

TOWN OF TROY
St. Croix County, Wisconsin

Ordinance No. 2024-01

Creating Town of Troy Ordinances Chapter 130
Rental Regulations

The Town Board of the Town of Troy does hereby create the Town of Troy Rental Regulation Ordinance and does ordain as follows:

1. Chapter 130 is hereby created to read as follows:

Chapter 130

Short-Term Rental Licensing Ordinance

Section I: Purpose

The purpose of this ordinance is to ensure that the quality and nature of the short-term rentals operating within the Town of Troy are adequate for protecting public health, safety, and general welfare and to protect the character and stability of neighborhoods within the town.

Section II: Authority

The Town Board of the Town of Troy has been authorized to exercise village powers pursuant to Wis. Stats. §§ 60.10(2)(c) and 60.22(3). The Town Board adopts this ordinance under its general village powers authority and Wis. Stat. § 66.1014.

Section III: Definitions

“Property Manager” means a person who is not the property owner and who provides property management services for one or more short-term rentals and who is authorized to act as the agent of the property owner for the receipt of service of notice of municipal ordinance violations and for service of process pursuant to this ordinance.

“Property Owner” means the person, organization, corporation, or any other legal entity who owns the residential dwelling that is being rented.

“Residential dwelling” means 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 or more persons maintaining a common household, to the exclusion of all others.

“Short-term rental” means a residential dwelling that is offered for rent for a fee and for fewer than 30 consecutive days.

Section IV: Short-Term Rental License

- A) No person may maintain, manage, or operate a short-term rental more than 10 nights each year (July 1st – June 30th) without a town short-term rental license issued pursuant to this ordinance.
- B) Licenses shall be issued using the following procedures:
1. All applications for a short-term rental license shall be filed with the town clerk on forms provided. Applications must be filed by the Property Owner. No license shall be issued unless the completed application form is accompanied by the payment of the required application fee.
 2. Each short-term rental shall hold a valid State of Wisconsin Tourist Rooming House License and shall provide proof of such license by attaching a copy to the initial license application and all subsequent renewal applications.
 3. The town clerk shall issue a short-term rental license to all applicants following payment of the required fee, receipt of all information and documentation requested by the application, receipt of code compliance as issued by the Town Building Inspector, and town board approval of the application.
 4. A short-term rental license shall be effective for one year, commencing on July 1st of each year, and may be renewed for additional one-year periods. A renewal application and renewal fee must be filed with the town clerk at least 45 days prior to license expiration so that the town board has adequate time to consider the application. The renewal application shall include any updated information since the filing of the original application. An existing license becomes void and a new application is required any time the ownership of a residential dwelling licensed for short-term rentals changes.
 5. The town board may suspend, revoke, or non-renew a short-term rental license following a due process hearing if the board determines that the licensee: a) failed to comply with any of the requirements of this ordinance; b) has been convicted or whose Property Manager or renters have been convicted of engaging in illegal activity while on the short-term rental premises on 2 or more separate occasions within the past 12 months; or c) has issued 2 or more citations for violations of other Town ordinances in the last 12 months.
 6. The requirement to obtain a short-term rental license shall not apply to a Recreational and Educational Camp as defined in Wisconsin Administrative Code ATCP-78 (Recreational and Educational Camps).

Section V: Operation of a Short-Term Rental

Each short-term rental shall comply with all of the following requirements:

1. Short-term rentals of 6 or fewer consecutive days in duration are prohibited.
2. If a residential dwelling is rented for periods of more than 6 but fewer than 30 consecutive days, the total number of days within any consecutive 365-day period that the dwelling may be rented shall not exceed 180 days.

3. The Property Owner or Property Manager shall notify the town clerk in writing when the first rental within a 365-day period begins.
4. No recreational vehicle, camper, tent, or other temporary lodging arrangement shall be permitted on site as a means of providing additional accommodations for occupants beyond the number of overnight guests authorized pursuant to the Property Owner's Tourist Rooming House License.
5. The Property Owner and/or Property Manager must provide the town with current contact information and must be available 24 hours a day, 7 days a week by telephone during periods the property is being rented. The town must be notified within 24 hours of any change in contact information.
6. Each short-term rental shall maintain a register and require all guests to register with their verified names and addresses. The register shall be kept on file for at least one year. The register shall also include the time period for the rental and the monetary amount or consideration paid for the rental.
7. Each short-term rental shall hold a valid State of Wisconsin Tourist Rooming House License and shall provide proof of such license by attaching a copy to the initial license application and all subsequent renewal applications.
8. All rentals shall comply with any applicable Town Ordinances.
9. All rentals shall be subject to the Town of Troy Room Tax Ordinance.

Section VI: Penalties

Any person, partnership, corporation, or other legal entity that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture as prescribed in the Town's schedule of fees, plus the applicable surcharges, assessments, and costs for each violation. Each day a violation exists or continues constitutes a separate offense under this ordinance.

Penalties set forth in this section shall be in addition to all other remedies of injunction, abatement, or costs whether existing under this ordinance or otherwise.

Section VII: Fees

Short Term Rental License Application and Renewal costs are found in the Town of Troy's schedule of fees.

[Note: Any fees charged must bear a reasonable relationship to the services provided, per Wis. Stat. § 66.0628.]

Section VIII: Severability

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

Section IX: Effective Date and Publication

This ordinance shall become effective on July 1st, 2024, upon adoption and publication as required under Wis. Stat. § 60.80.

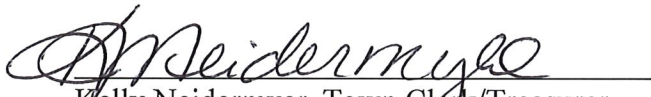
Adopted this 20th day of June, 2024.



Douglas Rowen, Town Chair

Date: JUNE 24, 2024

Attest:



Kelly Neidermyer, Town Clerk/Treasurer

Date: JUNE 24, 2024