



## CITY OF LAKE GENEVA

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[www.cityoflakegeneva.gov](http://www.cityoflakegeneva.gov)

### CITY OF LAKE GENEVA SHORT-TERM RENTAL (STR) AD HOC COMMITTEE WEDNESDAY, May 29, 2024 - 5:00 PM CITY HALL-COUNCIL CHAMBERS (MAIN LEVEL)

#### Members:

Chairman Joel Hoiland, Emily Hummel, Carol Pearson, Neal Kolb, Tom Keefe, Luke Pfeifer, Jason Smolarek,  
Advisory Staff Member: Fred Walling or Jason Renz

**CITY HALL WILL BE OPEN TO THE PUBLIC DURING ALL MEETINGS**

#### AGENDA

1. Call to Order & Roll Call
2. Approval of the STR Ad Hoc Committee Minutes from May 15, 2024
3. Comments from the public as allowed by Wis. Stats. §19.84(2). Comments will be limited to 5 minutes
4. Review and discuss version 9 language changes to the Short-Term Rental (STR) Ordinance - Sec. 98-206
5. Other STR-related topics as time permits
  - a. *Identify resident education and communication tools.*
  - b. *Design an STR online listing that identifies where licensed STRs are located including license numbers.*
  - c. *Study conditions that might justify relaxing the 180 STR minimum for exemplary performance by issuing Limited Conditional Use Permits.*
  - d. *Hold an annual STR owner/designated operator meeting to communicate requirements, changes, and related issues.*
  - e. *Identify cost-effective monitoring and enforcement systems to manage problem STRs effectively.*
6. Next Meeting - Wednesday, June 26, 2024
7. **Adjournment**

*This is a meeting of the Short-Term Rental Ad Hoc Committee. No official Council action will be taken; however, a quorum of the Council may be present.*

**Short-Term Rental (STR) Ad Hoc Committee  
Committee Review Meeting  
City Hall, City Council Chambers, Lake Geneva, WI  
May 15th, 2024 - 5:00 – 6:30 p.m.**

*Committee Members present:* Tom Keefe, Luke Pfeifer, Emily Hummel, Jason Renz (Code Enforcer, Assistant Building Inspector), Carol Pearson, Joel Hoiland, Chairman (3<sup>rd</sup> District Alderman), and Jason Smolarek via Zoom. Neal Kolb, excused absence.

Joel Hoiland called the meeting to order at 5:00 p.m.

Roll Call of members present.

Motion to approve minutes from May 1st meeting by Tom Keefe; Second by Carol Pearson.

Public Comments.

Brian Holt. Vacation Rental Property partner here in Lake Geneva.

As someone who manages STRs in this community, Brian feels that we are all aligned in purpose: decrease in STR guests that are disruptive and out of compliance. He says this ordinance redraft is well done. However, Brian believes that this ordinance is punitive only. Brian thinks that the City should make it easier to bring more people to the table to be in compliance rather than discouraging new STR Ownership, which he sees is what the current code is accomplishing.

Resident Sheri Ames, Alderperson for District One

Sheri says she agrees with what Brian said, but the people who are not in compliance are not the only problem. The fact is that allowing STRs in residential neighborhoods changes our neighborhoods. "I am not a fan of STRs in residential neighborhoods and you will not change my mind on that."

Scott Robinson, STR Owner

Scott says he is not sure what the goals and objectives of this committee are if the illegal operators are not held accountable. He does not see what the value of keeping the STR vacant for much of the year accomplishes. He suggests the City consider restricting the amount of STR permits it allows. Scott also wants to review the concept of Property Manager and the distance they are required to live from the property. Scott states that property ownership in Lake Geneva breaks down to 54% of year-round residents and 46% are a combination of short and long-term rentals.

Thomas Cincotta, STR Owner and Co-Owner of a Cleaning Business that services STRs.

Thomas says he has seen more responsible renters in the STR industry than within the long-term renters. He says that through their cleaning business, he and his wife provide jobs for over 30 local families. He points out that if we discourage STRs from being here, it could stifle local economies. Thomas does not see the benefit of the 180-day off-season.

5: 20 pm Closed public comments: Tom Keefe moved; Luke Pfeiffer seconded.

Ordinance Review: Joel explained the ordinance as it appeared on the screen.

- Wording changes are STR rather than Short-term rentals spelled out
- Annual rental period to Annual License
- Need to clarify the rooming requirements with bedroom/bed count, to be consistent with the state laws.

