

415 N. MILWAUKEE ST.
WATERFORD, WI 53185
WATERFORD TOWN HALL

TOWN BOARD AGENDA

DECEMBER 12, 2022 @ 5:30 PM

Join Zoom Meeting

<https://us02web.zoom.us/j/88563422584?pwd=R3ZxNE1jSEd6VkhXaHpJSVdiSzNNQT09>

Meeting ID: 885 6342 2584

Passcode: 634514

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF TOWN BOARD MINUTES DATED NOVEMBER 14, 2022 & SPECIAL MINUTES DATED NOVEMBER 9TH AND NOVEMBER 21ST AS PRINTED.
4. APPROVAL TO PAY CLAIMS AS PRESENTED/TREASURER REPORT
5. CORRESPONDENCE-
6. DEPARTMENT/COMMITTEE REPORTS:
 - (a) Police Dept.
 - Request for ARPA funds for additional security cameras
 - (b) Tichigan Fire Co.
 - (c) Waterford Fire & Rescue
 - (d) Waterford Waterway Management District
 - (e) Park
 - (f) Road Dept.
 - Request to use ARPA funds for back-up generator
 - Update on one-ton pick-up
 - (g) Board of Health
 - (h) Town Planning Commission Recommendations
7. OLD BUSINESS:
 - (a) Discussion & possible action re: Ordinance repealing & recreating Short-Term Rental and Ordinance 1-14-19
 - (b) Discussion & possible action re: Ordinance amending section 6.09(2) dealing with existing extractive operations fees
8. NEW BUSINESS:
 - (a) Update regarding RCICC meeting

FORTH COMING EVENTS-

“Requests from persons with disabilities who need to participate in this meeting or hearing should be made to the Town Chairperson Office at 534-1871 with as much notice as possible”

**SPECIAL TOWN BOARD MEETING FOR WATERFORD
UNAPPROVED/UNOFFICIAL MINUTES FOR NOVEMBER 9, 2022
1 PM AT THE TOWN HALL**

VIA speaker phone, Chairman Hincz called the meeting to order at 1:05 pm. Present: Supervisors Nicolai, Gauerke, Szeklinski and Schwartz, Ryan Heiden, Von Briesen & Roper, Jim Schumitsch, WPPA, Chief Johnson and Officers Schweitzer, Leech, Ferger, Halliday and Floreani

Supervisor Schwartz motioned to move into closed session pursuant to Wisconsin Statute 19.85 (1) (c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried.

Chairman Hincz left the meeting around 2:30pm.

Supervisor Schwartz motioned to move into open session and adjourn at 4:38pm, seconded by Supervisor Gauerke. Vote taken: 4-0. Motion carried.

Respectfully Submitted,

Heather Stratton, Deputy Clerk

**SPECIAL TOWN BOARD MEETING FOR WATERFORD
UNAPPROVED/UNOFFICIAL MINUTES FOR NOVEMBER 21, 2022
1 PM AT THE TOWN HALL**

Deputy Clerk called the meeting to order at 1:00 pm. Present: Supervisors Nicolai, Gauerke, Szeklinski and Schwartz.

Supervisor Schwartz motioned to appoint Supervisor Szeklinski to Chair the meeting, seconded by Supervisor Gauerke. Vote taken: 4-0. Motion carried.

Supervisor Schwartz motioned to move into closed session pursuant to Wisconsin Statute 19.85 (1) (c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, seconded by Supervisor Nicolai. Vote taken: 4-0. Motion carried.

Supervisor Schwartz motioned to move into open session at 1:51pm, seconded by Supervisor Gauerke. Vote taken: 4-0. Motion carried.

1. Municipal Borrowing- Supervisor Nicolai read the resolution. Supervisor Schwartz motioned to approve the resolution to borrow \$1 million for a term of 10-years, 5.25% interest rate for the first 5 years, seconded by Supervisor Gauerke. Vote taken: 4-0. Motion carried.
2. Resolution to go to Referendum- Discussion took place regarding the Town's inability to increase the levy. Supervisor Schwartz motioned to not approve a resolution to go for a referendum for operating expenses but to possibly look into in the future, seconded by Supervisor Gauerke. Vote taken: 4-0. Motion carried.

Supervisor Schwartz motioned to adjourn at 2:03pm, seconded by Supervisor Nicolai. Vote taken: 4-0. Motion carried.

