

Monday, June 5, 2023

6:30 PM

McFarland Municipal Center  
Community Room

## AGENDA

You are invited to this meeting through a Zoom webinar. The public may attend in-person or remotely through the webinar or telephone options listed below.

PLEASE CLICK THE LINK BELOW TO JOIN THE ZOOM WEBINAR:

<https://us02web.zoom.us/j/88228157855>

Or by Telephone: +1 (312) 626-6799

Webinar ID: 882 2815 7855

Press \*9 to raise/lower hand. Press \*6 to mute/unmute.

## 1. CALL TO ORDER, ROLL CALL.

## 2. PUBLIC APPEARANCES.

- a. This is an opportunity for members of the public to address the Public Safety Committee for items that are not on the agenda. Please remember this is a hybrid meeting conducted in person and through the Zoom online meeting platform. Meeting attendees wishing to address the Committee about items not on the agenda may do so at this time. Zoom attendees should type their name and address in the Question and Answer feature within the Zoom online meeting platform at this time. Members of the public who are present in person and wish to address the Committee should fill out a public comment form and turn into the meeting chairperson. When you are called upon to speak, state your name, address, and provide your comments to the Committee for their consideration. Please adhere to the 3-minute time limit. Additionally, you may send your public comments to [public.safety@mcfarland.wi.us](mailto:public.safety@mcfarland.wi.us) to be included as part of the meeting.

Members of the public may also speak during their selected agenda item as they designate on the public comment form or in the Question and Answer feature on Zoom.

## 3. APPROVAL OF MINUTES.

- a. Motion to approve the minutes of the 5/1/2023 meeting.

## 4. BUSINESS.

- a. Discussion and recommendation on a Tourist Rooming House Permit application for Waubesa Performance Property Management LLC, for the property at 6008 Lake Edge Rd for the July 1, 2023 through June 30, 2024 license year.
- b. Discussion and recommendation on Ordinance 2023-05: an Ordinance updating Tourist Rooming House Regulations.

## 5. SCHEDULE NEXT MEETING DATE.

- a. July 3, 2023 or July 6, 2023

## 6. ADJOURNMENT.

Any person who has a qualifying disability as defined by the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format should contact the McFarland Municipal Center at (608)838-3153, 5915 Milwaukee Street, McFarland, Wisconsin, or [village.clerk@mcfarland.wi.us](mailto:village.clerk@mcfarland.wi.us) by 2:00 p.m. at least 5 business days prior to the meeting so that any necessary arrangements can be made to accommodate each request. If the meeting or request is less than 5 business days from the meeting, requests for accommodations may still be made and reasonable efforts will be made to accommodate each request.

VILLAGE OF MCFARLAND  
**Public Safety Committee Minutes**

*Monday, May 1, 2023 - 6:30 PM*

**1. CALL TO ORDER, ROLL CALL.**

Chairperson Edward Wreh called the regular meeting of the Public Safety Committee to order at 6:30 PM in the community room.

Members present: Edward Wreh, Hilary Brandt, Dottie Olson, Shannon Morrison, Rich Staley (was present until 7:29 p.m.)

Members not present:

Staff Present: Police Chief Aaron Chapin, Fire Chief Dennis, Village Clerk Cassandra Suettinger

**2. PUBLIC APPEARANCES.**

- a. *This is an opportunity for members of the public to address the Public Safety Committee for items that are not on the agenda. Please remember this is a hybrid meeting conducted in person and through the Zoom online meeting platform. Meeting attendees wishing to address the Committee about items not on the agenda may do so at this time. Zoom attendees should type their name and address in the Question and Answer feature within the Zoom online meeting platform at this time. Members of the public who are present in person and wish to address the Committee should fill out a public comment form and turn into the meeting chairperson. When you are called upon to speak, state your name, address, and provide your comments to the Committee for their consideration. Please adhere to the 3-minute time limit. Additionally, you may send your public comments to public.safety@mcfarland.wi.us to be included as part of the meeting.*

*Members of the public may also speak during their selected agenda item as they designate on the public comment form or in the Question and Answer feature on Zoom.*

There were no public appearances.

**3. APPROVAL OF MINUTES.**

- a. *Motion to approve the minutes of the April 3, 2023 meeting.*

Motion by Village Trustee Edward Wreh, second by Village Trustee Hilary Brandt, to approve the minutes for the April 3, 2023 meeting. Motion carries 5 - 0 - 0 by acclamation.

**4. BUSINESS.**

- a. *Discussion and recommendation on an event permit for the McFarland Pride Association to hold a picnic in Arnold Larson Park on June 25, 2023 from 10:00 a.m. to 4:00 p.m.*

Village Trustee Edward Wreh introduced the item. Kristin Ellis gave a summary of the event. Village Clerk Suettinger went over the staff review of the event. Chief Chapin spoke about the police department recommendations regarding the alcohol provided at the event. Kristin Ellis answered questions from the committee.

Motion by Village Trustee Edward Wreh, second by Village Trustee Hilary Brandt, to recommend approval of an event permit for the McFarland Pride Association to hold a picnic at Arnold Larson Park on June 25, 2023, from 10 a.m. to 4 p.m., including the request for a variance to allow minors to be present where alcohol is served, with the conditions provided from staff included in the packet. Motion carries 5 - 0 - 0 by acclamation.

- b. Discussion and recommendation on a Temporary Class B license for fermented malt beverages and wine for the Edwards-Foye American Legion Post 534 for the Take a Vet Fishing event to be held on June 17, 2023 with the conditions provide by Police Chief Chapin.

Village Trustee Edward Wreh introduced the item. Rob Blanchar of 5005 Card Avenue gave an overview of the Take a Vet Fishing event and the organization. Mike Brennan talked about the 2nd part of the event, which includes a DJ, food, a beer tent, and live music. Chief Chapin spoke about the requirements for alcohol sales.

Motion by Village Trustee Edward Wreh, second by Village Trustee Hilary Brandt, to recommend approval of a Temporary Class B license for fermented malt beverages and wine for the Edwards-Foye American Legion Post 534 for the Take a Vet Fishing event to be held on June 17, 2023, with the conditions provided by staff in the packet. Motion carries 5 - 0 - 0 by acclamation.

- c. License Hearing

- 1) Conduct hearing on the recommendation from Chief Chapin to deny the issuance of an operator's license for Kendrick Watkins for the period ending June 30, 2023

Village Trustee Edward Wreh began the hearing at 6:58 p.m. Tricia Reimer swore in Chief Chapin, who then gave testimony regarding the denial of Mr. Watkins's operator's license application. The committee's questions were then addressed by Chief Chapin. Tricia then swore in Kendrick Watkins, who gave his testimony regarding his past actions which triggered the denial, and his plan to get his job back if his application is approved. He answered the committee's questions. The hearing ended at 7:10 p.m.

- 2) Discussion and recommendation on the operator's license for Kendrick Watkins for the period ending June 30, 2023.

The committee then discussed the operator's license for Mr. Watkins and checks that could be put in place to ensure Watkins does not have any additional violations that would violate the ordinance. Chief Chapin answered the committee's questions.

Motion by Village Trustee Edward Wreh, seconded by Member Shannon Morrison, to recommend approval of an operator's license for Kendrick Watkins for the period ending June 30, 2023, with the condition that staff run quarterly background checks on Kendrick Watkins and that any future offenses contained within the Operator's License Approval Policy, Section 4: Criteria for Denial that occurs be grounds for staff to commence the revocation process with the additional recommendation that conditions noted continue for all future licensing periods until the offenses noted drop off and that a public hearing not be required for the upcoming licensing periods.

Motion carries 5- 0 - 0 by acclamation.

- d. Discussion and recommendation on updates to the Tourist Rooming House Ordinance.  
Village Trustee Edward Wreh introduced the item. Village Clerk Suettinger reviewed the changes proposed by committee members, which were provided by committee members after the public information session. Committee members gave background on the changes they provided to the committee for consideration.

Alisa Leamy, 6606 Sleepy Hollow Road, was present to speak in support of Option 2A and about her neighborhood.

Motion by Village Trustee Edward Wreh, seconded by Village Trustee Hilary Brandt, to recommend approval of updates to the TRH Ordinance to the Village Board based on staff's draft and feedback provided by the Public Safety Committee on 5/1/2023 . Motion carries 4 - 0 - 0 by acclamation.based

## **5. SCHEDULE NEXT MEETING DATE.**

- a. June 5, 2023 at 6:30 p.m.

## **6. ADJOURNMENT.**

Motion by Village Trustee Hilary Brandt, seconded by Member Shannon Morrison, to adjourn at 8:22 p.m. Motion carries 4-0-0.

Pursuant to law, written notice of this meeting was given to the public and posted on the public bulletin board in accordance with Open Meetings Law.

Respectfully submitted,  
Tricia Reimer  
Office Manager

  
**VILLAGE OF**  
**McFarland**  
**SUMMARY SHEET**

**MEETING DATE:** Monday, June 5, 2023

**SECTION:** Business

**DEPARTMENT:** Administration

**CONTACT:** Cassandra Suettinger, Deputy Administrator/Clerk, Chris Dennis, Fire/Rescue Chief, Aaron Chapin, Police Chief, Andrew Bremer, Comm & Eco Dev Director

**AGENDA ITEM:** Discussion and recommendation on a Tourist Rooming House Permit application for Waubesa Performance Property Management LLC, for the property at 6008 Lake Edge Rd for the July 1, 2023 through June 30, 2024 license year.

**PREVIOUS ACTION:**

None.

**ISSUE SUMMARY:**

Waubesa Performance Property Management LLC, with Adam Crowley as property owner, has applied for a tourist rooming house permit for the property located at 6008 Lake Edge Road. The application has been reviewed by staff and determined to be complete. As required by ordinance, the application has been forwarded to the Public Safety Committee for review. All property owners within 300 feet were notified of the date and time of the meeting and noticed of their opportunity to provide input on the application. Attached are comments received from the public in advance of the meeting regarding the application.

The ordinance provides that if the Public Safety Committee determines that that application is complete and meets the standards contained within the Village Ordinance, it must recommend approval to the Village Board.

The Building Inspector and Fire Inspector have completed their inspection of the property and found no violations. Inspection reports have been attached. With this all minimum standards of the Village's Tourist Rooming House have been verified.

**FINANCIAL/BUDGET IMPACT:**

Additional permitting and room tax revenues.