Jason Smolarek, STR Committee member, via Zoom, asked that the off-season requirements be changed. He said it seems like Emily Hummel is the only person on the STR committee against it. Several audience members made additional comments so Joel reminded audience members that the public comment session of the meeting was over. He stated that the STR committee was formed primarily because of complaints by residents who want greater monitoring and enforcement. He stated that since our discussion ensued, changing the minimum ordinance parameters was not considered possible at this time. In response to Jason's request that the minimums be part of the current ordinance revisions, Joel said that the revisions wouldn't pass the Plan Commission and the City Council. Additionally, if it came to a committee vote, other members of the committee would not vote to change the off-season requirements, at least at this time. Carol Pearson, Tom Keefe, Luke Pfeiffer, Jason Renz, and Emily Hummel concurred. Joel stated that we will stick to the task at hand, to clarify the language so the revised STR ordinance has the best potential to be enacted.

Several other sections were discussed and language changes were reviewed:

- Annual off-season rental
- Review of Neighborhood Impact
- Access and inspection requirements
- STR advertising
- Penalties and license revocation
- Penalties for violations

Joel asked Jason Renz, the code enforcement officer, how he enforces non-licensed STRs. Jason said there is an ongoing problem of how to identify and enforce unlicensed STRs. People can say, "My cousin is visiting..." for example.

Joel asked if members of the committee were satisfied with the current work in progress.

Tom Keefe said he agrees with most of what we have except 3 issues that need clarification:

1. The definition of Designated Operator.
2. How to establish maximum occupancy.
3. Illustrated examples of how violations are assessed during the booking period.

Carol stated she is pleased that there is a clearer way for residents to make reports and get heard. She said that she was able to communicate a concern this past week that Jason Renz was able to handle quickly.

Joel asked that the committee review and offer additional modifications before the next meeting.

Joel stated that once the committee has moved the revised ordinance forward, additional committee work will be pursued to improve resident education and communication and to reward exemplary STRs by considering ways to relax the 180 minimum days and one rental per week provision during the peak

season, among other initiatives. “We live in a tourist destination and we need to recognize that many STRs bring value to our community. They pay property taxes, provide jobs, and their guests patronize local restaurants, businesses, and entertainment venues.”

He stated that the next meeting of the STR Ad Hoc committee will be held on Wednesday, May 29<sup>th</sup> at City Hall at 5:00 pm.

Motion to Adjourn meeting at 6:15 pm. Motion by Emily Hummel. Seconded by Carol Pearson

## SHORT-TERM RENTAL ORDINANCE

Sec. 98-206. Short-term rental.

**Description:** Includes all lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists and transients for more than six but fewer than 29 consecutive days. It does not include private boardinghouses or rooming houses not accommodating tourists or transients, or bed-and-breakfast establishments regulated under ACTP 73. [ Ord. No. 19-16] (**hereinafter "STR"**)

1. Permitted by right: all zoning districts where "residential dwellings" are permitted, as that term is defined in § 66.1014, Wis. Stats. [ Ord. No. 19-16]

a. **Land use requirement.** An **STR** shall only be located as an accessory land use within zoning districts that allow residential dwellings, as that term is defined in § 66.1014, Wis. Stats.

b. **Annual city license required.** **STRs** shall operate only during the valid period of an annual City of Lake Geneva **STR** license (hereinafter "**Annual License**") for each consecutive 365-day period. If the **STR** is transferred or there is any change of ownership of the **STR** during the valid period of an **Annual License**, the **new owner must apply for a license as defined in this ordinance before operating the STR. Licensees may not be transferred. When the license is issued, it will include a registration number (hereinafter "STR License Number") that must be displayed as defined in this ordinance.** Operating an **STR** without a current version of a valid **Annual License** shall be considered a violation of this chapter, and subject to the penalties of Section 98-936. The following information shall be provided on an annual basis, ~~prior to~~ **before** issuance of said **Annual License**:

i. Completed City of Lake Geneva short-term rental application, which includes the property owner's name, address, and phone number; the **Designated Operator's** name (**as defined in 1(c)vii**), address, and phone number; and the period of operation of up to 180 days in a 365-day period, which must be consecutive;

ii. A current floor plan for the **STR**, at a minimum scale of one-inch equals four feet, and a site plan of the property at a minimum scale of one-inch equals 10 feet showing on-site parking spaces, **all bedrooms, size of beds in each bedroom**, and trash storage areas;

iii. General Building Code inspection by the City, and submittal of official Building Code inspection report with no outstanding compliance orders remaining;

iv. Proof of valid property and liability insurance for the dwelling unit; [5]