Respectfully Submitted,
Heather Stratton, Deputy Clerk

**TOWN BOARD MEETING FOR WATERFORD
415 N. MILWAUKEE ST.
UNAPPROVED/UNOFFICIAL MINUTES FOR NOVEMBER 14, 2022**

1. Town Board meeting was called to order at 5:30 PM by Chairman Hincz. Present: Supervisors Gauerke, Szeklinski, Schwartz, Attorney Dubis, Police Chief Johnson, Lieutenant John Nelson, DPW Director, Ken Hinz, TVFC Chief Bill Miller, WWMD Commissioner Bill McCormick, and residents of the Town. Supervisor Nicolai was present via Zoom and Chairman Hincz was present via speaker phone until 5:50pm.
2. Supervisor Szeklinski led the Pledge of Allegiance.
3. Printed Minutes: **Supervisor Schwartz motioned to approve the Town Board meeting minutes dated October 10, 2022 and Special Town Board meeting minutes dated September 28, 2022, October 10, 2022 and November 2, 2022, as presented, seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried.**
4. Treasurer Report/Payment of Claims- Supervisor Szeklinski read the Treasurer's report. **Supervisor Gauerke motioned to approve the Treasurer's report and pay the claims, seconded by Supervisor Schwartz. Chairman Hincz apologized for not being able to be in attendance and requested a meeting at his home to review the budget. Supervisor Szeklinski stated he would try to work it out. Vote taken: 5-0. Motion carried.**
5. Correspondence:
6. Committee Reports:
 - a) Police Dept. Report- Lt. Nelson reported 215 calls for October.
 - b) Tichigan Vol. Fire Co-Chief Miller reported 40 calls for October; 25 EMS, 13 Transport. Chief Miller reported \$15,255 for staffing. CPR and First-Aid classes coming up. Sent members to RTF training. Working on joint training with Rochester and Waterford.
 - c) WWMD- Bill McCormick reported that they had their annual meeting and that they were working on bidders for the small-scale dredging project.
 - d) Park Dept.- Ken Hinz reported that they did their last cutting for the year and have the water turned off.
 - e) Road Dept.- Ken Hinz reported that they have all the plows and salters on. Chairman Hincz questioned the personnel issue. Hinz stated that they are down a full-time employee and will probably have a difficult time keeping up. Supervisor Schwartz asked about the green flashing lights on the trucks. Hinz stated he'll eventually get the green lights. Supervisor Szeklinski stated he understands there's been some turn over and he would like to see how the next day goes with the new seasonal candidate and then have a couple board members sit down with Hinz to do an assessment and look at staffing before finalizing the budget.
 - Discussion & possible action re: Road Bond Requirements-Supervisor Schwartz asked if the Town has anything in the ordinances to protect the roads. Hinz stated he didn't think so. Hinz will contact the engineer to get standards. Szeklinski suggested discussing further.

- f) Board of Health- Supervisor Nicolai reported flu season is upon us and many have been experiencing high fevers and recommend getting flu shot. Racine Co Human Services has fentanyl test strips and Narcan.
- g) Town Planning Recommendations-
- Conditional Use/Site Plan Review-Crowe/Tromp, 7628 Chestnut Ln.- **Supervisor Gauerke motioned to approve subject to applicants meeting all Racine County requirements and subject to the Town engineer approving the storm water drainage plan, seconded by Supervisor Schwartz. Vote taken: 4-0 Motion carried.**
 - Conditional Use/Site Plan Review-TV Materials/Robert Epping, 3612 Buena Park Rd.- **Supervisor Gauerke motioned to approve contingent on all conditions being followed as outlined in Racine County's approval letter, dated October 20, 2022, vegetation is cut at the entrance to allow better site lines, no trespassing and no shooting signs are posted, ambient alarms are used, dust is controlled, well water is monitored, the Town's hours of operation are followed, Town Engineer approval, there is no blasting and no concrete or asphalt batch plants, noise standards are followed and there will be no staging of trucks at the start of the day, seconded by Supervisor Schwartz. Vote taken: 4-0. Motion carried.**

