

Town of Liberty Grove
Minutes of the Special Plan Commission meeting on March 31, 2021
(This meeting was correctly posted)

Agenda:

1. Call to order
2. Declaration of quorum
3. Adopt agenda
4. Discussion and possible action: Short-Term Rental (STRs) Ordinance
5. Adjourn

Chair Nancy Goss called the meeting to order at 7:01pm. Commissioners Paul Schwengel, Lou Covotsos, Bill Surbaugh, Anne Miller, Paul Bokelman, and Dan Watts were present along with Administrator Walter Kalms, Clerk/Treasurer Anastasia Bell and 8 members of the public via teleconference (Zoom).

Surbaugh moved, Miller second to approve the agenda as posted. Passed 7-0.

Short-Term Rentals (STRs) – The following items were noted as various changes were made to Draft 03-31-2021 which is attached to these minutes:

- The Town is not considering a 6-night minimum.
- The Sanitarian records are very complete, and they would be willing to assist the Town in gathering information by address.
- A three-strikes-your-out system was preferred over imposing fines.
- Having insurance is part of being a responsible business owner.
- Listening sessions should occur prior to implementation to provide information to the public and ensure that people understand how POWTS are affected.
- Renters should be made aware of cellphone service limitations by the owner.
- Licenses may be withheld until successful inspection documentation is provided.

The next meeting will be Wednesday, April 14, 2021 at 7:00pm.

Bokelmann moved, Goss second to adjourn at 8:41pm. Passed 7-0.

Respectfully submitted,
Anastasia Bell, Clerk/Treasurer
Approved at the 4-14-2021 Plan Commission meeting.

Purpose

The purpose of this ordinance is to balance the interests of property owners to use their property as short term rentals [“STR” or “STRs”], on the one hand, with the interests of residents who seek to protect the quality of life and the character and stability of neighborhoods, on the other hand.

In addition, the purpose of this ordinance is to protect the health and quality of the water supply.

State Statutes Adopted—Authority

Definitions

“Office of Short-Term Rentals,” [“OSTR”] means the agent or agency employed by the Town to administer the regulation of STRs, including but not limited to permitting, collection of fees, and the reporting of instances of non-compliance for enforcement purposes.

Enforcement

The Town may contract with an outside provider to assist with establishing an enforcement structure, one that incentivizes compliance with appropriate fees and fines, but should not be so overburdensome that it prevents users from participating in the enforcement and regulatory process.

The enforcement structure includes but is not limited to the posting of and adhering to the “good neighbor” policy. Also, the enforcement structure includes but is not limited to the “three-strikes-you’re out” policy which prohibits a user from using his or her property as an STR if he or she is out of compliance three times in an annual permitting cycle.

Permit Process

The Town, in collaboration with its agent OSTR shall provide an easy, online way of getting and renewing a permit.

Lease Applicability

Included in the permit process shall be a requirement that identifies the owner of property as opposed to the host of the property who is not the owner of the property, where such a distinction might occur.

Land Use Restrictions

Pursuant to Door County Code section 21.02A(1), The purpose of the County Sanitarian and the ordinances related to that office “is to establish minimum standards and criteria for the design, installation, and management of private onsite wastewater treatment system (“POWTS”), so that the system is safe and will protect public health and the waters of the state.”

Due to the fractured bedrock and karst topography of most of Door County, STRs that are rented for “over capacity” for their private onsite wastewater treatment system [“POWTS”] risk contamination of neighboring wells and ultimately a large portion of the community-wide water system.

To further that intent and in furtherance of that County ordinance, the Town’s ordinance shall require all STRs comply with the sanitary standards designated for that size dwelling.

Health and Safety

The Town shall, through its agent OSTR, ensure DATCP and DCTZC licensing of existing STRs. Where questions regarding the existence of health and safety devices are part of the permitting process, false or misleading answers to such questions will result in possible suspension of the STR permit.

Intergovernmental Cooperation

The Town through its agent OSTR shall cooperate with the Door County Tourism Zone Commission and other county and state agencies.

Liability

The Town through its agent OSTR shall require that all property owners furnish a certificate of liability insurance with recommended minimum coverage of \$100,000 per person per occurrence, an aggregate of \$300,000 and

\$50,000 property damage with documentation that the premises may be used as an STR. As an alternative, the owner may submit a bond to the Town through its property naming the Town and renters which remain unnamed.