[5] Editor's Note: Former Subsection b. iv, requiring a Fire Code inspection and report, was repealed on 3-28-2022 by Ord. No. 22-02. This ordinance also redesignated former Subsection (8)(y)1bv through x as Subsection (8)(y)1biv through viii, respectively.

v. State of Wisconsin tourist rental house license;

vi. City of Lake Geneva room tax permit;

vii. City of Lake Geneva general business license; [6]

[6] Editor's Note: Former Subsection (8)(y)1bvii, requiring a seller's permit, was repealed on 3-28-2022 by Ord. No. 22-02. This ordinance also redesignated former Subsection (8)(y)1bv through x as Subsection (8)(y)1biv through viii, respectively.

viii. Payment of an administrative fee, set by City Council resolution, to cover the costs to the City of administering the above. The City of Lake Geneva ~~short-term rental~~ **Annual License** shall be issued with the completion of the above requirements and compliance with the City's Room Tax Ordinance. [7]

[7] Editor's Note: See Ch. 70, Taxation, Art. III.

c. **Property management requirements.** Each **STR** shall be managed consistent with the following requirements:

i. The total number of days of operation within any 365-day period of an **Annual License** shall not exceed 180 consecutive days (**hereinafter "Rental Season"**). This period of **STR** operation shall be specified by the property owner in the required Lake Geneva ~~short-term rental~~ **Annual License** application.

**ii. The stay of a guest in an STR (hereinafter "Rental") is calculated on the number of nights stayed between the arrival date and departure date.**

iii. The minimum rental **booking** period shall be a minimum of seven consecutive days by any one party. **"Rental Booking Period" shall be identified as the date between one rental arrival and the next rental arrival. A Rental must be for at least two nights and may not arrive within 7 days of the prior guest arriving at the STR. For example, if a rental arrives on June 1, the earliest the next Rental could arrive is on June 8.**

iv. ~~The maximum rental period within a 365-day period of an annual license shall be no more than 180 consecutive days.~~ **During the days of the Annual License that is outside of the Rental Season ("Rental Off-Season") the Rental Booking Period shall be a minimum of 29 days. For example, if the property is rented November 1-7, it cannot be rented again until December 1.**

v. Similar facilities in which single-family detached homes are available for less than seven days, more than 180 ~~days~~ **nights**, or throughout the year, are a different land use that falls within the indoor commercial lodging land use category.

vi. The maximum number of occupants shall not exceed the total number licensed by the State of Wisconsin. ~~or two per bedroom plus two additional occupants, whichever is less.~~

vii. The **STR** shall be operated by the property owner or by a property manager explicitly designated in the valid Lake Geneva ~~short-term rental~~ **Annual License** application as the "**Designated Operator**." ~~A manager is someone who has~~ **The Designated Operator must have all of the powers of the STR owner in the STR owner's absence.**

viii. The property owner's and the **Designated Operator's** names, addresses, and twenty-four-hour phone numbers shall be provided in the City of Lake Geneva ~~short-term rental~~ **Annual License** application and shall be updated within 24 hours upon any change in the ~~property manager~~ **Designated Operator** or the ~~property manager~~ **Designated Operator's** contact information.

ix. The **Designated Operator** must reside within or have their business located within 25 miles of the **STR** parcel.

x. The **Designated Operator** must be available by phone 24 hours, seven days a week, during the period of operation designated in the Lake Geneva ~~short-term rental~~ **Annual License** application.

xi. Each short-term rental ~~Designated Operator~~ shall ~~provide and~~ maintain a guest register **for each Rental** and shall require **the primary** all guests to register their true names and addresses before allowing occupancy. **The guest register shall also include the Rental arrival date, Rental departure date, and consideration paid for the Rental.** The guest register shall be kept intact and available by the designated operator for inspection by representatives of the City for at least one year from the day of the conclusion of the period of operation.