7. Old Business:

- a) Michael Barrett, 4317 Riverside Rd.- Michael Barrett gave the Town Board and Attorney an engineer report and an invoice for stone and engineering. Barrett stated that before the road was paved he spoke with Ken Hinz and made him aware of his concerns of water going onto his property and not getting to the catch basin. Barrett requesting reimbursement for engineering, stone and labor for spreading the stone. Ken Hinz stated that after the Town shouldered, Mr. Barrett requested gravel. The Town brought 2 loads of gravel and spread it out and Mr. Barrett said he was satisfied. Supervisor Gauerke read the letters from the DPW employees who brought the gravel and they indicated Mr. Barrett was satisfied after receiving the gravel. Discussion took place on Mr. Barrett raising his house 3 inches. Mr. Barrett indicated he has had issues with mold. Attorney Dubis recommended the Town stand behind the Town's engineer's report. **Supervisor Schwartz motioned to stand behind the Town engineer's report and deny the claims provided by Michael Barrett, seconded by Supervisor Gauerke. Attorney Dubis indicated that Mr. Barrett has other claims (personal) that he mentioned wanted to bring against the Town as well. Mr. Barrett indicated that this claim was part of a two-part claim. Vote taken: 4-0. Motion carried.**
- b) Discussion & Possible Action re; modifying short-term rental ordinance-Attorney Dubis explained the ordinance and that he received comments from the Chief Miller and that other people may have comments. Supervisor Szeklinski stated he would like to put out for public input and have Dubis meet with Chief Miller. Discussion took place on inspections and who should inspect. Leroy Zierath, 6628 Canal, stated he feels the short-term rental properties devalue the property around it and de-stabilizes neighborhoods. Grant Horn, 5826 N Riverbay, feels good that the Town is getting revenue and regulating. Horn indicated that he owns short-term rental properties and feels the one-day rentals give respectable owners bad name. Mr. Horn stated that like other good short-term rental owners, he limits the amount of people renting at one time to 4-5 people. Horn stated that typically the health department is the agency that inspects the properties. Szeklinski indicated that the ordinance is preliminary, Chief Miller, Attorney Dubis and Supervisor Gauerke to go through. Szeklinski stated there should be a public hearing.

Grant Horn stated he commends the Board on taking the steps to get the revenue and regulate the properties. Horn also stated that his property value increased and he improved the appearance of the property. Supervisor Gauerke indicated important points being the health department inspection should be a requirement, minimum sq. ft., site plan, no excessive noise, need to have safe ingress and egress, fire extinguishers, liability and casualty insurance. Feels is an important ordinance. No action. Item to be on next month's agenda.

- c) Discussion & Possible Action re: Resolution for referendum to increase levy limit to hire a full-time police officer-**Supervisor Szeklinski motioned to approve Attorney Dubis firm and have Attorney Kryshak work on wording for the referendum, seconded by Supervisor Nicolai. Vote taken: 4-0. Motion carried.**
- d) Discussion & Possible Action re: Resolution/addendum to increase current special charge for fire- **Supervisor Schwartz motioned to approve the increase from \$50 to \$100, seconded by Supervisor Nicolai. Vote taken: 4-0. Motion carried.**
- e) Discussion & Possible Action re: Approval of use of ARPA funds for Sewer Flow-Study-**Supervisor Gauerke motioned to approve \$22,500 for the sewer flow-study, seconded by Supervisor Schwartz. Robert Ulander, 32741 Territorial, expressed concern about using ARPA funds for something that does not benefit the entire town as there is no sewer on the way west end. Szeklinski and Nicolai indicated the study is to look at widening the boundaries, so it is not just for a small portion of the Town and will benefit all tax payers. Supervisor Gauerke stated that sewer is one of the items specifically identified as a use of ARPA funds. Vote taken: 4-0. Motion carried.**
- f) Discussion & Possible Action re: Resolution approving the use of unused levy carryforward from 2021- **Supervisor Schwartz motioned to approve, seconded by Gauerke. Vote taken: 4-0. Motion carried.**

8. New Business:

Forthcoming Events- Deputy Clerk handed a letter from Dawn Lehman, 6725 Spruce Ln. Ms. Lehman had indicated that she thought the issue with the home next to her, 6721 Spruce, was on the agenda. Tom Laurent, 6701 Spruce, indicated that he would like the Board to go view this home. It was deemed uninhabitable by the health department and is only getting worse. Item to be on December agenda. Supervisor Schwartz explained that a developer is requesting the DeGrave property be annexed into the Village of Waterford. The plan is for 90 homes and 60 apartments.

Supervisor Schwartz motioned to adjourn the meeting at 6:49 pm, seconded by Supervisor Gauerke. Vote taken: 4-0. Motion carried.

Respectfully Submitted,

Heather Stratton, Deputy Clerk

DECEMBER 5, 2022
PLANNING COMMISSION MEETING
TOWN OF WATERFORD
415 N. MILWAUKEE ST., WATERFORD, WI

TOWN HALL

5:00 PM

Join Zoom Meeting

<https://us02web.zoom.us/j/84582868573?pwd=NjE0dVF1a2p1aUpzSVJib3h0RzIYdz09>

Meeting ID: 845 8286 8573

Passcode: 875912

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF NOVEMBER 14, 2022 MINUTES AS PRESENTED.
4. CORRESPONDENCE-
5. REZONE- DEBACK/PAYNE & DOLAN (AGENT/APPLICANT), 7512 NORTHWEST HWY.- REQUEST TO REZONE FROM M-4 (QUARRY DIST.) TO A-1 (FARMLAND PRESERVATION DIST.) PURSUANT TO THE RECLAMATION PLAN.
6. SHORELAND CONTRACT REPORT
7. FORTH COMING EVENTS-

“Requests from persons with disabilities who need to participate in this meeting or hearing should be made to the Town Chairperson Office at 534-1871 with as much notice as possible”

TOWN BOARD MAY BE IN ATTENDANCE

This notice is subject to amendment up and to the time applicable as allowed by law. Please check with Town Clerk for any changes.

