

Town of Winchester
Winnebago County, Wisconsin
Ordinance 2026-01
Short-Term Rental Licensing

Section 1. Purpose.

The purpose of this ordinance is to ensure that the quality and nature of the short-term rentals operating within the Town of Winchester are adequate for protecting public health, safety, and general welfare and to protect the character and stability of neighborhoods within the Town.

Section 2. Authority.

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

Section 3. Definitions.

- (a) “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.
- (b) “Property Owner” means the person who owns the residential dwelling that is being rented.
- (c) “Residential Dwelling” means 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 or more persons maintaining a common household, to the exclusion of all others.
- (d) “Short-term rental” means a Residential Dwelling that is offered for rent for a fee and for fewer than 29 consecutive days.

Section 4. 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.
- (b) Application for a Short-Term Rental License shall be made to the Town Clerk by the Property Owner on the forms provided by the Town. No license shall be issued unless the completed application form is accompanied by the application fee in accordance with the Town’s Fee Schedule.

- (c) Each initial application for a Short-Term Rental License is subject to a Class 2 Publication Notice followed by a 14-day written Public Comment period; after which the Town Board will consider the Short-Term Rental License application at a regular Town Board meeting.
- (d) Each Short-Term Rental License application shall include the following information and documentation for each short-term rental unit in order to demonstrate compliance with all requirements of this ordinance:
 - (1) The name of the Property Owner with contact information, including mailing address, email address, and telephone number at which the Property Owner is available.
 - (2) A copy of a State of Wisconsin License for a tourist rooming house as defined in Wis. Stat. §97.01(15k).
 - (3) A copy of a completed State of Wisconsin Lodging Establishment Inspection report dated within one (1) year of the date of the Short-Term Rental License application to the Town.
 - (4) Proof of homeowner's liability or business liability insurance as required in this ordinance.
 - (5) A copy of a Seller's Permit from the State of Wisconsin Department of Revenue, if required by the State of Wisconsin.
 - (6) A floor plan and requested maximum occupancy.
 - (7) A site plan showing the location of buildings, amenities, and on-site off-street parking areas designated for tenants and invitees.
 - (8) A copy of a Property Management Agreement, if applicable, with the designation of a Property Manager with contact information including mailing address and telephone number at which the Property Manager is available, and an affirmative statement that the Property Manager is authorized to act as agent and as the local contact person for the Property Owner with respect to operation of the short-term rental, including taking remedial action and promptly responding to any violation of this ordinance or other Town ordinance relating to license premises, and receiving service of notice of violation of this ordinance's provisions.
 - (9) Written certification by the Property Owner that the short-term rental meets the requirements of this ordinance and applicable state and county laws, ordinances, and regulations.
 - (10) An employer identification number issued by the Internal Revenue Service, if applicable.
 - (11) For renewal licenses only, written certification that a guest register, the official record provided and kept by a Property Owner or Property Manager in which short-term rental occupants and/or guests are required to keep their true names and addresses before being assigned sleeping quarters, has been kept as required by the Wisconsin Administrative Code §ATCP 72.16.
- (e) A Short-Term Rental License is issued for a period of one year from July 1st of the current year to June 30 of the following year, and each license may be renewed annually.

- (f) The Short-Term Rental License and emergency contact information shall be posted in a conspicuous area within the short-term rental property at all times.
- (g) A Renewal Application for a Short-Term Rental License must be filed with the Town Clerk a minimum of 45 days prior to license expiration and shall include updated information for the documentation on file with the Town and payment of the applicable non-refundable license renewal fee in accordance with the Town's Fee Schedule. The Town Clerk shall verify that the information provided on the renewal application is complete and in accordance with the requirements of this ordinance. The Town Clerk may request reports from the Sheriff's Department and other law enforcement agencies regarding any complaints received, calls for service, or actions taken regarding the short-term rental property. The Town Board shall review the renewal application and any law violations relating to the short-term rental property and operations, and its owner(s), tenant(s), occupant(s) or visitor(s), and whether such violations substantially harm or adversely impact the predominantly residential nature of the surrounding neighborhood. If after such consideration the Town Board determines not to renew the license, the Town Board shall notify the applicant in writing of the reason(s) for such decision.
- (h) No license shall be renewed if the short-term rental property is under an order to bring the premises into compliance with the State, County, or Local laws, codes, rules, or regulations.
- (i) An existing license becomes void and a new application is required any time the ownership of the property licensed for short-term rental changes.

Section 5. Operation of a Short-term Rental.

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

- (a) 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.
- (b) If a residential dwelling is rented for periods of fewer than 29 consecutive days, the total number of days within any consecutive 365-day period that the dwelling may be rented shall not exceed 180 days.
- (c) Compliance with all state, county and local codes.
- (d) Compliance with building and fire code inspection requirements.
- (e) No signage advertising for the short-term rental is permitted on site. This prohibition is necessary due to safety and security concerns associated with potential burglaries, theft, trespassing, and other property-related crimes, which may result from on-site advertising of the availability of a single-family residential dwelling.

