

ORDINANCE

SUBJECT: 11.37 – HOTELS, MOTELS, AND OTHER LODGING ESTABLISHMENTS

COMMITTEE: HEALTH AND HUMAN SERVICES

FIRST CONSIDERATION: June 15, 2023

FINAL CONSIDERATION: July 20, 2023

ORDINANCE # 206 – 7/23 PUBLICATION DATE July 27, 2023

The County Board of Supervisors of La Crosse County does ordain as follows:

AN ORDINANCE TO AMEND s. 11.37, ENTITLED "HOTELS, MOTELS, AND OTHER LODGING ESTABLISHMENTS", OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

ANALYSIS

Amendments to La Crosse County’s Health and Human Services Ordinance to apply modern, appropriate standards to properties primarily associated with online short-term rental services and the increased intensity of use often associated with them. Proposed standards are related to residential uses by tenure and intensity of use. Section 11.37(6)(a) has been added to establish requirements for a permit process to more effectively review short-term rental applications and monitor short-term rental use, within the constraints of pre-emptive state statutes. Section 11.37(6)(b) has been added to establish standards for maintaining a short-term rental permit.

INFORMATION:

County Board Rules: Governing Body s. 2.12 states, in part: Ordinances are drafted by the Corporation Counsel. After the ordinance has been reviewed by a standing committee, each Supervisor will be given a copy of the ordinance showing the deleted language (grayed) and the new language (underlined) and an analysis of the intent of the ordinance. After introduction to the County Board, the ordinance shall be referred to the next monthly meeting unless waived by a 2/3 vote of the Supervisors present and a public hearing may be held if requested by a Supervisor. An amendment may be introduced and debated at either the original or the referred meeting. Copies of the ordinances of the County of La Crosse in their entirety are available with Corporation Counsel, County Clerk, or www.co.la-crosse.wi.us/code/.

(rev. 3/03)

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The County Board of Supervisors of the County of La Crosse does ordain as follows:

Section 1. Section 11.37, entitled "Hotels, Motels and Other Lodging Establishments" is amended to read:

11.37 HOTELS, MOTELS, AND OTHER LODGING ESTABLISHMENTS.

- (1) INCORPORATION OF CODE BY REFERENCE. Chapters ATCP 72, 73, and 74, Wisconsin Administrative Code, and Wis. Stat. chapter 97, are hereby adopted by reference and shall be construed, read and interpreted as though fully set forth herein
- (2) The County Health Department representative shall inspect every hotel, motel, tourist rooming house, Bed and Breakfast, and short-term rental establishment located within the Department's jurisdiction as required by the contract with the appropriate State Department.
- (3) LICENSES AND FEES. No person shall operate a hotel, motel or other lodging establishment without first obtaining a license from the County Health Department. The County Health Department shall issue an annual license for all Hotels, Motels, Tourist Rooming Houses and Bed and Breakfast Establishments subject to the fee established in s. 13.05 of this Code.
- (4) NONCOMPLIANCE. Noncompliance with the provisions of this section or chapters ATCP 72 and 73, Wisconsin Administrative Code, and/or Wis. Stat. chapter 97 will be cause for enforcement pursuant to s. 11.25 of this Code.
- (5) Definitions
 - (a) Short-Term Rental. A building, other than a hotel or motel, in which sleeping accommodations are offered for pay to tourists, and where no meals are furnished.
 - (b) Tourist. A person who travels to a location away from their principal residence for a short period of time for lodging, vacation, pleasure, recreation, culture, business, or employment.
- (6) Short-Term Rentals are subject to the following standards:
 - (a) Permitting Requirements.
 1. Prior to permitting, Short Term Rentals must first obtain a Short Term Rental Permit from the La Crosse County Zoning, Planning, and Land Information Department or meet the Local Municipality Zoning Regulations of the municipality in which the property is located where applicable.

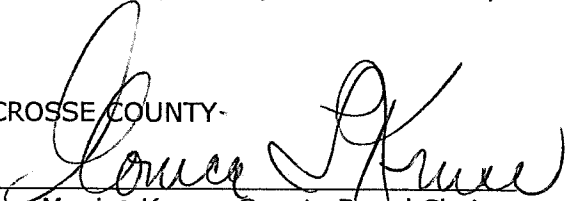
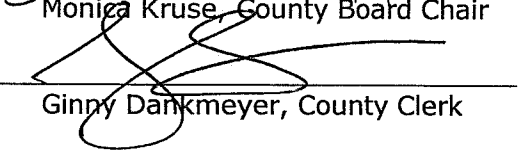
2. If the property is located in a town, prior to permitting by the Department, the applicant shall contact the town and demonstrate they are in compliance with any town regulations.
3. Prior to permitting, the applicant shall contact the Environmental Health Department and provide documentation of size of septic system as installed to determine occupancy.
4. The applicant must Provide to the Department the local property management contact including business mailing address, email, and phone number. The property management contact must be able to respond to all county or town ordinance or permit violations, other issues, and emergencies within two hours. A phone number for the property manager must be posted in the establishment.
5. In addition to an initial application for a permit to operate, the operator shall submit a plan review to include: bedroom locations, means of egress, evacuation plan, and fire extinguisher locations.
6. Advertising Unpermitted Short-Term Rentals. No advertisement or public representation, including internet postings, regarding the property's availability for use as a short-term rental shall be allowed until all required county, state, and local permits have been obtained and all associated conditions are met. Advertising the availability of a site unpermitted for short-term rental shall be considered a violation of this ordinance.

(b) Conditions of Short-Term Rental Permit Approval. Violation of any of the following conditions may result in revocation of Short-Term Rental Permits:

1. A Short-Term Rental Permit approval from the Health Department does not preempt the permittee's obligation to comply with all other applicable federal, state, and local regulations.
2. Any advertisement or public representation regarding the property, including internet postings, of any unit permitted for short-term rental uses, shall include the La Crosse County Health Department and La Crosse County Zoning permit numbers.
3. The number of occupants allowed is determined by the number of bedrooms and septic system capacity, which is 2 guests per approved bedrooms per septic unit plans.
4. All fire and embers are not to be left unattended and must be extinguished by the time designated by the local municipality.
5. In addition to prominently displaying your Health Department Permit and any other permits you have had to acquire, you must display a 8 ½ " X 11" sign/placard identifying the property as a short-term rental.

- 6. Any regulations related to Short Term Rentals in the La Crosse County Zoning Ordinance (Chapter 17) must be implemented and followed.

Section 2. This Ordinance shall take effect the day after passage and publication as required by law.

LA CROSSE COUNTY-
By: 
Monica Kruse, County Board Chair
By: 
Ginny Dankmeyer, County Clerk

PASSED: July 20, 2023
PUBLISHED: July 27, 2023

STATE OF WISCONSIN
COUNTY OF LA CROSSE

I, Ginny Dankmeyer, County Clerk of La Crosse County do hereby certify that this document is a true and correct copy of the original ordinance required by law to be in my custody and which the County Board of Supervisors of La Crosse County adopted at a meeting held on the 20th day of July 2023.


Ginny Dankmeyer, La Crosse County Clerk