**PLANNING COMMISSION MEETING
415 N. MILWAUKEE ST.
DECEMBER 5, 2022 @ 5:30 PM
UNAPPROVED/UNOFFICIAL MINUTES**

1. Via speaker phone, Planning Commission meeting was called to order at 5:30 PM by Chairman Hincz: Commissioners Schmidt, Luick, Wenck and Town Attorney were present. Commissioner Dickinson was present via Zoom. Commissioner Nelson was excused.
2. Chairman Hincz led the Pledge of Allegiance.
3. **Commissioner Luick motioned to approve the 14, 2022 minutes as presented, seconded by Commissioner Schmidt. Vote taken: 5-0. Motion carried.**
4. Correspondence:
5. Rezone- Deback/Payne & Dolan, 7512 Northwest Hwy.- Bryanna Bucholtz, Payne & Dolan, was present. Attorney Dubis indicated that he believes there are 1-2 pits that promised a lake lot to the Town, once the pit was reclaimed. Attorney Dubis stated that Supervisor Gauerke did not believe this was one of the pits. Supervisor Gauerke verified that this was the last of the property to get reclaimed as the rest had already been reclaimed. **Commissioner Derse motioned to approve the rezone from M-4 to A-1, seconded by Commissioner Luick. Vote taken: 5-0. Motion carried.**
6. Shoreland Contract Report- None
7. Forthcoming Events-

Commissioner Luick motioned to adjourn the meeting at 5:40 PM, seconded by Commissioner Schmidt. Vote taken: 5-0. Motion carried.

Respectfully Submitted,

Heather Stratton, Deputy Clerk

Ordinance#

Township of Waterford, Racine County, Wisconsin

An ordinance repealing and re-creating ordinance 1-14-19 dealing with short-term rentals (STR) of residential dwellings (with or without consideration paid) within the Town of Waterford.

THE TOWN BOARD OF THE TOWNSHIP OF WATERFORD, at its duly noticed and regular monthly meeting does hereby pass the following ordinance dealing with short term rentals. This ordinance, in part repeals and recreates Ordinance labeled 1-14-19 which ordinance was passed on January 14th, 2019 and which said January 14th ordinance itself repealed ordinances 6.15 and ordinance 8.14.17.

Section I. Purpose

The purpose of this ordinance is to ensure that residential real estate within the Town of Waterford is used in such a manner as to protect and promulgate public health, safety, and general welfare and to protect the character and stability of neighborhoods within the Town. The public has concerns regarding noise, litter, public safety, and uses which contribute to diminishing property values. Said contribution attributed to short term rental property.

Section II. Exclusions

The following uses are excluded and exempt from this ordinance:

1. Any member of the short-term rental owner's family (for example an owner being an LLC) using the real estate for no consideration.
2. Any person providing long term care to an occupant of said real estate.
3. Rental of lands for hunting purposes.

Section III. Authority

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

Section IV. Definitions

"Property Owner" means the person who owns the residential dwelling that is being rented.

"Property Manager" means a person who is not the property owner and who provides property management services for one or more short-term rentals and who is authorized to act as the

agent of the property owner for the receipt of service of notice of municipal ordinance violations and for service of process pursuant to this ordinance.

"Short-term rental" (STR) means a residential dwelling that is offered for rent for a fee and for fewer than 29 consecutive days.

"Lodging Marketplace" means an entity that provides a 3rd party rental platform such as Airbnb or VRBO and other entities, like property management companies that rent short-term rentals for the owner, and collects the consideration for the rental from the occupant.

Section V. Short-Term Rental License

A) No person may maintain, manage, or operate a short-term rental more than 10 nights each year without a Town Short-term Rental License issued pursuant to this ordinance. A Room Tax Permit is required regardless of how many days the residential dwelling is rented out.

B) Licenses shall be issued using the following procedures:

1. Prior to applying for a Town Short-term Rental License:

- The applicant must obtain a valid State of Wisconsin Tourist Rooming House License from the Racine County Public Health Department.
- All applications for a Town Short-term Rental License shall be filed with the Town Clerk, or designee, on forms provided.
- Applications shall be filed by the Property Owner or authorized Agent.
- No license shall be issued unless the completed Short-Term Rental application form and Room Tax Permit application are accompanied by the payment of the required application and inspection fees.
- Other required documentation includes the Tichigan Fire Company inspection form, proof of casualty and liability insurance, a floor plan showing living areas with room measurements and maximum occupancy, and a site plan showing 2 on-site parking spaces for every 4 occupants.
- In addition, after receiving a Town Short-term Rental License, the owner is required to fill out and submit to the Town Clerk a Quarterly Room Tax Permit Reporting Form regardless of whether the property was rented out or not for the quarter.
- The Town Clerk shall issue a Short-term Rental license and Room Tax permit subject to applicants completing all documentation and payment of all required fees and approval by the Town Planning Commission and the Town Board, or its designee.

