

**AN ORDINANCE AMENDING SECTIONS 5.62.010 AND 5.62.020
OF THE MUNICIPAL CODE OF THE VILLAGE OF KOHLER, SHEBOYGAN COUNTY,
WISCONSIN, SHORT-TERM RENTAL REGULATIONS**

WHEREAS, Ordinance No. 2021-2 concerning short-term rental regulations was adopted on June 21, 2021 by the Village Board; and

WHEREAS, upon further review and recommendation from the Finance Committee, these regulations are amended to include a prohibition on short-term rentals of six (6) or fewer days; and

WHEREAS, to adopt revisions to the Village short-term rental regulations as provided by 2021 Wisconsin Act 55 which became effective as of July 1, 2021.

NOW, THEREFORE, the Village Board of the Village of Kohler does ordain as follows:

Section 1. **Amending Code.** Section 5.62.010 of the Municipal Code is hereby amended to read as follows (additions indicated by underline; deletions by ~~strikeout~~):

"5.62.010 – Definitions.

A. For the purpose of administering and enforcing this section, the terms or words used herein shall be interpreted as follows:

1. Words used in the present tense include the future.
2. Words in the singular number include the plural number.
3. Words in the plural number include the singular number.

B. The following definitions and conditions apply unless specifically modified:

1. Clerk – The Village Clerk of the Village of Kohler or their designee.
2. Corporate Entity – A corporation, partnership, limited liability company, or sole proprietorship licensed to conduct business in this state.
3. ~~Dwelling Unit – One (1) or more rooms with provisions for living, cooking, sanitary, and sleeping facilities and a bathroom arranged for exclusive use by one (1) person or one (1) family. Dwelling Units include residential, tourist rooming house, seasonal employee housing and dormitory units.~~ Residential Dwelling – Any building, structure or part of the building or structure that is used or

intended to be used as a home, residence, or sleeping place by one (1) person or by two (2) or more persons maintaining a common household, to the exclusion of all others.

4. Exempt Short-Term Rental – one (1) residential dwelling rental per year for a period lasting not more than ten (10) nights requires a Village Short-Term Rental Permit required by section 5.62.040.

5. License – The Village Short-Term Rental License issued under section 5.62.030.

6. Permit – The Village Short-Term Rental Permit issued under section 5.62.040.

7. Property Owner – The owner of a short-term rental.

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

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

10. Short-Term Rental – A residential dwelling that is offered for rent for a fee ~~and for more than ten (10) nights and fewer than 29 30 consecutive days. A Short-Term Rental License is required per section 5.62.030~~

11. State – The State of Wisconsin Department of Health or its designee."

Section 2. **Amending Code.** Section 5.62.020 of the Municipal Code is hereby amended as follows (additions indicated by underline; deletions by ~~strikeout~~):

"5.62.020 - Operation of Short-Term Rentals.

A. Every short-term rental shall be operated by a Property Owner or Property Manager.

B. Each short-term rental is required to have the following licenses and permits:

1. A Sheboygan County Tourist Rooming House License issued by the Sheboygan County Health and Human Services Department, Division of Public Health pursuant to Chapter 17 of the Sheboygan County Code of ordinances, as amended.

2. A seller's permit issued by the Wisconsin Department of Revenue pursuant to Wis. Stat. §§ 77.52, 77.53 and 77.523.

3. A Village short-term rental license issued pursuant to the provisions of this Section.

C. Each short-term rental shall comply with the following:

1. There shall not be excessive noise, fumes, glare, or vibrations generated during any short-term rental.

2. Name plates or other signage shall not exceed one (1) square foot. No other signage advertising the short-term rental is permitted on site. Off-site advertising in media channels relating to the availability of the rental may take place only after the Village, County and State permits and licenses have been obtained.

3. The number of occupants in any unit shall not exceed the limits set forth in the State of Wisconsin Uniform Dwelling Code and other applicable county and village housing regulations based upon the number of bedrooms in each unit.

4. No recreational vehicles (RVs), camper, tent, or other temporary lodging arrangements shall be permitted on site as a means of providing additional accommodations for paying guests or other invitees.

5. Any outdoor activities held at the short-term rental shall take place between the hours of 8:00 a.m. and 10:00 p.m. Any activities shall comply with all other noise regulations of the Village of Kohler.

6. All short-term rentals shall be subject to payment of the Village of Kohler room tax at the current applicable rate. License holders are responsible for complying with all regulations of the room tax ordinance.

7. Compliance with all applicable state, county, and local codes and regulations is required.

8. A local Property Owner or Property Management contact information must be on file with the Village Clerk at the time of application. The local Property Owner or Property Manager, or an authorized designee, must be within ~~25~~ two (2) miles of the short-term rental property and must be available 24 hours a day,

seven (7) days a week by telephone and/or email. The Property Owner must notify the Village within 24 hours of a change in management contact information for the short-term rental.

9. Village Short-Term Rental Licenses are issued for a one- (1-) year period and must be renewed annually subject to Village Board approval or denial on or before January 31st of each year or as otherwise approved by the Village Board.

10. The Property Owner or Property Manager of the short-term rental shall maintain not less than the insurance coverage required by section 5.62.060 H. of this Code for the home that is used for short-term rental and provide proof of insurance with the license application and renewal.

11. Each short-term rental shall maintain the following written records for each rental of the dwelling unit: the full name and current address of any person renting the property, the date(s) of each rental, and the monetary amount or consideration paid for each rental. The written records shall be kept intact and available for inspection by representatives of the Village for at least one (1) year.

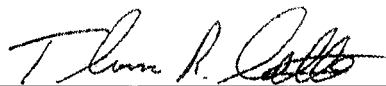
D. No residential dwelling may be rented for a period of six (6) or fewer consecutive days, except residential dwellings that have been issued a Sheboygan County Tourist Rooming House License and a Seller's Permit from the Wisconsin Department of Revenue as of December 15, 2021 shall be exempt from section 5.62.020 D. of the Village Code."

Section 3. **Severability**. Should any portion of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, the remainder shall not be effected.

Section 4. **Effective Date**. This Ordinance shall take effect January 1, 2022.

Enacted this 15th day of November, 2021.

VILLAGE OF KOHLER



THOMAS R. SCHNETTLER, President

Countersigned:



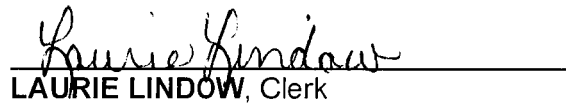
LAURIE A. LINDOW, Clerk

Presented by:


Village Trustee

CERTIFICATE OF ENACTMENT

This is to certify that the foregoing Ordinance was duly enacted by the Village Board of the Village of Kohler on the 15th day November, 2021.


LAURIE LINDOW, Clerk