**VILLAGE PLAN REFERENCE:**

N/A

**ORDINANCE REFERENCE:**

[Tourist Rooming House Ordinance](#)

**BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:**



*Motion to recommend approval of a Tourist Rooming House permit application for Waubesa Performance Property Management LLC, for the property located at 6008 Lake Edge Road for the period of July 1, 2023 through June 30, 2024.*

**ATTACHMENTS:**

1. 6008 Lake Edge Rd McFarland WI 53558 Tourist Rooming House Permit Application Submission\_Redacted
2. 6008 Lake Edge Rd TRH Inspection 2023\_Redacted
3. 6008 Lake Edge Rd BI Inspection\_Redacted
4. 06.05.23 TRH Feedback - 6008 Lake Edge - K & R Carl
5. 06.05.23 PSC Feedback - Carl



Tourist Rooming House Permit Application

Pursuant to Village Ordinance Chapter 11

|                |                 |
|----------------|-----------------|
| New or Renewal | New Application |
|----------------|-----------------|

Property Information

|                                                                                              |                                             |
|----------------------------------------------------------------------------------------------|---------------------------------------------|
| Tourist Rooming House Physical Address                                                       | 6008 Lake Edge Rd McFarland WI 53558        |
| Name of Corporation, Limited Liability Company, Partnership, or Other Entity (if applicable) | Waubesa Performance Property Management LLC |
| Property Owner Name                                                                          | Adam Crowley                                |
| Property Owner Address                                                                       | [REDACTED]                                  |
| Property Owner Telephone Number                                                              | [REDACTED]                                  |
| Property Owner Email Address                                                                 | [REDACTED]                                  |

Resident Agent

A resident agent must be appointed in the following situations:

- The property is not your primary residence and you reside outside a 30 mile radius from the Tourist Rooming House
- You will be absent while the property is rented (An owner is considered absent if the owner cannot be contacted and be present at the Tourist Rooming House within 45 minutes.)

**NOTICE: APPLICANT SHALL IMMEDIATELY NOTIFY THE VILLAGE CLERK OF ANY CHANGE IN RESIDENCE OR INFORMATION REGARDING THE RESIDENT AGENT**

|                                     |    |
|-------------------------------------|----|
| Will a Resident Agent be appointed? | No |
|-------------------------------------|----|

Application Fees

Application Fee (includes all required inspections) - \$500

Resident Agent Fee - \$50 (if applicable

Total application fees = \$500.00



Occupancy and Parking

|                                                                      |   |
|----------------------------------------------------------------------|---|
| Proposed Maximum Number of Overnight Guests                          | 8 |
| Number of Bedrooms Available                                         | 4 |
| Number of Off-street Parking Spaces Available for Guests in Driveway | 5 |
| Number of Off-street Parking Spaces Available for Guests in Garage   | 4 |

Not less than one and one-quarter onsite off-street parking spaces for every four occupants based upon maximum occupancy.

## Facility Information

Provide the square footage of each room.

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## Bedrooms

Select the plus sign to add additional bedrooms.

---

i. **Bedroom Length**

17

**Bedroom Width**

12

Bedroom Total Square Footage

ii. **Bedroom Length**

11

**Bedroom Width**

11

Bedroom Total Square Footage

iii. **Bedroom Length**

11

**Bedroom Width**

10

Bedroom Total Square Footage

iv. **Bedroom Length**

11

**Bedroom Width**

12

Bedroom Total Square Footage

## Dining Room

Dining Room Length 12

Dining Room Width 12

Dining Room Total Square Footage

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## Living Room

|                    |    |
|--------------------|----|
| Living Room Length | 30 |
|--------------------|----|

|                   |    |
|-------------------|----|
| Living Room Width | 30 |
|-------------------|----|

Living Room Total Square Footage

900 Square Feet

## Family Room/Den (if applicable)

|                        |    |
|------------------------|----|
| Family Room/Den Length | 30 |
|------------------------|----|

|                       |    |
|-----------------------|----|
| Family Room/Den Width | 30 |
|-----------------------|----|

Family Room/Den Total Square Footage

|                          |   |
|--------------------------|---|
| Number of Full Bathrooms | 2 |
|--------------------------|---|

|                         |   |
|-------------------------|---|
| Number of 3/4 Bathrooms | 0 |
|-------------------------|---|

|                         |   |
|-------------------------|---|
| Number of 1/2 Bathrooms | 1 |
|-------------------------|---|



## Nuisance Response Plan

The property owner or resident agent shall be responsible for promptly responding to or causing a prompt response to a nuisance complaint arising out of the occupancy or use of the short-term rental by tenants, their visitors or their guests. A return telephone call to a complainant within 45 minutes of the initial complaint shall be deemed prompt.

Describe the manner of responding to or causing a response to a nuisance complaint, including but not limited to the manner in which the complainant(s) will be notified of the response and the method of documenting prompt responses and timely corrective action.

In the case of a nuisance complaint occupants will be notified via phone and or messaging (like texting) informing them of the issue and required resolution. Ground rules will also be laid out prior to occupancy.

Describe the manner of assuring timely corrective action to remedy the conditions that caused the nuisance complaint. This shall include, at a minimum, a telephone call to the primary adult occupant of the short-term vacation rental within 45 minutes of the initial nuisance complaint.

A phone call and message via texting type platform will be delivered immediate upon learning of a nuisance. Security cameras are in outdoor spaces to ensure nuisance can be monitored at all times.



Liability insurance must be a commercial general liability, or hotel or short-term rental policy that specifically covers liabilities arising from rental of the tourist rooming house for short-term rentals. No less than \$1,000,000 per occurrence.

#### Proof of Liability Insurance

File(s) attached:



crowley lake edge policy.pdf

Copy of Wisconsin Seller's Permit is not required for those who will be listing the tourist rooming house **exclusively** through a lodging marketplace. Copy of Wisconsin Seller's Permit is required for all other touring rooming houses. Please contact the Clerk if you have questions on this provision.

Will you be listing your tourist rooming house exclusively through a lodging marketplace?

Yes

Which lodging marketplace(s) will you use? Select all that apply.

- Airbnb

A current Tourist Rooming House License issued by Public Health of Madison and Dane County (PHMDC), or other applicable entity, under Wis. Stats. § 97.605, or a copy of the completed application submitted for said license if the license has not been issued.

File(s) attached:



License Application.pdf

A copy of a completed Public Health of Madison and Dane County, or other applicable entity, tourist rooming house inspection form dated within one year of the date of issuance must be submitted before a permit can be issued.

File(s) attached:

 Inspection.docx

For more information about Tourist Rooming House Licenses from PHMDC, please visit the [PHMDC website](#).

Site Plan

File(s) attached:

 Site Plan.docx

A Site Plan must include location, number of units, number of people in each unit, dimensions of all rooms and common areas, laundry facilities, restroom facilities, and onsite parking dimensions.



To the Village of McFarland, Dane County, State of Wisconsin, that I the undersigned, understand that by applying for this Tourist Rooming House Permit, I am bound to all Village of McFarland Municipal Codes including Chapter 11 and any other codes or regulations that may apply. I also grant that an inspection of this property be conducted by the Village Building Inspector (or designee) and the Village Fire Inspector (or designee) prior to approval of this permit.

Certification Signature



Certification Date

05/10/2023



## Tourist Room House Inspection

Per Village of McFarland Code of Ordinances

### License Type:

- ☒ - New Application  
☐ - Renewal Application

### Section 1 - Applicant Information

Premises Address: 6008 Lake Edge Rd

Owner Name: Waubesa Performance Property Management LLC/Adam Crowley

Phone: [REDACTED]

Agent/Contact Name: N/A

Agent/Contact Phone: N/A

### Section 2 - Building Inspection Only - Occupancy Verification

Requested Maximum Occupancy identified on application: \_\_\_\_\_

Does the application meet the standard of not less than 150 square feet of floor space for the 1<sup>st</sup> occupancy thereof and at least an additional 100 square feet for every additional occupancy thereof. Floor space is determined by measures of each room. Floor space does not include kitchens, bathrooms, closets, garages or rooms not meeting the UDC requirements for occupancy.

☐ - Yes ☐ - No

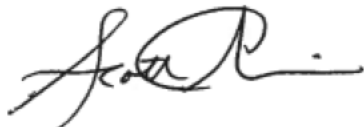
If no, what is the total square footage of floor space: \_\_\_\_\_

Number of onsite off-street parking spaces: \_\_\_\_\_

Number of Full Baths: \_\_\_\_\_ Number of  $\frac{3}{4}$  Baths: \_\_\_\_\_ Number of  $\frac{1}{2}$  Baths: \_\_\_\_\_

### Section 3 - Fire Department Only - TRH Minimum Specification Verification

| Does the application meet the following standards:                                                                                                                                                                                                                                                                                                                                                            | Yes | No |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|
| Functional smoke detectors and CO2 detectors in accordance with State law.                                                                                                                                                                                                                                                                                                                                    | X   |    |
| No accessible wood burning fireplace unless the owner provides a certificate from a licensed commercial building inspector, dated not more than 30 days prior to submission, certifying that the fireplace and chimney have been inspected and are in compliance with National Fire Prevention Association Fire Code Chapter 211 Standard for Chimneys, Fireplaces, Vents, and Solid Fuel-Burning Appliances. | X   |    |
| No hibachi, gas-fired grill, charcoal grill, or other similar devices used for cooking, heating, or any other purpose on any balcony, deck or under any overhanging structure or within ten feet of any structure.                                                                                                                                                                                            | X   |    |

| Section 4 - Inspection Information                                                                                 |                                                                                     |                                                                      |            |
|--------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|----------------------------------------------------------------------|------------|
| An inspection of the above premises has disclosed the following:                                                   |                                                                                     |                                                                      |            |
| Ord. Number                                                                                                        | Code Section                                                                        | Description of Violation                                             |            |
|                                                                                                                    |                                                                                     |                                                                      |            |
|                                                                                                                    |                                                                                     |                                                                      |            |
|                                                                                                                    |                                                                                     |                                                                      |            |
|                                                                                                                    |                                                                                     |                                                                      |            |
| <input checked="" type="checkbox"/> - No Violations Observed (skip to Section 6)                                   |                                                                                     | <input type="checkbox"/> - Hold for Corrections (complete Section 5) |            |
| Section 5 - Use only if Corrections are Needed                                                                     |                                                                                     |                                                                      |            |
| Noncompliant Order No.                                                                                             |                                                                                     |                                                                      |            |
| Date Corrections must be completed                                                                                 |                                                                                     |                                                                      |            |
| Is reinspection required?                                                                                          |                                                                                     | <input type="checkbox"/> - Yes <input type="checkbox"/> - No         |            |
| If reinspection is <b>required</b> , provide contact information for applicant to use when ready to schedule.      |                                                                                     |                                                                      |            |
| If reinspection is <b>not required</b> , what materials/documentation/proof of compliance should applicant submit. |                                                                                     |                                                                      |            |
| Signature                                                                                                          |                                                                                     | Date                                                                 |            |
| Section 6 - Determination – USE ONLY AFTER ALL VIOLATIONS ARE CORRECTED, IF APPLICABLE                             |                                                                                     |                                                                      |            |
| RECOMMENDATION FROM:                                                                                               |                                                                                     |                                                                      |            |
| <input checked="" type="checkbox"/> - Fire Department <input type="checkbox"/> - Community Development Department  |                                                                                     |                                                                      |            |
| <input checked="" type="checkbox"/> - Grant License <input type="checkbox"/> - Refuse License                      |                                                                                     |                                                                      |            |
| Signature                                                                                                          |  | Date                                                                 | 05/17/2023 |