2. A Short-term rental license shall be effective for one year. The annual licensing term begins July 1st and ends June 30th the following year. The Town Clerk may conditionally accept late applications, subject to the payment of the late filing fee. A renewal application and renewal fee must be filed with the town clerk at least 45 days prior to license expiration so that the Town has adequate time to consider the application. The renewal application shall

include any updated information since the filing of the original application. An existing license becomes void and a new application is required any time the ownership of a residential dwelling licensed for short-term rentals changes.

Section VI. Operation of a short-term rental

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

1. If a residential dwelling is rented for a fee and for fewer than 29 days.
2. The Property Owner or Property Manger shall notify the Town Clerk in writing when the first rental within a 365-day period begins.
3. No recreational vehicle, camper, tent, or other temporary lodging arrangement shall be permitted on site as a means of providing additional accommodations for occupants beyond the number of overnight guests authorized pursuant to the Property Owner's Tourist Rooming House License and applicable town, county, or state rules and regulations.
4. The Property Owner and/or Property Manager must provide the Town with current contact information and must be available 24 hours a day, 7 days a week by telephone during periods the property is being rented. The Town must be notified within 24 hours of any change in contact information.
5. Each short-term rental shall maintain a register and require all guests to register with their actual names and addresses. The register shall be kept on file for at least one year. The register shall also include the time period for the rental and the monetary amount or consideration paid for the rental.
6. Each short-term rental shall hold a valid State of Wisconsin Tourist Rooming House License and shall provide proof of such license by attaching a copy to the initial license application and all subsequent renewal applications.
7. All rentals shall be subject to the Town of Waterford Room Tax.

Section VII. Property Rules and Standards

Each Tourist Rooming House offered for short-term rental shall comply with all of the following:

1. The maximum number of occupants allowed shall not exceed the following limits: not less than 150 square feet of floor space for the first occupant thereof, and at least 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 excluding kitchens, bathrooms, closets, garages, and rooms not meeting Uniform Dwelling Code requirements for occupancy. The maximum occupancy for any premises without a separate enclosed bedroom is two people.
2. A floor plan showing the requested maximum occupancy, room measurements, designated sleeping areas, and showing at least one internal bathroom for every four occupants.
3. A site plan showing the location of two on-site off-street parking spaces for every four occupants based on maximum occupancy.
4. Compliance with all state, county, and local codes and regulations is required.

5. There shall be no excessive noise, fumes, glare, or vibrations generated during the use of the dwelling as a short-term rental. Town regulations on pets, outdoor burning, fireworks, and lake rules shall be followed. Quiet hours are to be observed on weekdays between 10:00 PM and 7 AM, and on weekends and holidays quiet hours are to be observed between 11:00 PM and 7:00 AM. Quiet means that noise levels at the property line shall not exceed-60dBA.
6. A copy of the Short-term Rental License and, if applicable, Property Manager License shall be displayed on the inside of the main entrance door of each Tourist Rooming House (STR).
7. Each dwelling unit shall provide two safe, unobstructed means of egress leading to safe, open space at ground level.
8. Each dwelling unit shall have functional smoke detectors as follows: One (1) in each bedroom or sleeping area, one (1) outside of the bedroom or sleeping area within 21 feet of the bedroom(s) in the direction of egress, one per floor. Carbon monoxide detectors as follows: one (1) per floor if a fuel burning appliance or attached garage is present.
9. No dwelling unit shall have an accessible wood or solid fuel burning stove or fireplace unless the owner provides a current "cleaning and inspection" certificate by a certified chimney sweep professional.
10. Each dwelling unit shall provide at least one (1) UL rated 2A:10B:C fire extinguisher within the unit, which shall be maintained on an annual basis. If the extinguisher is not readily visible, one or more signs shall be posted indicating the location of the extinguisher.
11. All dwelling units shall carry casualty and liability insurance issued by an insurance company authorized to do business in this state by the Wisconsin Office of the Commissioner of Insurance, with liability limits of not less than three hundred thousand dollars (\$300,000) per individual and one million dollars(1,000,000) aggregate.
12. All advertisements for rental of a tourist lodging unit shall contain the Town of Waterford identification number assigned to the dwelling unit, including any advertisements by a third party or a Lodging Marketplace.
13. The property owner or property manager of each short-term rental shall provide a guest register and require all guests to register their true names and addresses and rental time period(s) before being assigned sleeping quarters. The guest register shall be kept by the property owner or property manager and available for inspection for at least one year, as required by the Wisconsin Administrative Code.