xii. ~~Each short-term rental shall maintain the following written business record for each rental of short-term rental: the true names and addresses of any person renting the property, the dates of the rental period (which must be a minimum of seven consecutive days), and the monetary amount or consideration paid for the rental. The business record shall be kept intact and available by the designated operator for inspection by representatives of the City for at least one year from the day of the conclusion of the period of operation.~~

xii. ~~Short-term rental~~ **Annual License** and emergency contact information must be posted in a conspicuous area within the property at all times.

d. ~~Property-STR~~ **operational requirements.** Each **STR** shall be operated per the following requirements:

i. The "Requirements for Short-Term Rental Guests" form provided by the City of Lake Geneva to summarize City requirements for **STRs**, and the site plan for the subject property clearly depicting guest parking spaces and the rear yard, shall be posted on the inside of the front door of each throughout its period of operation.

ii. **Parking requirements:**

a. A minimum of two off-street parking spaces shall be provided on the subject property for each **STR**. If the **STR** provides three or more bedrooms, an additional on-site parking space is required for each additional bedroom over two, ~~plus one space for each employee on the largest shift, if applicable.~~

b. ~~All guest parking for vehicles and trailers shall be within a parking space designated on the site plan, on an area paved with concrete or asphalt.~~

c. ~~All guest vehicles and trailers may only park on-site. Street parking for guests is not permitted.~~

**b.** No parking is permitted on gravel, lawn, or planter bed areas.

iii. **Site appearance requirements:**

a. Aside from a changing mix of guests and their vehicles, there shall be no evidence of the property being used as an **STR** visible on the exterior of the subject property.

b. No exterior signage related to the **STR** is permitted, other than the property address.

c. No outdoor storage related to the **STR** land use is permitted, except for typical residential recreational equipment, seating and outdoor cooking facilities which are ~~permitted only within the rear~~ **not permitted in the front yard. The STR and property must abide by the Zoning Ordinance defined in Municipal Code section 98.**

d. No recreational vehicle, camper, tent, or other temporary lodging arrangement shall be permitted to accommodate guests.

**iv. Neighborhood impact requirements:**

a. **STRs, including guests, must abide by City ordinances, including those defined in Municipal Code section 46-4 regarding loud and/or unnecessary noise.**

***Municipal Code section 46-4(b) Loud and/or unnecessary noise prohibited. It shall be unlawful for any person to make, continue, or cause to be made or continued any loud and/or unnecessary noise between the hours of 9:00 p.m. and 7:00 a.m. on weekdays and between the hours of 9:00 p.m. and 8:00 a.m. on weekends. [Amended 6-22-2020 by Ord. No. 20-05]***

~~a. No outdoor activity shall occur between the hours of 9 p.m. and 7:00 a.m.~~

~~b. At all times, no noise, lighting, odor or other impacts from the subject property shall be detectable at the property line at levels exceeding the requirements of Article 7 of this chapter.~~

~~c. No vehicular traffic shall be generated by the short term rental at levels exceeding those typical for a detached single family dwelling unit.~~

**v. STR advertising:**

a. No outdoor advertising is allowed on the subject property.

b. The **STR** shall not be advertised for availability in any form of media **until** the required **State of Wisconsin Tourist Rooming House and the** City of Lake Geneva ~~short-term rental~~ **Annual License** have been issued.

c. **The STR shall not advertise a maximum capacity that exceeds the license provided by the State of Wisconsin.**

**d. All listings, websites, posts, and advertisements (“Rental Marketing”) must display the Lake Geneva STR Number, except for when the advertisement includes a web link/URL and the Lake Geneva STR Number is displayed on the page presented to the user when viewing the web link/URL. For clarity, if Rental Marketing does not contain a web link/URL with the STR Number displayed on it and contains other means for a consumer to make contact about an STR or to book a Rental, the Lake Geneva STR Number must be displayed. Examples of these other contact methods include but are not limited to mailing address, physical address, phone number, email, messaging of any kind, and any form in which a consumer’s contact information is captured.**

**e. All Rental Marketing must include the maximum on-site parking spaces available at the Property per this ordinance before confirming a booking of a Rental.**

**e. Access and inspections.**

i. The City shall be authorized at all reasonable times upon reasonable notice to the owner, and with either the owner's consent or a special inspection warrant under § 66.0119, Wis. Stats., except in cases of emergency where no special inspection warrant is required, and as provided in § 66.0119(2), Wis. Stats., to enter and examine any building, structure, or premises, for the purpose of ensuring compliance with this chapter. If the owner declines to consent to an inspection without a warrant, the