## Tourist Room House Inspection

Per Village of McFarland Code of Ordinances

### License Type:

- ☒ - New Application  
☐ - Renewal Application

### Section 1 - Applicant Information

Premises Address: 6008 Lake Edge Rd

Owner Name: Waubesa Performance Property  
Management LLC/Adam Crowley

Phone: [REDACTED]

Agent/Contact Name: N/A

Agent/Contact Phone: N/A

### Section 2 - Building Inspection Only - Occupancy Verification

Requested Maximum Occupancy identified on application: \_\_\_\_\_

Does the application meet the standard of not less than 150 square feet of floor space for the 1<sup>st</sup> occupancy thereof and at least an additional 100 square feet for every additional occupancy thereof. Floor space is determined by measures of each room. Floor space does not include kitchens, bathrooms, closets, garages or rooms not meeting the UDC requirements for occupancy.

☒ Yes ☐ No

If no, what is the total square footage of floor space: 8

Number of onsite off-street parking spaces: 5-9

Number of Full Baths: 2 Number of ¾ Baths: 2 Number of ½ Baths: 1

### Section 3 - Fire Department Only - TRH Minimum Specification Verification

Does the application meet the following standards:

Yes No

Functional smoke detectors and CO2 detectors in accordance with State law.

No accessible wood burning fireplace unless the owner provides a certificate from a licensed commercial building inspector, dated not more than 30 days prior to submission, certifying that the fireplace and chimney have been inspected and are in compliance with National Fire Prevention Association Fire Code Chapter 211 Standard for Chimneys, Fireplaces, Vents, and Solid Fuel-Burning Appliances.

No hibachi, gas-fired grill, charcoal grill, or other similar devices used for cooking, heating, or any other purpose on any balcony, deck or under any overhanging structure or within ten feet of any structure.

### Section 4 - Inspection Information

An inspection of the above premises has disclosed the following:

| Ord. Number | Code Section | Description of Violation |
|-------------|--------------|--------------------------|
|-------------|--------------|--------------------------|

☒ - No Violations Observed (skip to Section 6) ☐ - Hold for Corrections (complete Section 5)

Section 5 - Use only if Corrections are Needed

Noncompliant Order No.

Date Corrections must be completed

Is reinspection required?

☐ - Yes ☐ - No

If reinspection is **required**, provide contact information for applicant to use when ready to schedule.

If reinspection is **not required**, what materials/documentation/proof of compliance should applicant submit.

Signature

Date

Section 6 - Determination – USE ONLY AFTER ALL VIOLATIONS ARE CORRECTED, IF APPLICABLE

RECOMMENDATION FROM:

☐ - Fire Department ☒ Community Development Department

☐ - Grant License ☐ - Refuse License

Signature



Date

5.17.23

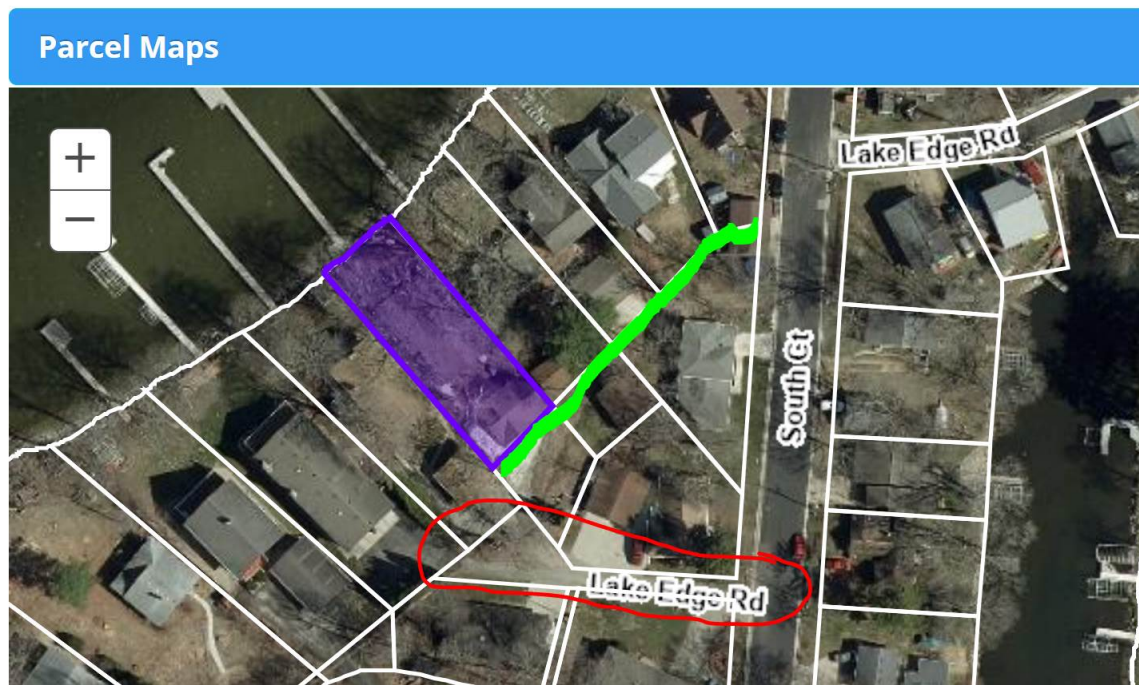
Page 1 of 2

## Cassandra Suettinger

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**From:** k.carl@charter.net  
**Sent:** Tuesday, May 30, 2023 8:40 AM  
**To:** Village Clerk  
**Cc:** r.carl@charter.net  
**Subject:** With street plat -- RE: NEW VERSION Comments re: rooming request at 6008 Lake Edge Rd

I thought I would send a picture of our road taken from AccessDane of the plots, shedding more light on our little "road". The portion circled in Red is a Village road which ends at our property line. The rest of our "road" runs through our properties and are only easements to utility companies... not technically a road. The green line is the private easement portion. We were made aware of these details when we closed on our house many years ago, as their was concern at the time was if our property was "land locked" (located between 2 private properties with no legal access).



Kathy  
[k.carl@charter.net](mailto:k.carl@charter.net)  
608.235.3648

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**From:** k.carl@charter.net <k.carl@charter.net>  
**Sent:** Sunday, May 28, 2023 1:07 PM  
**To:** 'village.clerk@mcfarland.wi.us' <village.clerk@mcfarland.wi.us>  
**Cc:** 'r.carl@charter.net' <r.carl@charter.net>; 'Kathy Carl' <k.carl@charter.net>  
**Subject:** NEW VERSION Comments re: rooming request at 6008 Lake Edge Rd

Hi,

Our road is a very small, quiet, private lake front residential road. We are writing to share our concerns and questions about the request for the tourist rooming house at 6008 Lake Edge Rd.

1. When we purchased our home almost 30 years ago, we were told at our closing that we could not rent our property. I would assume this requirement would be in all of the title or deeds for properties on this street. I hope the Village will verify if this is even allowed.
2. This is a private road. We have a 12' easement for Public works so the renters will need to enter/exist on the end near 6008 and understand this is a private road. If the owners at 6008 don't own the road to South Ct, I would assume they will need permission from who does.
3. Parking. Their request says 5 parking spaces in the drive way and 4 in the garage. There is no garage. And there is no parking on our little road (too narrow) and there is very limited parking on the adjoining South Ct. If cars park on South Ct where our street exits, large emergency vehicles or vehicles with trailers are unable to get in or out. If this is allowed, I would like to propose that no parking be added to both portions of South Ct where Lake Edge exists, ensuring adequate access is maintained to our road by us and emergency vehicles, with the potential added people parking on South Ct.
4. We're very concerned with noise. Noise carries on the lake, and most people renting will be on vacation and partying. Our lots are narrow so we are all very close! We get it, being on the lake is fun. But we've found over the last 30 years, people who don't live here full time, have less respect for the water, wildlife and neighbors. Sadly it's the truth. If this is allowed I would hope there would be limits put on the hours of recreation (noise) allowed on the deck and pier. And maybe a limit of number of days per month that can be rented? I fear our peaceful days on the pier and deck are over. 😞
5. We're also curious if renters will be allowed to bring boats? If so, how many and where will the boat trailers would be parked and where will the boats be moored at night. The answers to these questions raise even more concerns...
6. Also there is no doubt having this rental 3 houses down will reduce the value of our property... no one wants to live near a rental on the lake. I'm curious how the Village Assessors take this into account in their assessment process.

We will continue to be good neighbors but I will be honest we are pretty sad about this and the thought of loud partying vacationers every week. 😞

We will be there at the June 5<sup>th</sup> meeting in person or by zoom.