Section VIII: Inspections

1. Each separate STR unit which is offered for rental as a tourist rooming house is required to be inspected annually by the State or by the Racine County Public Health Department and by the Tichigan Fire Company.
2. The holder of the permit or license shall be responsible for payment of the inspection fees.
3. If the Racine County Public Health Department or Fire Inspector at any time is unable to conduct an inspection due to denial of access, the tourist rooming house shall not operate until it has passed the inspection.

Section IX. License Revocation

- A. Grounds for Revocation. A license may be revoked by the Town Board during the term of a license year and following a due process hearing for one or more of the following reasons:
1. Failure to make payment on taxes or debt owed to the Town of Waterford.
 2. Three or more police officer-verified violations in a twelve-month period for nuisance activities or other law violations.
 3. Three or more citations issued by the Racine County Public Health Department or by the Tichigan Fire Company Inspector in a 12-month period.
 4. Failure to comply with applicable building code/inspection requirements.
 5. Failure to maintain all required local, county, and state licensing requirements.
 6. Any violation of local, county, or state laws that substantially harm or adversely impacts the predominately residential uses and nature of the surrounding neighborhood.
- B. Resubmission. Upon revocation of a license under this section, a new application for the same property or property manager will not be permitted for one (1) calendar year.

Section X: Room Tax

- A. A Room Tax Application must be completed along with a Short-Term Rental License. Although the Short-Term Rental License is required for short-term renting more than 10 nights every 365 days, a Room Tax Permit is required by every person furnishing rooms or lodging to the public regardless of how many days the home is rented out. The Room Tax permit fee is \$25.00 and issuance is valid for the duration of a permit-holder's ownership of the home. A room tax reporting form must be filled out quarterly. In the event the property was not rented out during a quarter, a reporting form must be filed stating "\$0.00 received" for the quarter. Failure to obtain the required Room Tax Permit may result in monetary penalties of \$300-\$1000 per offense, together with applicable court costs and fees.
- B. Tax Imposed. Pursuant to Wis. Stat. 66.0615(1M), a tax is hereby imposed on the privilege of furnishing at retail, except sales for resale, rooms or lodging to transients by hotel keepers, motel keepers, and other persons furnishing accommodations
- C. The Room tax shall be at the rate of 8% of the gross receipts from such retail furnishing of rooms or lodging. Such tax shall not be subject to the selective sales tax imposed by Wis. Stat. 77.52(2)(a)1, and may not be imposed on sales to the federal government and persons listed under Wis. Stat. 77.54(a).
- D. Revenue Distribution. The proceeds of the room tax when collected shall be apportioned 30% to the Town for general purposes and the remaining 70% shall be forwarded to a tourism entity to be spent on tourism promotion and development as defined in Wis. Stat. 66.0615(1)(fm). Disbursements of the room tax shall be administered by the Town Clerk/Treasurer, who shall ensure that at least 70% is spent on tourism promotion and

development.

- E. Administration. Collection of the room tax shall be administered by the Town Clerk/Treasurer . The room tax is due and payable within 30 days of the end of the calendar quarter for which imposed.
- F. Tax Returns. Each Property Owner or Property Manager Licensee are required to collect and pay the room tax on the owner's behalf shall file with the Town Clerk/Treasurer consolidated room tax returns for the managed tourist rooming houses on or before the same date on which the tax is due and payable. All quarterly returns shall be signed by the Property Manager or authorized agent but need not be verified by oath. All tax returns and supporting documentation filed with the treasurer are confidential and subject to the protections provided under Wis. Stat. 66.0615(3) and 77.61.
- G. Late or Unfiled Returns. If a person, required to file a return, fails, neglects, or refuses to do so for the amount, in the manner and form and within the time prescribed herein, the Town Clerk/Treasurer may determine the amount of room tax according to his or her best judgment. All late taxes under this ordinance shall bear interest at a rate of 1% per month from the due date of the tax until the first day of the month following the month in which the tax is paid or deposited with the Town Clerk.
- H. Audit. Whenever the Town Clerk has probable cause to believe that the correct amount of room tax has not been assessed or that the tax return is not correct, the Town Clerk/Treasurer may inspect and audit the financial records of any person subject to the tax to determine whether the correct amount of tax is assessed and whether any room tax return is correct.

