
Municipal Code Enforcement, LLC

Memorandum

To: City of Whitewater Common Council

From: Allison Schwark, Municipal Code Enforcement, Zoning Administrator

Tourist Rooming House Ordinance 5.39

On September 5, 2023 the Common Council convened to discuss and take action on a first reading of Ordinance 2065, an ordinance creating chapter 5.39 licensing of short-term rentals.

Municipal Code Enforcement, LLC was instructed to amend the ordinance following all discussions and suggestions for edits from the Common Council and City staff. Based upon these suggestions, the amended ordinance includes a definition of short-term rentals, an amendment from a 25-mile radius to a 50-mile radius for property management companies, an increased time limit of 72 hours from 24 hours for a change in management, restriction of access to wood burning fireplaces, removal of property management license requirements, and finally, an increase in annual licensing fees.

On September 19, 2023, the Common Council convened to discuss and take action on a second reading of Ordinance 2065, an ordinance creating chapter 5.39 licensing of short-term rentals.

During this meeting, it was suggested that short-term rental owners be notified of the possibility of an ordinance going into effect, and request they give input

on the proposed ordinance. Additionally, further modifications were required within the proposed ordinance.

Based upon the suggested changes by the Common Council on September 19, 2023, the following amendments have been made to ordinance 2065:

The phrase “Short Term Rental” has been removed from ordinance and changed to “Tourist Rooming House”. This verbiage is consistent with State definitions, and state ordinances pertaining to rentals offered to tourists and transients.

The definition of a Tourist Rooming House is as follows: Tourist Rooming House - Includes all lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists and transients for fewer than 30 consecutive days. It does not include private boarding houses or rooming houses not accommodating tourists or transients, or bed and breakfast establishments regulated under ACTP 73.

The annual renewal of April 30th has been removed, and license applications shall last for one year from the application approval date (365 days) and shall be renewed each year. Any applications received late shall be subject to a penalty late fee, and any applications received more than 30 days after the expiration date, shall be required to resubmit a new application, and pay a new application fee vs. a renewal fee.

Duplicate terms and conditions were removed, the ordinance grammar and spelling was corrected, and the document was properly formatted.

Respectfully,

Allison Schwark