Thank you,

Kathy & Rick Carl

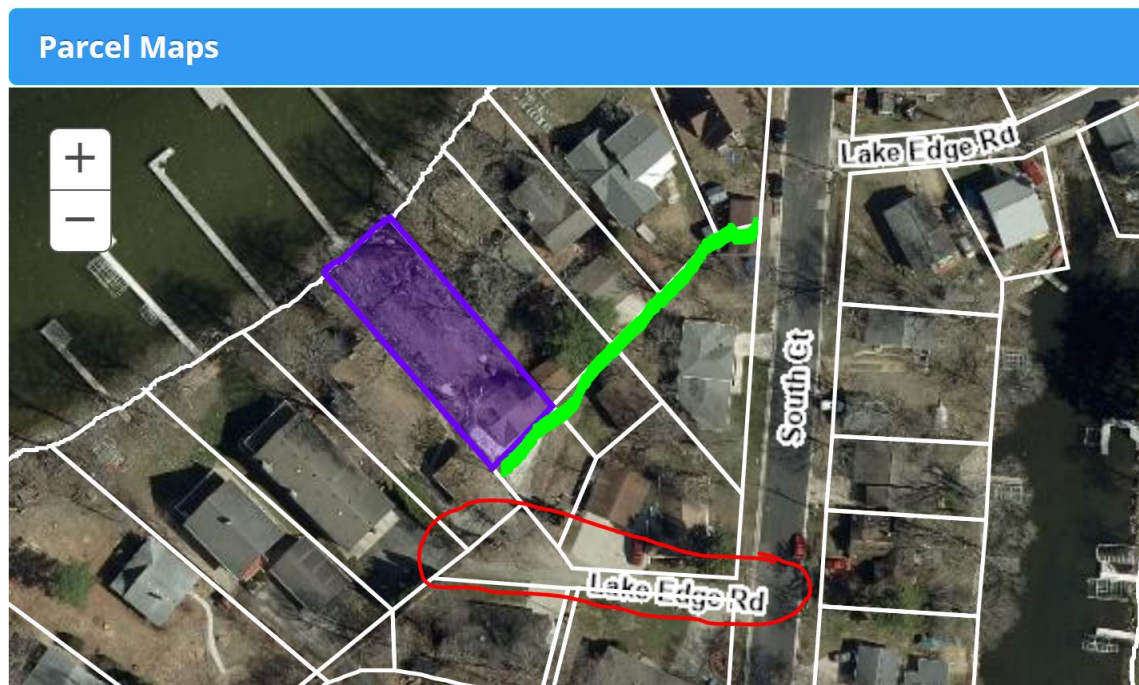
6014 Lake Edge Rd  
McFarland, WI 53558  
[k.carl@charter.net](mailto:k.carl@charter.net)  
608.235.3648

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I thought I would send a picture of our road taken from AccessDane of the plots, shedding more light on our little "road". The portion circled in Red is a Village road which ends at our property line. The rest of our "road" runs through our properties and are only easements to utility companies... not technically a road. The green line is the private easement portion. We were made aware of these details when we closed on our house many years ago, as their was concern at the time was if our property was "land locked" (located between 2 private properties with no legal access).



Kathy  
[k.carl@charter.net](mailto:k.carl@charter.net)  
608.235.3648

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**From:** k.carl@charter.net <k.carl@charter.net>  
**Sent:** Sunday, May 28, 2023 1:07 PM  
**To:** 'village.clerk@mcfarland.wi.us' <village.clerk@mcfarland.wi.us>  
**Cc:** 'r.carl@charter.net' <r.carl@charter.net>; 'Kathy Carl' <k.carl@charter.net>  
**Subject:** NEW VERSION Comments re: rooming request at 6008 Lake Edge Rd

Hi,

Our road is a very small, quiet, private lake front residential road. We are writing to share our concerns and questions about the request for the tourist rooming house at 6008 Lake Edge Rd.

1. When we purchased our home almost 30 years ago, we were told at our closing that we could not rent our property. I would assume this requirement would be in all of the title or deeds for properties on this street. I hope the Village will verify if this is even allowed.
2. This is a private road. We have a 12' easement for Public works so the renters will need to enter/exist on the end near 6008 and understand this is a private road. If the owners at 6008 don't own the road to South Ct, I would assume they will need permission from who does.
3. Parking. Their request says 5 parking spaces in the drive way and 4 in the garage. There is no garage. And there is no parking on our little road (too narrow) and there is very limited parking on the adjoining South Ct. If cars park on South Ct where our street exits, large emergency vehicles or vehicles with trailers are unable to get in or out. If this is allowed, I would like to propose that no parking be added to both portions of South Ct where Lake Edge exists, ensuring adequate access is maintained to our road by us and emergency vehicles, with the potential added people parking on South Ct.
4. We're very concerned with noise. Noise carries on the lake, and most people renting will be on vacation and partying. Our lots are narrow so we are all very close! We get it, being on the lake is fun. But we've found over the last 30 years, people who don't live here full time, have less respect for the water, wildlife and neighbors. Sadly it's the truth. If this is allowed I would hope there would be limits put on the hours of recreation (noise) allowed on the deck and pier. And maybe a limit of number of days per month that can be rented? I fear our peaceful days on the pier and deck are over. 😞
5. We're also curious if renters will be allowed to bring boats? If so, how many and where will the boat trailers would be parked and where will the boats be moored at night. The answers to these questions raise even more concerns...
6. Also there is no doubt having this rental 3 houses down will reduce the value of our property... no one wants to live near a rental on the lake. I'm curious how the Village Assessors take this into account in their assessment process.

We will continue to be good neighbors but I will be honest we are pretty sad about this and the thought of loud partying vacationers every week. 😞

We will be there at the June 5<sup>th</sup> meeting in person or by zoom.

Thank you,

Kathy & Rick Carl

6014 Lake Edge Rd  
McFarland, WI 53558  
[k.carl@charter.net](mailto:k.carl@charter.net)  
608.235.3648



**McFarland**  
**SUMMARY SHEET**

**MEETING DATE:** Monday, June 5, 2023

**SECTION:** Business

**DEPARTMENT:** Administration

**CONTACT:** Cassandra Suettinger, Deputy Administrator/Clerk, Andrew Bremer, Comm & Eco Dev Director, Aaron Chapin, Police Chief, Chris Dennis, Fire/Rescue Chief

**AGENDA ITEM:** Discussion and recommendation on Ordinance 2023-05: an Ordinance updating Tourist Rooming House Regulations.

**PREVIOUS ACTION:**

On January 24, 2023 Trustee Wreh referred the issue of reviewing the Village's tourist rooming house ordinance for possible updates.

February 26, 2023 - The Public Safety Committee discussed the referral being made an the process to bring the review process forward.

March 6, 2023 - The Public Safety Committee did an initial review of the ordinance with the Village Attorney to learn more about what changes may be possible in light of the State's Right to Rent Law.

April 3, 2023 - The Public Safety Committee held a public input session on the current ordinance. All residents within 300 feet of an active Tourist Rooming House were notified as well as public notification on Village social media of the event. The Committee listened to input from the community and directed members to email staff changes for review at the next meeting.

May 1, 2023 - The Public Safety Committee referred updates to the Village's Tourist Rooming House Ordinance to the Village Board.

**ISSUE SUMMARY:**

On May 23, 2023 The Village Board reviewed Ordinance 2023-05 an ordinance updating Tourist Rooming House Regulations. Ordinance amendment 2023-05 is the ordinance amendment codifying the changes recommended by the Public Safety Committee. In review of the proposed ordinance amendment, the Village Board referred the matter back to the Public Safety Committee to provide additional review on the following issues:

1. Ensure the ordinance provides direction on how the residency requirement would pertain to businesses, or those entities that are not individuals. Updated language has been provided from the Village Attorney for review in the ordinance amendment.
2. Re-review of the formula for maximum occupancy be based on 2 people per legal bedroom



with a maximum of 12. The Board requested the Committee reconsider whether children should count toward the maximum occupancy calculation.

3. Re-review the effective date of the ordinance. The Village Board had concerns about the effective date of the proposed ordinance amendment being so close to the beginning of the permitting cycle on July 1st. for current permit holders At this point, based on the additional review timeline, best practice would provide that the current permit holders be allowed to operate under the previous standards up through June 30, 2024. The committee would also need to provide a recommendation on when the new ordinance becomes effective for new applications. The Committee could defer the entire ordinance amendment effective date until June 30, 2024, or it could have the new regulations become effective immediately upon passage for all new applications.

In addition to the above-mentioned items for review, the Village Board requested the Public Safety Committee hold a public hearing on the final proposed changes. They requested all current permit holders and residents within the mailing notification area be noticed and provided an opportunity to weigh in. Based on this, staff recommends after the above changes are discussed and the ordinance amendment finalized, the Public Safety Committee hold a public hearing at its July meeting. After the Public Hearing, the Public Safety Committee can decide how to advance a recommendation to the Village Board regarding proposed changes to the Tourist Rooming House Ordinance.

**FINANCIAL/BUDGET IMPACT:**

The proposed change requiring Village resident to rent for periods of 1-6 days could reduce room tax revenues. Detailed data regarding average night stays is not provide by TRH permittees as part of the process, so exact effects of revisions are hard to gauge.

**VILLAGE PLAN REFERENCE:**

N/A.

**ORDINANCE REFERENCE:**

[Tourist Rooming House Ordinance.](#)

**BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:**

Item is submitted for discussion.

**ATTACHMENTS:**

1. 2023-05 Updates to TRH Regulations
2. TRH Memo - UPDATED - 03.29.2023
3. TRH Research - 3.30.2023
4. Effect of Proposed Revisions - 05.16.2023

**VILLAGE OF MCFARLAND  
ORDINANCE 2023-05**

**AN ORDINANCE UPDATING REGULATIONS FOR TOURIST ROOMING  
HOUSES**

**PURPOSE** - To update regulation of short term rentals of dwellings in residential neighborhoods.

**SPONSOR** - Cassandra Suettinger, Deputy Administrator/Clerk, Community & Economic Development Director Andrew Bremer, Police Chief Aaron Chapin and Fire & Rescue Chief Chris Dennis.

**NOW THEREFORE**, be it ordained by the Village Board of the Village of McFarland, in the State of Wisconsin, as follows:

**SECTION 1:**        **AMENDMENT** “11-350 Purpose” of the Village of McFarland Municipal Code is hereby *amended* as follows:

**AMENDMENT**

11-350 Purpose

The purpose of this Article is to ensure that the quality of tourist rooming houses operating within the Village is adequate for protecting public health, safety and general welfare, including establishing minimum standards of space for human occupancy and for an adequate level of maintenance; determining the responsibilities of owners, operators and property managers offering these properties for tourists or transients, to protect the character and stability of residential areas of the Village; to provide minimum standards necessary for the health and safety of persons occupying or using buildings, structures or premises; and provisions for the administration and enforcement thereof. The Village Board specifically finds that use of single family residences in the Village for short term rental creates the increased potential for adverse impacts on single family neighborhoods. The Village Board also finds that nonresidents and businesses located outside of the Village of McFarland are less responsive to problems that arise in the operation of short-term rentals located in the Village, particularly with rentals of fewer than seven days, as compared to Village businesses and residents who operate short-term rentals responsibly. The increased potential for adverse impacts is due to a higher degree of residential use and occupancy by vacationers who may tend to more frequently keep different hours engaging in recreational and social activities than the permanent residents in the surrounding neighborhood. Further, lacking any connection to the surrounding neighborhood, are less likely to be sensitive to the needs and concerns of neighbors. Finally, the lake side neighborhoods in which tourist rooming houses may be most likely to operate in the Village typically have small lots with homes very close to one another thereby increasing the potential for conflicts or disturbances. Additionally, the Village recognizes the passage of the Right to Rent Law in the State of Wisconsin, Wis. Stat. § 66.1014 protected the ability of homeowners to rent their homes on a short-term basis.