Section XI. Penalties

Any person, partnership, corporation or other legal entity that fails to comply with the revisions of this ordinance shall, upon conviction, pay a forfeiture of not less than \$300 nor more than \$1000, plus the applicable surcharges, assessments, and costs for each violation. Each day a violation exists or continues constitutes a separate offense under this ordinance. Penalties set forth in this section shall be in addition to all other remedies of injunction, abatement, or costs whether existing under this ordinance or otherwise.

Section XII. Permit Fee

The license application fees established by the Town of Waterford Board of Supervisors shall correlate with the administrative and related costs involved with compliance monitoring. Fees are nonrefundable and shall not be prorated. Any renewal application received after the expiration date may be subject to a late fee.

Initial Short-Term Rental License Application fee	\$500.00
Renewal Short-Term Rental License application fee	\$250.00

Late filing fee	\$250.00
Inspections/Reinspection (as necessary)	\$100.00
Room Tax Application fee	\$25.00

Section XII. Severability

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

Section XIII. Effective Date and Publication

This ordinance shall become effective upon adoption and publication as required under Wis. Stat. 60.80.

Adopted by a vote of _____ Ayes and _____ Nays on this 12th day of December, 2022.

Thomas Hincz, Town Chairman

Attest:

Tina Mayer, Clerk

Quarterly Room Tax Collection Report

The Town of Waterford charges an **8% local tax** on Hotel, Motel, Inn, Bed & Breakfast & Rooms/Houses/Apartments rented through online sources such as but not limited to Airbnb, VRBO. This Quarterly Room Tax Collection report and payment is due on or before the 15th day of the month following the end of each quarter and covers room receipts for the prior quarter. Please check the box next to the quarter you are filing and enter the year on the line provided. This form is available online at: <https://www.tn.waterford.wi.gov>

Quarter	Ending Date	Due Date	
<input type="checkbox"/> 1	March 15	April 15	Reporting Year _____
<input type="checkbox"/> 2	June 15	July 15	
<input type="checkbox"/> 3	September 15	October 15	
<input type="checkbox"/> 4	December 15	January 15 (Next Year)	

Room Tax receipts for quarter checked above:	Receipts
1. Gross Room Receipts	
2. Less Exempt Non-Transient Room Receipts	
3. Taxable Room Receipts (Line 1 minus Line 2)	
4. Gross Room Tax (Multiply Line 3 by .08)	
5. Interest on Late Payment*	
6. Total Payment (Line 4 plus Line 5)*	

*Unpaid occupancy taxes bear interest at 1% per month from the due date of the return until the paid date.

I certify the above information supplied is true and correct, to the best of my knowledge

Your Name: _____
 Name of Business: _____
 Address: _____
 City, State, Zip: _____
 Signature: _____
 Your Title: _____
 Date: _____

Please Make Checks Payable and Mail to: **Town of Waterford Treasurer**
 415 N. Milwaukee St.
 Waterford, WI 53185

SHORT TERM RENTAL APPLICATION

FEE \$500.00

DATE RECEIVED: _____

For the license period beginning _____ 20____
Ending _____ 20____

INTERNAL REVENUE SERVICE EMPLOYER ID #: _____

CONTACT INFORMATION:

PROPERTY OWNER NAME: _____

PROPERTY MANAGER NAME: _____

24 HOUR PHONE NUMBER: _____ OWNER PHONE # _____

MAILING ADDRESS: _____

PROPERTY PHYSICAL ADDRESS: _____

EMAIL: _____

REQUIRED:

	Tourism Rooming House License Permit from the State of WI Department of Agriculture, Trade & Consumer Protection under ATCP 72.04
	Completed State Lodging Establishment Inspection dated within 60 days of the date of issuance or renewal
	Proof of casualty and liability insurance issued by an insurance company authorized to do business in the State of Wisconsin, with liability limits of not less than \$300,000 per individual and \$1,000,000 aggregate
	Floor plan of the proposed property for rental with requested maximum occupancy
	Site plan including available onsite parking
	Annual general building and fire inspection
	Room Tax Permit

All Short-term Rental applications are required to have a Fire Inspection and any follow-up inspections are a separate fee in the amount \$100.00. Any subsequent Fire Inspections required to correct violations will be \$100.00 and must be prepaid before Fire Inspection is completed.