City may not conduct an inspection under this section without first obtaining a special inspection warrant under § 66.0119, Wis. Stats., except in cases of emergency where no special inspection warrant is required, and as provided in § 66.0119(2), Wis. Stats. The owner, agent, or occupant of any such premises who refuses to permit, or prevents or interferes with any entry into or upon the premises by any such inspector with a special inspection warrant or in cases of emergency where no inspection warrant is required and as provided in § 66.0119(2), Wis. Stats., shall be in violation of this section. It is not a violation of this section to refuse to grant voluntary consent to an inspection.

ii. The City has adopted the Knox-Box® key box system providing for the installation of miniature vaults that are placed upon the exterior buildings, gateposts, or other applicable locations. Contained within the vault are the keys that will allow access to the **STR** in emergency situations.

iii. Designated operators and owners are encouraged, but not required to install the Knox-Box® Systems on their **STRs**. Designated **O**perators and owners of **STRs** acknowledge that the City shall not be obligated for damages occurring to **STRs** in the event emergency access to an **STR** is required and there is no Knox-Box® System installed on the property.

**f. Penalties and license revocation.**

i. **Operating an STR without a Tourist Room House License from the State of Wisconsin and an Annual License from the City of Lake Geneva is prohibited. Properties found to be operating without the proper permits will be cited \$1,000 per day and required to pay room taxes and penalties for prior Rentals if not yet paid per Municipal Code 70.** Violations of the requirements for **STRs**, the provisions of the ~~short-term rental~~ **Annual License**, and all others of this subsection (8)(y) are subject to separate daily ~~fin~~ **citations** per Section 98-936 **and this ordinance**. Citations for violations of this chapter will be issued to and will be the responsibility of the property owner.

~~ii. The annual short-term rental license may be revoked for more than two violations of the requirements specific to the short-term rental, the license, or the remainder of this chapter. Short-term rental operators found noncompliant with the terms of this subsection (8)(y) shall be considered in violation and shall be subject to all applicable penalties up to and including revocation of their short-term rental license.~~

ii. **Major violations of this ordinance are subject to citations and license revocation. The following are considered major violations:**

**a. Rental Marketing that does not advertise or falsely advertises information as required in this ordinance, including but not limited to maximum capacity and available on-site/off-street parking as provided with the Annual License as defined in 1(d) of this ordinance.**

**b. No Designated Operator within 25 miles. The Designated Operator must have all of the powers of the STR owner in the STR owner's absence.**

**c. Failure to display the STR License Number as defined in 1(d) of this ordinance.**

**d. Failure to pay Room Tax and to submit timely reporting. Room Tax that is more than 30 days late may constitute a violation.**

**e. Renting outside the requirements defined in 1(c) of this ordinance, including but not limited to having more than one Rental arrive in a Rental Booking Period.**

iii. Penalties for major violations of this ordinance are based on the number of violations in a rolling 12-month period as follows:

- a. 1st: Written warning & possible \$250 citations and court costs (citations are per day of violation). For example, the owner rents a 3-night weekend beyond the permitted time, which equals three tickets for that Rental.
- b. 2nd: \$500 citations and court costs (citations are per day of violation) and suspension of Annual License for 3 months.
- c. 3rd: \$1,000 citations and court costs (citations are per day of violation) and suspension of Annual License for 1 year.
- d. 4th: Permanent revocation of Annual License and future ability to get an Annual License for the STR property.

iv. Minor violations, caused by renters or guests of a Rental.

- a. Examples include excessive noise, disruptive behavior, and related incidents that require law enforcement intervention.

v. Minor violations penalty method. If renters or guests of a Rental receive five citations from the Police Department for violations that occur at the same STR in separate Rentals within a rolling 12 months, this shall constitute a major violation of this ordinance.

2. Resident Reporting. Residents who witness and experience major or minor STR violations are encouraged to report violations to the property owner, the property operator, the City of Lake Geneva Citizen Action Request / Complaint Form, or the Police Department non-emergency line (262-248-4455). In addition, it may be helpful to document the violations. The reporting method is dependent on the severity of the violation. No adverse action will be taken against a resident for reporting STR violations.

- a. Chronic Nuisances. If a resident is determined to be a chronic nuisance concerning short-term rentals, the City of Lake Geneva will act according to Chapter 46, Article II. Nuisances. Chronic Nuisances.