**SECTION 2:**        **AMENDMENT** “11-351 Definitions” of the Village of McFarland Municipal Code is hereby *amended* as follows:

## AMENDMENT

### 11-351 Definitions

In this Article:

*Bed and breakfast establishment* means any place of lodging that satisfies all of the following:

- (a) Provides eight or fewer rooms for rent to no more than a total of 20 tourists or transients.
- (b) Provides no meals other than breakfast and provides the breakfast only to renters of the place.
- (c) Is the owner's primary place of residence.
- (d) Is occupied by the owner at the time of rental.
- (e) Was originally built and occupied as a single-family residence, or, prior to use as a place of lodging, was converted to use and occupied as a single-family residence.

*Dwelling unit* means ~~a structure consisting of one or more rooms with provisions for living, cooking, sanitary, and sleeping facilities and a bathroom designed for or suited to the exclusive use by one person or one family~~ 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 person or two (2) or more persons maintaining a common household, to the exclusion of all others.

*Hotel* means all places wherein sleeping accommodations are offered for pay to transients, in five or more rooms, and all places used in connection therewith. "Inn", "motel" and "hotel" are synonymous.

*Local agent* means a person that, subject to the conditions established in Section 11-352, is authorized by the owner of a tourist rooming house to manage a tourist rooming house.

*Operate a tourist rooming house* means any of the following:

- (a) Renting a tourist rooming house to a tourist or transient.
- (b) Renting a tourist rooming house through a marketplace provider, such as VRBO and Airbnb, to a tourist or transient.
- (c) Managing a tourist rooming house.
- (d) Advertising a tourist rooming house for rent through a marketplace provider, such as VRBO and Airbnb.

~~*Short term rental* means the rental of a dwelling unit for a period of less than 29 consecutive days.~~

*Tourist rooming house* means any dwelling unit rented for any period of time less than 30 consecutive days ~~where sleeping accommodations are offered for pay on a short term rental basis~~ to tourists or transients, except that the following are expressly excluded:

- (a) Bed and breakfast establishments.
- (b) Hotels.
- (c) Any private boarding or rooming houses, ordinarily conducted as such, that do not accommodate tourists or transients.

*Tourist* or *transient* means a person who travels from place to place away from his or her permanent residence for vacation, pleasure, recreation, culture, business or employment.

*Village Resident* means an individual whose residence in the Village of McFarland serves as the individual's true, fixed, and permanent home for at least 183 days in a calendar year and to which, whenever absent therefrom, that individual intends to return. Additional characteristics of a primary residence including, but are not limited to, where an individual receives government-issued mail, receives a Wisconsin lottery credit, claims residence for purposes of voter registration, federal or state income tax forms that is located within the Village of McFarland.

Village Business means a business entity that has its principal place of business located within the Village of McFarland and that is owned and operated by a Village Resident.

**SECTION 3:            AMENDMENT** “11-352 Operation Of Tourist Rooming Houses” of the Village of McFarland Municipal Code is hereby *amended* as follows:

## AMENDMENT

### 11-352 Operation Of Tourist Rooming Houses

- (a) Every owner of a tourist rooming house shall appoint a local agent to manage the tourist rooming house if the owner resides outside a 30-mile radius from the tourist rooming house or if the owner will be absent while the property is being rented as a tourist rooming house. For purposes of this requirement, an owner shall be considered absent if he or she cannot be contacted and be present at the touring rooming house within 45 minutes. The owner shall provide notice to the Village of the agent's name, address, telephone number and email address. The local agent shall:
  - (1) If a natural person, keep their permanent residence within 30 miles of the tourist rooming house, or if a property management company or similar business entity, have offices within 30 miles of the tourist rooming house;
  - (2) Be authorized as owner, or on behalf of the owner of the tourist rooming house, to accept service of all notices from the Village or service of legal process relating to any and all matters relating to the tourist rooming house;
  - (3) Be authorized to allow Village officers, employees, or agents, to enter the owner's property for purposes of inspection and enforcement of this Article or any other ordinance, statute, rule or regulation the Village may have the duty or authority to enforce;
  - (4) Be authorized to act as owner, or on behalf of the owner, of the tourist rooming house in all matters relating to dealing with renters of the tourist rooming house;
  - (5) Be authorized to undertake, or cause to be undertaken, any repair or act of maintenance of the tourist rooming house necessary to comply with any Village ordinance, or any applicable state building regulations.
  - (6) Subject to Wis. Stats. §§ 111.321, 111.322 and 111.335 has not been convicted of or have any pending charges for any offense as a felony, misdemeanor, or civil forfeiture, involving dishonesty, fraud, deceit, robbery, the use or threatened use of force or violence upon the person of another, or sexual immorality under Wis. Stats. ch. 944; and
- (b) Each tourist rooming house shall have and maintain the following licenses and permits:
  - (1) All required permits from State of Wisconsin Department of Agriculture, Trade and Consumer Protection or authorized agent including a permit for operation of a tourist rooming house under Wis. Stats. § 97.605 including any

permits or licenses required by Dane County Public Health of Madison Dane County;

- (2) A seller's permit issued by the Wisconsin Department of Revenue;
- (3) Any permit required under this Article.

**SECTION 4:            AMENDMENT** “11-354 Application” of the Village of McFarland Municipal Code is hereby *amended* as follows:

## A M E N D M E N T

### 11-354 Application

- (a) All applications for a new tourist rooming house permit or renewal shall be filed with the Village Clerk-Treasurer on forms provided by the Village Clerk-Treasurer. All applications must be filed by the property owner. Each applicant shall certify to the Village that the tourist rooming house included in the permit is in compliance with the provisions of this Chapter. No permit shall be issued unless the completed application form is accompanied by payment of the required fee.
- (b) Each application for a new permit shall include the following information and documentation for each tourist rooming house:
  - (1) A nuisance response plan as described in Section 11-359.
  - (2) A current Tourist Rooming House License issued by Public Health of Madison and Dane County, or other applicable entity, under Wis. Stats. § 97.605, or a copy of the completed application submitted for said license if the license has not been issued.
  - (3) A copy of a completed Public Health of Madison and Dane County, or other applicable entity, tourist rooming house inspection form dated within one year of the date of issuance or renewal.
  - (4) Proof of liability insurance. Such insurance shall be a commercial general liability, hotel or short-term rental policy that specifically covers liabilities arising from rental of the tourist rooming house for short-term rentals. The policy shall provide no less than \$1,000,000.00 coverage, per occurrence. Claims-made coverage shall not be acceptable insurance under this Article.
  - (5) Seller's permit from the State of Wisconsin Department of Revenue. (Not required for those operator's solely utilizing a lodging marketplace for bookings).
  - (6) Floor plan and requested maximum occupancy.
  - (7) Site plan including available onsite parking.
  - (8) Local agent agreement reflecting the local agent's authority and acceptance of all responsibilities under this Article, if applicable.
  - (9) Designation of the local agent, if applicable.
  - (10) Proof of a successful inspection by the Village Building Inspector and Village Fire Inspector, required under Section 11-358.

- (11) A statement if the applicant intends to rent the tourist rooming house for periods of time fewer than seven (7) days.
  - (12) For those owners renting the tourist rooming house for periods of time fewer than seven (7) days, two separate items of documentation showing that the proposed Tourist Rooming House owner is a Village Resident. Identifying documents must contain the owner's current and complete name, and a current and complete residential address. Adequate identifying documents that contain the required information include the following, documents must be unexpired or issued within 90 days of proposed permitting period: a valid identification card issued under Wis. Stats. 343.50, a residential lease, a bank statement a paycheck or paystub, or a check or other document issued by a unit of government, an identification card issued by a federally recognized tribe in this state, and other document deemed acceptable by the Village Clerk-Treasurer.
  - (13) For Village Business renting the tourist rooming house for periods of time fewer than seven (7) days, documentation showing that the business's principal place of business is located within the Village of McFarland and that the business is owned and operated by a Village Resident.
  - (14) Any other information requested on the application form deemed necessary in the reasonable discretion of the Village Clerk-Treasurer to evaluate the application under this Article.
- (c) Applications for renewal of a permit are not required to include the documentation for items listed in paragraphs (6) through (9) unless the information has changed from the preceding application.

**SECTION 5:**            **AMENDMENT** “11-355 Terms And Filing Date” of the Village of McFarland Municipal Code is hereby *amended* as follows:

#### AMENDMENT

##### 11-355 Terms And Filing Date

Each permit shall run from July 1 through June 30 of the following year and shall not be transferrable to any other place or person. All renewal applications must be filed by May 1 of each year. The filing fee shall be paid upon filing of the application. The Clerk-Treasurer may conditionally accept late applications, subject to payment of the late filing fee. Any application which does not include all of the information and documentation shall not be considered as complete. The permit may not be issued unless and until a Tourist Rooming House License has been issued by Public Health of Madison and Dane County.