I, _____ (Property Owner OR Authorized Agent) certify that the above property meets the requirement of the **Town of Waterford Code.**

Signature of Property Owner OR Authorized Agent

FOR OFFICE USE ONLY:

Reports received on		Waterford Police Department
Reports received on		Racine County Sheriff's Department
Reports received on		Racine County Health & Human Services

Approved by Plan Commission on: _____

TOWN OF WATERFORD
ROOM TAX PERMIT APPLICATION
PERMIT # _____ FEE \$25.00

DATE RECEIVED: _____

WI DOR SELLERS PERMIT #: _____
Authorization to Wisconsin Department of Revenue to release sales tax returns and information to the town of Waterford Treasurer

NAME OF PROPERTY OWNER: _____

NAME OF BUSINESS: _____

PHYSICAL ADDRESS OF RENTAL(S): _____

MAILING ADDRESS OF PROPERTY OWNER: _____

NUMBER OF UNITS AVAILABLE FOR RENT: _____

PRESENT RATE SCHEDULE: _____
(Please attach your printed schedule if available)

DATE BUSINESS OPENED: _____

PHONE NUMBER (Owner or Manager): _____

Signature of Owner or Authorized Agent

SEND QUARTERLY REPORT FORMS TO:

**TOWN OF WATERFORD TREASURER
415 N. MILWAUKEE ST.
WATERFORD, WI 53185**

FOR OFFICE USE ONLY:

Permit Number: _____

Date Permit Issued: _____

Zoning District: _____

Tax Parcel #: _____

ORDINANCE #
TOWNSHIP OF WATERFORD
RACINE COUNTY, WISCONSIN

AN ORDINANCE REPEALING AND RE-CREATING ORDINANCE 1.14.19 SO AS TO
LIMIT THE EFFECT OF THIS ORDINANCE TO THE PLACEMENT OF TRAILERS,
MOBILE HOME PARKS, CAMPGROUNDS; MANUFACTURED HOMES; RV VEHICLES

THE TOWN BOARD OF THE TOWNSHIP OF WATERFORD, at its duly noticed monthly meeting, does hereby repeal and recreate Ordinance 1.14.19 (which shall be renumbered upon re-codification). This Ordinance is enacted under the police powers of the Township to promote the health, welfare and safety of the Town and is enacted under Sections 60.22 and 60.23(23) of the Wisconsin Statutes. A primary purpose of this Ordinance is to prohibit certain usages of real property, whether for consideration, in locations not conducive to such usage. There have been complaints concerning noise, litter, public safety; said usages causing diminishing property values and creating violations of the Town's Aesthetic Ordinance and creating public and/or private nuisances. This Ordinance does not apply to properly zoned and approved usages already in legal existence.

THEREFORE IT IS ORDAINED AS FOLLOWS:

1. To the extent allowed by law, the Town of Waterford prohibits the creation of any Mobile Home Parks; RV Parks; Campgrounds, and Manufactured Home Parks as are commonly referred to and as may be defined by State Law, as the same are not compatible with the topography and physical appearance of this Township. It is believed there are currently none of the above lawfully in existence in the Township at this time. The Town of Waterford Board of Supervisors finds that this prohibition promotes the health, welfare and prosperity of the Township and its residents.
2. State Laws Adopted. In the event the Township is prohibited from outlawing, by this Ordinance, one or all of the usages referred to in 1. above, all provisions of the ordinances of the Town of Waterford (such as the Aesthetic Ordinance and the Land Disturbance Ordinance), the Wisconsin Statutes, the Wisconsin Administrative Code and Racine County Ordinances, to the extent legally permissible, relating to the above items

prohibited, are adopted by reference and are hereby declared to be legally enforceable by the Township of Waterford.

3. Severability. In the event any part of this Ordinance is found to be invalid or unconstitutional by a Court or Administrative Agency, the Town Board expressly states that the remainder of this Ordinance shall be intended to be in effect.
4. Forfeiture. Any violation of this Ordinance shall be subject to a forfeiture not to exceed \$1,000.00 per day. The Town may also avail itself of injunctive remedies. Each day of violation shall be a separate offense without the need to serve daily violation citations and can then be joined in a single prosecution. The Town police department is charged with the enforcement of this Ordinance.

PASSED AND ADOPTED this ____ day of _____, 2022, to take effect upon posting, publishing and notification as required by law.

THOMAS HINCZ, Town Chairman

ATTEST:

TINA MAYER, Clerk

ORDINANCE#
TOWNSHIP OF WATERFORD
RACINE COUNTY, WISCONSIN

AN ORDINANCE AMENDING SECTION 6.09(2) OF THE MUNICIPAL CODE OF THE
TOWNSHIP OF WATERFORD DEALING WITH EXISTING EXTRACTIVE OPERATIONS
FEES

THE TOWN BOARD of the Township of Waterford, Racine County, Wisconsin at
its duly noticed monthly meeting does hereby ordain that

Section 6.09(2) of the Municipal Code of the Township of Waterford is hereby
amended so as to make the annual extractive operation permit fee \$5,000.00
for renewals of existing operations.

Dated at Waterford, Wisconsin this 12th day of December, 2022.

THOMAS HINCZ
Town Chairman

ATTEST:

TINA MAYER
Town Clerk