- (f) The number of occupants in any residential dwelling shall not exceed the limits set forth in Wis. Admin. Code § ATCP 72.14 for hotels, motels, and tourist rooming houses.
- (g) No recreational vehicle, camper, tent, or other temporary lodging arrangement shall be permitted on site as a means of providing additional accommodations for paying guests or other invitees.
- (h) Any outdoor event held at the short-term rental shall last no longer than one day occurring between the hours of 8:00 a.m. and 10:00 p.m. At minimum, a seven consecutive day interval must occur between outdoor events held at the short-term rental. Any activities occurring at the short-term rental shall comply with other applicable noise regulations.
- (i) Trash and recycling shall not be left stored in public view except in proper containers for the purpose of collection by the authorized waste hauler on scheduled trash days.
- (j) 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.
- (k) The Property Owner shall have and maintain homeowner's liability or business liability insurance effective during all short-term rental periods for the premises that are used for short-term rental and shall provide written evidence of such insurance with the license application and renewal application forms. This insurance requirement may be satisfied through such sources as the property owner may choose, including, but not limited to, conventional insurance or insurance offered through a lodging marketplace.
- (l) A local property management contact (either the Property Owner or an appointed Property Manager) must be on file with the Town at all times and must be located within 50 miles of the short-term rental. 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. The Town must be notified within 24 hours of any change in contact information.
- (m) The Property Owner or Property Manager shall, upon notification that the responsible person and/or any occupant and/or guest of the short-term rental has created unreasonable noise or disturbances, engaged in disorderly conduct, or committed violations of any applicable law, rule or regulation pertaining to the occupancy of the subject short-term rental, promptly respond in a timely and appropriate manner to immediately halt or prevent a recurrence of such conduct by the responsible person and/or any occupants and/or guests. Failure of the Property Owner or Property Manager to respond to calls or complaints regarding the condition, operation, or conduct of occupants and/or guests of the short-term rental in a timely and appropriate manner shall be subject to all administrative, legal, and equitable remedies available to the Town.

- (n) Each area and room designated for sleeping shall have at least one means of exit to the exterior, by door or egress window. If a room does not meet these qualifications, a sign shall be posted notifying occupants that the room shall not be used for sleeping due to lack of safe egress.
- (o) Basement areas designated or used for sleeping shall have at least two exits to the exterior, by door or egress window. If a basement does not meet these qualifications, a sign shall be posted notifying occupants that the basement area shall not be used for sleeping due to lack of safe egress.
- (p) Parking requirements.
 - (1) A minimum of two off-street parking spaces shall be provided on the subject property for each short-term rental. If the short-term rental provides three or more bedrooms, an additional on-site parking space is required for each additional bedroom over two, plus one space for each employee on the largest shift, if applicable.
 - (2) All guest parking for vehicles and trailers shall be within a parking space designated on the site plan, on an area paved with concrete or asphalt.
 - (3) All guest vehicles and trailers may only park on-site. Street parking for guests is not permitted.
 - (4) No parking is permitted on gravel, lawn, or any other non-paved surface at any time.

Section 6. Access and inspections.

The Town shall be authorized at all reasonable times upon reasonable notice to the Property Owner, and with either the Property Owner's consent or a special inspection warrant under Wis. Stat. § 66.0119, except in cases of emergency where no special inspection warrant is required, and as provided in Wis. Stat. § 66.0119(2), to enter and examine any building, structure, or premises, for the purpose of ensuring compliance with this chapter. If the owner declines to consent to an inspection without a warrant, the Town may not conduct an inspection under this section without first obtaining a special inspection warrant under Wis. Stat. § 66.0119, except in cases of emergency where no special inspection warrant is required, and as provided in Wis. Stat. § 66.0119(2). The owner, agent, or occupant of any such premises who refuses to permit or prevents or interferes with any entry into or upon the premises by any such inspector with a special inspection warrant or in cases of emergency where no inspection warrant is required and as provided in Wis. Stat. § 66.0119(2), shall be in violation of this section. It is not a violation of this section to refuse to grant voluntary consent to an inspection.

Section 7. Penalties.

- (a) Any person, partnership, corporation or other legal entity that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of not less than \$100 nor more than \$500, plus the applicable surcharges, assessments, and costs for each violation. Each day a violation exists or continues constitutes a separate offense under this ordinance.

- (b) 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.
- (c) The annual Short-Term Rental License may be revoked for one or more of the following reasons:
 - (1) Failure to make payment on taxes or debt owed to the Town.
 - (2) Violations of other Town Ordinances pertaining to the short-term rental site.
 - (3) Three or more police officer-verified violations in a twelve-month period.
 - (4) Three or more issued citations related to building inspection or the health department in a twelve-month period.
 - (5) Failure to comply with applicable building inspection requirements.
 - (6) Failure to maintain all required Town, county, and state licensing requirements.

Section 8. Appeals.

- (a) The denial of a Short-Term Rental License application or renewal under this ordinance, or the revocation of an authorized Short-Term Rental License, may be appealed by filing a written appeal request with the Town Clerk within 10 days of the Town's notice of denial or revocation.
- (b) The appeal shall be heard by the Town Board, which shall affirm or rescind the denial or revocation.

Section 9. Fees.

Initial Short-Term Rental License Application Fee: See Town of Winchester Fee Schedule
 Renewal Short-Term Rental License Application Fee: See Town of Winchester Fee Schedule

Section 10. 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 11. Effective Date and Publication.

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

Passed this 20TH day of APRIL, 2026.


 Matthew J. Olson, Town Chairman


 Attest: Holly Stevens, Town Clerk