**SECTION 6:            AMENDMENT** “11-356 New Application Review Procedure”  
of the Village of McFarland Municipal Code is hereby *amended* as follows:

A M E N D M E N T

11-356 New Application Review Procedure

- (a) ~~Committee review. When satisfied that the application is complete, the Village Clerk-Treasurer shall forward initial applications for permits to the Public Safety Committee for review. The Clerk-Treasurer shall notify the owners of all properties lying within 300 feet of the property proposed as a tourist rooming house by regular mail that such application has been filed, the address of the proposed tourist rooming house and the date of the meeting at which the Public Safety Committee will review the application. Such notice shall be mailed no later than ten days prior to the meeting. If the application is filed 14 days or more prior to its next scheduled meeting, provided the application is complete, the application shall be considered at that meeting. Otherwise, the application, provided the application is complete, will be considered within 40 days of the filing date. The Public Safety Committee shall consider the application and supporting documents. If the Committee determines that the application meets the requirements of this Article it shall forward the application to the Village Board for approval. If the Committee determines that the application does not meet the requirements of this Chapter, it shall recommend denial of the application to the Village Board. Any denial or conditional approval by the Committee shall be in writing setting forth the reasons for the determination. Village Board. The Village Board shall consider the application and the recommendation of the Public Safety Committee at its next scheduled meeting. The Village Board may approve, approve with conditions, or deny the application. Any denial or conditional approval by the Village Board shall be in writing setting forth the reasons for the determination.~~ Issuance of a permit by the Village Clerk-Treasurer
- (1) Prior to issuance of the permit, the Village Clerk-Treasurer shall send a notification to all property owners within 500 feet of the proposed tourist rooming house. The notice shall contain the application and information on tourist rooming houses, standards of Tourist Rooming houses contained in the Village Ordinance, and the process to report violations or nuisances outlined in this chapter. The applicant shall prepay the cost of sending such notice for the notices are sent.
- (2) The Village Clerk-Treasurer shall issue a permit as soon as practicable, unless the Village clerk-Treasurer determines one or more of the following:
- a. The application is incomplete, or information required in section 11-354 has not been met.
- b. The application or support documents contain any false or materially misleading information or any material omission.
- (3) The permit shall contain all of the following information:

- a. The name and address of the property owner.
- b. The name, address and phone number of the local agent.
- c. The maximum occupancy for the premises
- d. The permit term.

(b) Non-Issuance of a permit by the Village Clerk-Treasurer

~~(e) *Issuance.* The Village Clerk-Treasurer shall issue a permit for each tourist rooming house approved by the Village Board, subject to any required inspections under subsection (b) and payment of taxes, assessments and claims under Section 11-1. The permit shall contain all of the following information:  
The name and address of the property owner. The name, address and phone number of the local agent. The maximum occupancy for the premises. The permit term. State lodging permit number. Contact information for the Village.~~

- (1) Except as provided in 11-356(2), if an application is not approved by the Village Clerk-Treasurer, a notice shall be provided to the applicant, in writing, contained a statement of the reasons for the denial, including specifics regarding reason for denial. The written notice to the applicant shall also provide notice of right to a hearing as provided under 11-365(c) below.

(d) Appeals Process

- (1) Any person whose application has not been approved by the Village clerk-Treasurer may appeal that decision to the Public Safety Committee by providing written notice to the Village Clerk-Treasurer within 14 days of the Village clerk-Treasurer mailing notice of denial of the permit.
- (2) Upon appeal, the Public Safety Committee shall conduct a hearing to make a recommendation to the Village Board regarding the issuance of a Tourist Rooming House permit. If the applicant fails to appear before the Public Safety Committee, the Public Safety Committee shall forward a recommendation for non-issuance of the permit. At the hearing, both the Village and the applicant may introduce evidence, produce witnesses, cross-examine witnesses, and be represented by counsel. The hearing shall be recorded.
- (3) The Village Board shall issue written findings an decision regarding the issuance of the permit within 30 days after the hearing.

**SECTION 7:            AMENDMENT “11-357 Renewal” of the Village of McFarland Municipal Code is hereby *amended* as follows:**

**AMENDMENT**

**11-357 Renewal**

- (a) Upon receipt of any renewal application and determination that the application is complete, the Village Clerk-Treasurer shall request reports from the Police Department

and the ~~Director of~~ Community Development Department regarding any complaints received, calls for service or actions taken regarding the permitted properties. The Clerk-Treasurer shall issue renewal permits within 45 days of the filing of the application unless the information provided is incomplete or otherwise not in compliance with the requirements of this Article or the reports from the Police Department and the ~~Zoning Administrator~~ Community Development Department indicate that there have been complaints or actions involving the property.

- (b) If the Clerk-Treasurer finds that the permit should not be renewed because the application demonstrates that the requirements of Sections 11-352~~(b) and (e)~~ and 11-354~~(a) and (b)~~ are not met, or that due to complaints or actions during previous permit year, the application should be ~~considered by the~~ forwarded on to the Public Safety Committee, to hold a hearing on non-renewal of the permit in accordance with the procedure set forth in 11-356(b) and (c). ~~the Clerk-Treasurer shall forward the application to the Public Safety Committee for action along with a written explanation of the reason for referral. Upon referral to the Public Safety Committee the procedures set forth in Section 11-356 shall apply.~~

**SECTION 8:            AMENDMENT** “11-358 Inspections” of the Village of McFarland Municipal Code is hereby *amended* as follows:

#### AMENDMENT

##### 11-358 Inspections

No building may be used as a tourist rooming house unless it has been inspected by the Village Fire Inspector and Village Building Inspector and the inspection shows no violations or hazards adversely affecting the health and safety of occupants or property maintenance violations. Each separate dwelling unit that is offered for rental as a tourist rooming house is required to be inspected annually by the Village Fire Inspector and Village Building Inspector. The holder of or applicant for the ~~temporary~~ tourist rooming house permit, or property owner if no permit is required, is responsible for payment of the inspection fees.

**SECTION 9:            AMENDMENT** “11-359 Content Of Nuisance Response Plans” of the Village of McFarland Municipal Code is hereby *amended* as follows:

#### AMENDMENT

##### 11-359 Content Of Nuisance Response Plans

Each nuisance response plan accompanying an application for a permit required by this chapter shall contain the following information and otherwise be in a form required by the Village Clerk-Treasurer:

- (a) The mailing address and telephone number of the owner or owners of the residential dwelling unit or units to be used as a ~~short-term vacation rental~~ tourist rooming house pursuant to the permit;
- (b) The name, address and telephone number of the local agent(s) who will be available by telephone, and who will be responsible for promptly responding to or causing a prompt response to a nuisance complaint arising out of the occupancy or use of the ~~short-term rental~~ tourist rooming house by tenants, their visitors or their guests. For the purposes of this Section, a return telephone call to a complainant within 45 minutes of the initial complaint shall be deemed "prompt."
  - (1) No more than a total of three persons shall be designated in the response plan as a person responsible for responding to or causing a response to a nuisance complaint; and
  - (2) Only one such person shall be designated as the person responsible for responding to a nuisance complaint during any particular hours of the day, different days in a week, or different weeks of the year;
  - (3) Any such person designated shall have the powers of a local agent.
- (c) The manner of responding to or causing a response to a nuisance complaint, including but not limited to the manner in which the complainant or complainants will be notified of the response and the method of documenting prompt responses and timely corrective action.
- (d) The manner of assuring timely corrective action to remedy the conditions that caused the nuisance complaint. For the purposes of this chapter, "timely corrective action" shall include, at a minimum, a telephone call to the primary adult occupant of the ~~short-term vacation rental~~ tourist rooming house within 30 minutes of the initial nuisance complaint.
- (e) ~~The proposed maximum number of overnight occupants.~~
- (f) The number of off-street parking spaces and number of bedrooms available at the ~~short-term vacation rental~~ tourist rooming house.

**SECTION 10:**            **AMENDMENT** "11-361 Standards For Tourist Rooming Houses" of the Village of McFarland Municipal Code is hereby *amended* as follows:

## AMENDMENT

### 11-361 Standards For Tourist Rooming Houses

Each tourist rooming house shall comply with all applicable Village ordinances and all the following requirements:

- (a) *Space, occupancy and parking.* Each tourist rooming house shall have:
- (1) Not less than one bathroom for every six occupants;
  - (2) ~~Not less than 150 square feet of floor space for the first occupant thereof and at least an additional 100 square feet of floor space for every additional occupant thereof; the floor space shall be calculated on the basis of total habitable room area. Floor space is determined using interior measurements of each room. Floor space does not include kitchens, bathrooms, closets, garages, or rooms not meeting Uniform Dwelling Code requirements for occupancy.~~ Maximum renter occupancy shall not exceed the lesser of two times the number of legal bedrooms to be rented in the residential dwelling or 12.
  - (3) A maximum occupancy for any premises without a separate enclosed bedroom is two people;
  - (4) ~~Not less than one and one-quarter onsite off-street parking spaces for every four occupants based upon maximum occupancy.~~ Off-street parking spaces on the property shall be available to the renters. The minimum number of off-street parking spaces available for renters shall be as required for the type of dwelling unit as set forth in the Village Zoning code. The operator shall designate off-street parking spaces for renters on the property in accordance with the standards outlined in the Village Zoning Code, including but not limited to Subdivision IV, Vision Clearance, Parking and Loading Facilities. Parking space limit shall appear in all advertising for the tourist rooming house. Parking spaces must be accessible to renters at all times to be considered valid under this section.
- (b) *Safety requirements.* Each tourist rooming house shall ~~comply with the following~~have:
- (1) ~~Shall have~~ A safe, unobstructed means of egress leading to safe, open space at ground level;
  - (2) ~~Shall have~~ Ffunctional smoke detectors and carbon monoxide detectors in accordance with the requirements of Wis. Admin. Code Ch. SPS 362;
  - (3) No accessible wood burning fireplace unless the owner provides a certificate from a licensed commercial building inspector, dated not more than 30 days prior to submission, certifying that the fireplace and chimney have been inspected and are in compliance with National Fire Prevention Association Fire Code Chapter 211 Standard for Chimneys, Fireplaces, Vents, and Solid Fuel-Burning Appliances.
  - (4) No hibachi, gas-fired grill, charcoal grill, or other similar devices used for cooking, heating, or any other purpose on any balcony, deck or under any overhanging structure or within ten feet of any structure.
  - (5) Outdoor fireplaces and pits or bowls or pits designed for the holding or burning of wood shall be allowed, as long as the following conditions are met:
    - a. Pits shall have an enclosure, heavy screen, or spark arrestor to control and contain embers and sparks.
    - b. Fireplaces or pits shall not be used within ten (10) feet of a building, combustible structure or lot line.
    - c. Only clean, dry wood is permitted to be burned in fireplaces or pits.

- No trash, yard waste or construction material shall be burned.
- d. The smoke from a fireplace or pit shall not create a nuisance.
- e. A fire extinguisher, garden hose, or other method of fire control shall be readily available.
- f. The fireplace or pit must be supervised at all times by a responsible adult. the first must be completely extinguished before the fireplace or pit is left unsupervised.

(6) A functional fire extinguisher shall be provided within 30' of any indoor cooking equipment. Any required fire extinguisher shall be UL rated 1-A: 10-B:C Any provided fire extinguisher shall be maintained (including annual inspection by a licensed fire extinguisher service provider) and installed in accordance with the National Fire Protection Association standard for Portable Fire Extinguishers.

