its owner(s), tenant(s), occupant(s) or visitor(s), and whether such violations substantially harm or adversely impact the predominantly residential uses and nature of the surrounding neighborhood. If after such consideration the Administrator determines not to renew the license, the Administrator shall notify the applicant in writing of the reason(s) for such decision, and the applicant's right to appeal the decision to the Richland County Land and Zoning Committee as provided in § XXX-8.
- C. No license shall be renewed if the short-term rental property is under an order issued by the Building Inspector or a local health officer, or his or her designee, to bring the premises into compliance with state, county or local laws, codes, rules or regulations.

§ XXX-7. Display of permit.

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

§ XXX-8. Appeal of licensing decisions; license revocation; appeal procedure; judicial review.

- A. The Zoning Administrator's decision to deny an initial short-term rental license or to deny renewal of a short-term rental license shall specify the reason(s) for such denial, in writing. Prior to the time for the renewal of the license, the Zoning Administrator shall notify the licensee in writing of the County's intention not to renew the license and notify the licensee of his or her right to an appeal hearing as provided in § XXX-9B.
- B. The Zoning Administrator's decision to deny an initial license or to deny renewal of a license may be appealed to the Land & Zoning Standing Committee by filing a written appeal with the Administrator within 21 calendar days (excluding legal holidays) after the date of mailing of the written notice of the Zoning Administrator's decision denying such license or renewal license. The Land & Zoning Standing Committee shall conduct a due process hearing and issue a written decision on the appeal within 30 calendar days of the County's receipt of the written appeal, or the license shall be deemed granted. If the appellant appears at the hearing he or she may produce and cross-examine witnesses, present relevant evidence, and be represented by counsel of his or

her choosing, at his or her expense. If the Land & Zoning Standing Committee finds the Zoning Administrator's reason(s) for his or her decision sufficient, the decision shall be affirmed. If the Committee finds the Zoning Administrator's reason(s) for his or her decision insufficient, the decision shall be reversed, and the license shall be granted and issued. If the appellant does not appear at the hearing and the Committee finds the Zoning Administrator's reason(s) for his or her decision sufficient, the decision shall be affirmed. The Committee's written decision on the appeal must specify the reason(s) for its determination. The Zoning Administrator shall give written notice of the Committee's decision to the applicant or licensee. A license may be revoked by the Land & Zoning Standing Committee during the term of a license year and following a due process hearing for one or more of the following reasons:

- (1) Failure by the licensee to make payment of delinquent fees, taxes, special charges, forfeitures or other debt owed to the County on the licensed property.
- (2) Failure to maintain all required local, county and state licensing requirements.
- (3) Any violation of local, county or state laws or regulations which, based upon their number, frequency and/or severity, and their relation to the short-term rental property, its owner(s), tenant(s), occupant(s) or visitor(s), substantially harm or adversely impact the predominantly residential uses and nature of the surrounding neighborhood.

- C. Revocation. Any resident of or owner of property within Richland County may file a sworn written complaint with the Zoning Administrator alleging one or more of the reasons set forth in § XXX-9B (1-3) as grounds for revocation of a short-term rental license issued under this chapter. Upon the filing of the complaint, the Land & Zoning Standing Committee shall notify the licensee of the complaint by certified mail, return receipt requested and provide the licensee with a copy of the complaint. The notice shall direct the licensee to appear before the Committee on a day, time and place included in the notice, not less than 10 days and not more than 45 days from the date of the notice, and show cause why his or her license should not be revoked. The hearing shall be conducted as provided in § XXX-8B. If a license is revoked, the Zoning Administrator shall give notice of revocation to the licensee by certified mail, return receipt requested. No part of the fee paid for any license so revoked may be refunded.
- D. Judicial review. The action of the Land & Zoning Standing Committee in granting or renewing, refusing to grant or renew, or revoking a license under this chapter may be appealed to the full Richland County Board. Final appeal can be reviewed by the Richland County Circuit Court upon appeal by the applicant, licensee, or a resident of or owner of property within the County. Such appeal shall be filed within 30 days of the date of mailing by the Zoning Administrator of the notice of the Land & Zoning Standing Committee's action granting or renewing, refusing to grant or renew, or revoking a license. The procedure on review shall be the same as in civil actions commenced in the circuit court pursuant to Wis. Stats. Chs. 801 to 807. This section needs to be reviewed by Mr. Windle.

§ XXX-9. Penalties.

- A. Any person who violates any provision of this chapter shall be subject upon conviction thereof to a forfeiture of not less than \$250 nor more than \$750 for each offense, together with the costs of

prosecution, and in the event of default of payment of such forfeiture and costs shall be imprisoned in the Richland County Jail until such forfeiture and costs are paid, except that the amount owed is reduced at the rate of \$25 for each day of imprisonment and the maximum period of imprisonment is 30 days. Each violation and each day a violation occurs or continues to exist shall constitute a separate offense. Mr. Windle said could just reference fee language from zoning ordinance.

- B. The penalties set forth in this section shall be in addition to all other remedies of injunction, abatement or costs, whether existing under this chapter or otherwise. ASK MIKE IF NECESSARY

§ XXX-10. Fees.

Any person applying for an initial short-term rental license or renewing a license pursuant to this chapter shall be subject to the fees as established by resolution of the Richland County Board.

§ XXX-11. Severability.

Should any portion of this chapter be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any other provisions of this chapter.

§ XXX-12. TITLE???

Owners of short-term rental units that are already renting on the date of the passage of this ordinance will have 60 days to notify the Richland County Zoning Department that they are currently operating a short-term rental unit in Richland County and will come into compliance with this ordinance by (insert date one year from approve of ordinance).