(c) *Orderly operation and use.*

- (1) The owner and local agent shall comply with all terms of an approved nuisance response plan.
- (2) ~~No tourist rooming house shall permit any number of daytime guests of renters in excess of 100 percent of the maximum occupancy limit of the tourist rooming house to be present on the property at any time~~ Owners and renters of the tourist rooming house are prohibited from allowing guests in excess of the maximum occupancy limit established in 11-361(a) at any time.
- (3) The owner shall require the primary overnight and daytime occupant of the tourist rooming house to be an adult 18 years of age or older. This adult shall provide a telephone number to the owner or local agent and shall be accessible to the owner or local agent by telephone at all times.
- (4) Prior to occupancy, the owner or local agent shall obtain the name, address, and driver's license number or a copy of the passport of the primary adult occupant of the tourist rooming house. The owner shall require that adult to sign a formal acknowledgement that he or she is legally responsible for compliance of all occupants of the tourist rooming house or their guests with all provisions of this chapter. This information shall be readily available upon request of any police officer or employee of the ~~Village~~city authorized to enforce this chapter or state law.
- (5) Trash and refuse shall not be left stored within public view, except in proper containers for the purpose of collection. The owner of the tourist rooming house shall provide sufficient trash collection containers and service to meet the demand of the occupants.
- (6) Each lease or rental agreement for a tourist rooming house shall include the following terms, notifications and disclosures, which shall also be posted in a conspicuous location inside the unit:
  - a. The maximum number of overnight occupants and day use visitors that are permitted.
  - b. The number of off-street parking spaces that are provided.
  - c. Notification that on-street parking is extremely limited in some areas of the Village.

- d. The trash pick-up day and applicable rules and regulations pertaining to leaving or storing trash or refuse on the exterior of the property.
  - e. Notification that the occupant may be cited or fined by the Village or immediately evicted by the owner or local agent, in addition to any other remedies available at law, for violating any other provisions of this Article.
  - f. Notification that failure to conform to the occupancy requirements of the tourist rooming house is a violation of this Article.
  - g. Notification that amplified sound, including radios, televisions and other electronic devices are subject to the Village's noise regulations as set forth in Sections 20-58, 20-59, 20-77, 20-79 and 20-80, copies of which shall also be provided.
  - h. A recommendation that the occupant participate voluntarily in neighborhood quiet hours by avoiding parties and loud social events between the hours of 10:00 p.m. and 7:00 a.m.
  - i. The name of the owner of the unit, local agent and a telephone number at which at least one or the other may be reached at all times.
  - j. A copy of the "Good Neighbor Guidelines" which may from time to time be prepared by the permit administrator. These guidelines may include location-specific information, such as local speed limits and parking limitations.
  - k. Notification that usage of outdoor fireplaces and pits are required to comply with section 11-361(b)(5).
  - l. A copy of this Article and Sections 20-58, 20-59, 20-77, 20-79 and 20-80 of the McFarland Municipal Code, as it may be amended from time to time.
- (7) Upon receipt of a nuisance complaint or upon notification that any occupant or guest of the ~~short-term vacation rental~~ tourist rooming house has created unreasonable noise or disturbances, engaged in disorderly conduct, or committed violations of the McFarland Municipal Code or any state law, the owner or local agent shall promptly respond and take timely corrective action to prevent a recurrence of such conduct by those occupants or guests. Failure of the owner or local agent to respond promptly or to take timely corrective action regarding the condition, operation, or conduct of occupants of the tourist rooming house shall be a violation of this chapter. An owner or local agent is not required or authorized to act as a peace officer or to intervene in situations that pose a risk to personal safety. The owner, or local agent, shall maintain records of the name, violation, date, and time of each complaint, disturbance, response and corrective action.
- (8) The owner and local agent shall keep written records documenting compliance with all elements of the performance standards and the approved nuisance response plan.
- (9) At all times the use and occupancy of a tourist rooming house shall comply with the McFarland Zoning Code.

- (10) At all times the owner of the tourist rooming house shall maintain the dwelling unit as required under the McFarland Building Code, Article 8-XIII, Minimum Maintenance Requirements for Real Property.
- (11) Restrictions on rentals of fewer than seven (7) days. No Tourist rooming house may be rented for periods of time fewer than seven (7) consecutive days unless the tourist rooming house is owned and operated by a Village Resident or a Village Business.
- (12) A Tourist Rooming House permit is required to be obtained no later than the tenth day of advertising or operating a tourist rooming house. All advertisements of the tourist rooming house, including advertisements on the website of a lodging marketplace, must contain a valid tourist rooming house permit number, clearly state the minimum duration of stays allowed, and state the limit for renter parking spaces. Lodging marketplace calendars must block renters from making reservations that are not complaint with minimum duration of stay requirements.

**SECTION 11:**        **AMENDMENT** “11-362 Taxes And Fees” of the Village of McFarland Municipal Code is hereby *amended* as follows:

#### AMENDMENT

##### 11-362 Taxes And Fees

The owner or operator of a tourist rooming house shall pay room tax in accordance with Chapter 23, Article II, Division 6 of the McFarland Municipal Code. Fees under this Article shall be as established by the Village Board from time to time and set forth in Appendix A of this Code. Failure of the owner or operator to pay a required room tax, or failure by the owner or operator to timely file an accurate return required under Chapter 23, shall be grounds for summary suspension of a tourist rooming house permit. In the event the Village Clerk-Treasurer determines that an owner or operator of a tourist rooming house is in violation of this section or Chapter 23, Article II, Division 6, then an order for immediate suspension of the tourist rooming house permit shall be issued which shall be effective until such violation is corrected. Such order shall be served upon the owner or local agent in writing and shall include notice of the right to appeal such determination pursuant to Chapter 2, Article XI of the McFarland Municipal Code.

PASSED AND ADOPTED BY THE VILLAGE OF MCFARLAND VILLAGE BOARD

\_\_\_\_\_.

|             | <b>AYE</b> | <b>NAY</b> | <b>ABSENT</b> | <b>ABSTAIN</b> |
|-------------|------------|------------|---------------|----------------|
| Brandt      | _____      | _____      | _____         | _____          |
| Brassington | _____      | _____      | _____         | _____          |
| Clow        | _____      | _____      | _____         | _____          |
| Fessler     | _____      | _____      | _____         | _____          |
| Flaherty    | _____      | _____      | _____         | _____          |
| Jerke       | _____      | _____      | _____         | _____          |
| Wreh        | _____      | _____      | _____         | _____          |

Presiding Officer

Attest

\_\_\_\_\_  
Carolyn Clow, Village President,  
Village of McFarland

\_\_\_\_\_  
Cassandra Suettinger, Village Clerk-  
Treasurer, Village of McFarland

MEMORANDUM

To: Public Safety Committee

From: Cassandra Suettinger, Deputy Administrator Clerk

Date: March 2, 2023

*UPDATED – March 29, 2023*

RE: Tourist Rooming House Ordinance

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**Background**

On March 13, 2017, the Village adopted an ordinance to regulate Tourist Rooming Houses. In the preceding years, the Village had begun to experience issues with nuisances associated with TRH's and adopted the ordinance to allow a process to manage those nuisances.

In November of 2017, the Wisconsin Legislature passed the Right to Rent law which provided a new law to protect the ability of the homeowners to rent out their homes on a short term basis.

In April of 2021, in response to some challenges of to the 2017 ordinance, removed provisions of the ordinance found to be unlawful in light of the Right to Rent Law.

Since the ordinances adoption in 2017, the Village had not seen many TRH's operating in the Village, however, in 2022 the Village began to see a steep increase in the number of permits.

It is also of note, in 2017 the Village also adopted a room tax ordinance. All TRHs are required to collect the 8% Room Tax. 70% of the Room tax collected go to the Village's Tourist Entity which is currently comprised of members of the McFarland Chamber of Commerce. The Village retains 30% of these revenues for administration of the tax. Adoption of the tax has allowed the Village to track annual sales associated with TRHS within the Village.

| Year | Total Room Tax Revenues | Gross TRH Sales | Total TRH Applications | Total TRH Application Approvals | Total TRH Application Denials |
|------|-------------------------|-----------------|------------------------|---------------------------------|-------------------------------|
| 2018 | \$1,615.58              | \$20,194.75     | 2                      | 2                               | 0                             |
| 2019 | \$7,075.99              | \$88,449.88     | 3                      | 3                               | 0                             |
| 2020 | \$8,289.11              | \$103,613.88    | 2                      | 2                               | 0                             |
| 2021 | \$8,434.23              | \$105,427.88    | 4                      | 4                               | 0                             |
| 2022 | \$12,438.49             | \$155,481.13    | 9                      | 9                               | 0                             |

**Referral for Review**

In February of 2023, Public Safety Chair Ed Wreh referred to the Public Safety Committee review of the current ordinance. The 2017 Right to Rent Law provides the Village cannot

prohibit Tourist Rooming Houses between 7 and 29 days, but there are additional regulations the Village could consider. Those regulations include, but are not limited to:

1. Prohibit rentals of less than 7 days.
2. Consider minimum night stay requirement.
3. Consider addition regulations for TRH's that are not the primary residence of the owner
3. Limit the user of short-term rentals to a block of 180 days every 365 days. Within this we've also seen some comparable communities establish different tiers of restrictions for TRH's that are owner occupied and those that are not.
4. Consider addition for serious violations of the ordinance be grounds for immediate suspension.

### **Tourist Rooming House Complaints/Incidents**

Only one complaint/incident has been recorded to date at an active TRH permitted residence. In 2022 a TRH violated the maximum occupancy requirement by taking a group photo of a wedding party. No other incidents/violations have been reported to date.

### **Staff Review**

In addition, staff has also reviewed the current ordinance to provide areas for revision based on administration of the ordinance over the last 5+ years. Suggested revisions include:

1. Revision of 11-356 Regarding New Application Review Procedure – The current ordinance provides:

*Such notice shall be mailed no later than ten days prior to the meeting. If the application is filed 14 days or more prior to its next scheduled meeting, provided the application is complete, the application shall be considered at that meeting. Otherwise, the application, provided the application is complete, will be considered within 40 days of the filing date.*

Staff recommends these deadlines be lengthened to allow more flexibility. The current 40-day limit is too restrictive in instances in which more information may be needed as part of the Public Safety Committee review process.

2. 11-352 Operation of Tourist Rooming Houses

*Be authorized to undertake, or cause to be undertaken, any repair or act of maintenance of the tourist rooming house necessary to comply with any Village ordinance, or any applicable state building regulations.*

Staff recommends this be amended to add properties be in compliance with state building regulations and Village property maintenance standards.

3. Revision to various issues of 11-361 Standards for Tourist Rooming Houses

*(2) Not less than 150 square feet of floor space for the first occupant thereof and at least an additional 100 square feet of floor space for every additional occupant thereof; the floor space shall be calculated on the basis of total habitable room area. Floor space is determined using interior measurements of each room. Floor space does not include kitchens, bathrooms, closets, garages, or rooms not meeting Uniform Dwelling Code requirements for occupancy.*

Staff recommends regulating occupants-based number of bedrooms that meet Uniform Dwelling Code requirements vs a square footage requirement. For example, 2 people per bedroom. The change would provide simplicity and transparency.

*(4) Not less than one and one-quarter onsite off-street parking spaces for every four occupants based upon maximum occupancy.*

Staff recommends removal of the fraction and regulating off-street parking based on the number of bedrooms. Village Ordinance 62-70 already provides regulations for the number of parking stalls per bedroom and these standards make sense to apply TRHs. This provision should also provide specificity that off-street parking is provided and accessible to renters. For example, parking spots in a garage would only count if they intended to be made available to renters.

4. Insertion of Addition regulations on the usage of fireplaces and pits. Attached is a memo from Chief Dennis outlining proposed revisions an safety background on the issue.

*Sec. 11-361 (b) (#)*

*Outdoor fireplaces and pits are bowls or pits designed for the holding or burning of wood and shall be allowed, as long as the following conditions are met:*

- a. Pits shall have an enclosure, heavy screen, or spark arrestor to control and contain embers and sparks.*
- b. Fireplaces or pits shall not be used within ten (10) feet of a building, combustible structure, or lot line.*
- c. Only clean, dry wood is permitted to be burned in fireplaces or pits. No trash, yard waste or construction material shall be burned.*
- d. The smoke from a fireplace or pit shall not create a nuisance.*
- e. A fire extinguisher, garden hose or other method of fire control shall be readily available.*
- f. The fireplace or pit must be supervised at all times by a responsible adult. The fire must be completely extinguished before the fireplace or pit is left unsupervised.*

*Sec. 11-361 (c) (6) x.*

*Notification that usage outdoor fireplaces and pits are required to comply with Section 11-361 (b) (#).*

*Sec. 11-361 (b) (#)*

*A functional type K fire extinguisher shall be provided within 30' of any indoor cooking equipment. Any provided fire extinguishers shall be maintained (including annual inspection by a licensed fire extinguisher service provider) and installed in accordance with National Fire Protection Association 10 Standard for Portable Fire Extinguishers.*

5. Insert requirement for the applicant to identify a listing of all websites and places where the TRH operator will advertise.

This will assist staff in ensuring all room tax submits are received from applicable marketplace providers.

**Recommendation**

The above items are submitted for discussion and information purposes only. The Public Safety Committee will hear input from the Community on April 3<sup>rd</sup> and decide how it would like to proceed.

| Community    | Approved ordinance? | Public Health of Madison & DC License Required? | Other licensing required? | Minimum stay before permit required | Minimum stay Requirement?                                         | Max stays allowed per year                                                                                                                    | Max # of Guests                                                            | # of occurrences before revocation process | Primary Residence Clause? | Restrictions tied to Primary Residence clause?                                                                                      | Transferrable? | Off-Street Parking                                                                    | Comments and other restrictions                                                                                                                                                                                          |
|--------------|---------------------|-------------------------------------------------|---------------------------|-------------------------------------|-------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| McFarland    | Yes                 | Yes                                             | Seller's Permit           | 10 days/year                        | N/A                                                               | UNKWN                                                                                                                                         | 150 SF + (100 SF of habitable room area)<br>= Total # of Guests            | 2                                          | No                        | N/A                                                                                                                                 | No             | 1.25/4 occupants                                                                      | does not cap the maximum # of guests, based on SF available. 2 people max for non-bedroom spaces                                                                                                                         |
| Madison      | Yes                 | Yes                                             | ZTRH Permit               | UNKWN                               | 1-6 daysfor Primary Resident, 6-29 days for non-primary residence | UNKWN                                                                                                                                         | 2 times the legal bedrooms or 12. Children do not count towards the limit. | 2                                          | Yes                       | Yes. If operator occupies the residence, there is no limit to the days they may operate. If not, may only operate 30 days per year. | No             | UNKWN                                                                                 | ZTRH Permit = Zoning Tourist Rooming House Permit (implemented 10/1/2020)                                                                                                                                                |
| Mt Horeb     | Yes                 | Yes                                             | Conditional Use Permit    | UNKWN                               | 2+                                                                | UNKWN                                                                                                                                         | UNKWN                                                                      | By Plan Commission's review                | N/A                       | N/A                                                                                                                                 | No             | 1 space/sleeping room                                                                 | Quiet Hours 10:00 PM - 7:00 AM; requires map of property lines, but not floor plan; on-street parking not allowed                                                                                                        |
| Monona       | Yes                 | Yes                                             | No                        | 14 days/year                        | 1-6 daysfor Primary Resident, 6-29 days for non-primary residence | If non-primary residence, stays must between 6 -29 days, only operate 180 days in a 365 day period, only operate 30 days per permitting year. | 2 times the legal bedrooms or 12. Children do not count towards the limit. | UNKWN                                      | Yes                       | Must be the operator's primary residence to operate stays of 1 to 6 days.                                                           | No             | UNKWN                                                                                 | it shall be unlawful for any person to operate a short term rental property (STR) in the City of Monona for fifteen (15) or more days in any calendar year without a permit issued by the City Administrator or designee |
| Waunakee     | Yes                 | Yes                                             | Seller's Permit           | 10 days/year                        | 6-29 days                                                         | 180 days of 365 days;                                                                                                                         | 150 SF + (100 SF of habitable room area)<br>= Total # of Guests            | 3                                          | Yes                       | Not specific, baseline requirement to operate is that the TRH be the primary residence                                              | UNKWN          | 1 space/sleeping room                                                                 | Quiet Hours 10:00 PM - 7:00 AM; Property manager within 25 miles                                                                                                                                                         |
| Town of Dunn | Yes                 | Yes                                             | N/A                       |                                     | 1-6 daysfor Primary Resident, 6-29 days for non-primary residence | If non-primary residence, stays must between 6 -29 days, only operate 180 days in a 365 day period, only operate 30 days per permitting year. | 2 times the legal bedrooms or 12. Children do not count towards the limit. | N/A                                        | Yes                       | Must be the operator's primary residence to operate stays of 1 to 6 days.                                                           | No             | Only off-street parking allowed. Parking space limit to be included in advertisements | Mus+J1:N7t stay with guest the entire duration under the primary residence rules. Contain a clause that a permit is rquired before they can advertise.                                                                   |

|               |                                           |                                               |                    | Effects of changing Occupany Calculation |               |                      |                             | Effects of Changing Parking Calculation |                          |                           |                              | Effects of Residency Change                                |                                                         |
|---------------|-------------------------------------------|-----------------------------------------------|--------------------|------------------------------------------|---------------|----------------------|-----------------------------|-----------------------------------------|--------------------------|---------------------------|------------------------------|------------------------------------------------------------|---------------------------------------------------------|
| Permit Number | Name                                      | Address                                       | Agent              | Current Maximum guests                   | # of Bedrooms | New Maximum Occupany | Effect of Occupancy Change  | Current Parking Stalls Required         | Parking Stalls Available | New Parking Requirem ents | Effect of Parking Change     | Village Resident?                                          | Effect of Residency Change                              |
| 2022-01       | Qwest Sustainabilities, LLC/Matthew Duffy | the property located at 5703 Red Oak Trl      | None               | 8                                        | 4.00          | 8.00                 | No Change                   | 2.50                                    | 4.00                     | 3.00                      | Reduction in what's required | Yes                                                        | No Change                                               |
| 2022-02       | Nora Bird/Nick Hougas                     | the property located at 4514 Wisconsin Ave    | None               | 2                                        | 1.00          | 2.00                 | No Change                   | 1.25                                    | 2.00                     | 2.00                      | No effect                    | No*                                                        | Effect 7/1/23 can only rent for stays of 7 days or more |
| 2022-03       | Lake Edge Ventures LLC                    | the property located at 5720 Lake Edge Road   | Kelvin Veldre      | 6                                        | 2.00          | 4.00                 | Reduction in occupancy by 2 | 1.88                                    | 2.00                     | 2.00                      | No effect                    | No*                                                        | Effect 7/1/23 can only rent for stays of 7 days or more |
| 2022-04       | Bolha Short-Terms Rentals                 | the property located at 6011 South Court      | None               | 6                                        | 2.00          | 4.00                 | Reduction in occupancy by 2 | 1.88                                    | 3.00                     | 2.00                      | Reduction in what's required | No*                                                        | Effect 7/1/23 can only rent for stays of 7 days or more |
| 2022-05       | Wendy Unke                                | the property located at 5438 Bremer Rd        | None               | 6                                        | 3.00          | 6.00                 | 0.00                        | 1.88                                    | 3.00                     | 2.00                      | Reduction in what's required | Yes                                                        | No Change                                               |
| 2022-06       | McFarland House Café, Inc.                | 5923 Exchange St, Second Floor, Unit 1        | None               | 4                                        | 1.00          | 2.00                 | Reduction in occupancy by 3 | 1.25                                    | 7.00                     | 2.00                      | No effect                    | Yes                                                        | No Change                                               |
| 2022-07       | TSM Rentals                               | the property located at 5024 Card Ave         | Jennifer Sonnentag | 6                                        | 3.00          | 6.00                 | 0.00                        | 1.88                                    | 2.00                     | 2.00                      | No effect                    | Yes                                                        | No Change                                               |
| 2022-08       | 6131 Exchange LLC                         | the property located at 6131 Exchange St      | Shaun O'Hearn      | 6                                        | 3.00          | 6.00                 | 0.00                        | 1.88                                    | 3.00                     | 2.00                      | Increase, but can meet       | Yes                                                        | No Change                                               |
| 2022-09       | Carolyn Rink/Chris Fugate                 | the property located at 6611 Sleepy Hollow Rd | None               | 8                                        | 3.00          | 6.00                 | Reduction in occupancy by 2 | 2.5                                     | 5.00                     | 2.00                      | No effect                    | Yes                                                        | No Change                                               |
|               |                                           |                                               |                    |                                          |               |                      |                             |                                         |                          |                           |                              | *Based on known information, verification would be needed. |                                                         |