

TOWN OF LIBERTY GROVE PUBLIC MEETING

Town Board Meeting

Date: May 21, 2025

Time: 6:00pm

Place: Town Hall, 11161 Old Stage Road

Agenda:

1. Call to order
2. Declaration of quorum followed by the Pledge of Allegiance
3. Approve Agenda
4. Approve minutes from 5/7/25
5. Public Input
6. Sanitary District
 - a. Payment of bills
 - b. Treasurer's Report
7. Payment of bills
8. Treasurer's Report
9. Allowing parking on Val-A property for Ellison Bay Day (on June 28, 2025)
10. Consider proposal to straighten headstones in Town cemeteries
11. Consider amending budget: fire board request (Res 2-25)
12. Recommendation from Parks & Property for Disc Golf Course design
13. Update Dog Catcher Agreement
14. Heritage Road Signs
15. Resolution 1-25 Approving the 2024 eCMAR for LGUD#1
16. Liquor licenses
17. Operator Licenses
18. Commercial Launch Permits
19. Short Term Rental licenses
20. Review final draft of amended Ordinance 10-23
21. Adjourn to Closed Session pursuant to Wisconsin State Statutes § 19.85 (1) (c): Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility – Administrator agreement
22. Reconvene in open session
23. Announcement(s)/Recommendation(s)
24. Correspondence
25. Future meeting(s)
26. Adjourn

All agenda items will include discussion and possible action.

**Report items will not be discussed or voted on.*

Deviation from listed order may occur.

Audience members must ask for permission, during "Public input," to speak on agenda items.

Pamela Donart-Welcome, Clerk/Treasurer

Members of the Town Board or any other Town Committee, who are not members of the body whose meeting agenda is published in this notice, are entitled, as any other citizen of the Town of Liberty Grove, to attend this meeting in an unofficial capacity. It is possible the attendance of one or more non-members may create a quorum of the membership of another body. Such a quorum is unintended, and the non-members are not meeting for the purpose of exercising the powers or duties attendant upon their membership on any Town Committee or Board.

DRAFT
(subject to change until final approval by Town Board)

Town of Liberty Grove
Minutes of the Town Board meeting on May 7, 2025
(this meeting was correctly posted)

Agenda:

1. Call to order
2. Declaration of quorum followed by the Pledge of Allegiance
3. Approve Agenda
4. Approve minutes from 4/16/25, 4/21/25, 4/25/25
5. Public input
6. Payment of bills
7. Administrator Report
8. Report from Door County Administrator (Comms/Tower project, Emergency Mgmt, Land Use Svs)
9. Consider recommendations from Plan Commission for pending zoning & variance requests
10. Consider contribution to the Chief Hecht fund
11. Committee Assignments
12. Ord 1-25 for Appointment of alternate members of BOR
13. Consider generator replacement: fire station at 1487 STH 42
14. Mariner Park: Consider next step regarding asbestos removal quote
15. Short Term Rental licenses
16. Operator Licenses
17. Adjourn to Closed Session pursuant to Wisconsin State Statutes § 19.85 (1) (c): Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility – Administrator contract
18. Remain in closed session per State Stat. 19.85(1)(e)-deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session – Property Purchase.
19. Reconvene in open session
20. Announcement(s)/Recommendation(s)
21. Correspondence
22. Future meeting(s)
23. Adjourn

Chairman Goss called the meeting to order at 6:00pm. Supervisors Janet Johnson, Cathy Ward, Billy Appel, and Dan Watts were present along with Administrator Kalms, Clerk/Treasurer Pamela Donart-Welcome, and 7 members of the public.

Ward moved, Appel seconded to approve the agenda as posted. **Carried 5 – 0**

Appel moved, Goss seconded to approve the 4/16/25 minutes as presented. **Carried 5 – 0**

Johnson moved, Ward seconded to approve the 4/21/25 minutes as presented. **Carried 5 - 0**

Goss moved, Johnson seconded to approve the 4/25/25 minutes as presented. **Carried 5 - 0**

Public input: none

Johnson moved, Goss seconded to approve the payment of Utility District#1 bills totaling \$8,463.60. **Carried 5 – 0**

Ward moved, Goss seconded to approve the payment of Town bills totaling \$670,606.01.
Carried 5 - 0

Administrator's Report: Kalms shared that a DOT study is being conducted to address the safety of pedestrians crossing near 10961 State Highway 42; the 2025 Paving Re-bid was awarded to Northeast Asphalt, and their work should be done in the next week or so; a blasting complaint from a resident near the JF Construction quarry is being addressed; a resident is asking for the speed limit to be lowered to 45mph along Highway 57 north of CTH Q to north of Orchard Drive; the Village has filled their response to the sewer rate complaint.

Door County Administrator Ken Pabich introduced the following representatives who gave reports on their departments:

Karyn Behling, Director of the Land Use Services reported that the department is fully staffed including the new Liberty Grove Zoning Administrator Jeff Kussow, and will be able to prioritize code violations and creating efficiencies in the department.

Jeb Saelens, Director of Emergency Management introduced the new "Door County Ready" app that residents and visitors can use to receive emergency notifications, and discussed ways the Town can create and implement an Emergency Response Plan.

Ashley DeGrave, Technology Services Project Manager shared the plan design for updating the communications tower system in the County used by all public safety officers including EMS, Fire, Sheriff, and Emergency Management Dispatch. Administrator Kalms inquired about tying in our Highway Department communications into the new system.

Cathy Ward recused herself from discussion on the Plan Commission recommendation for the zoning request from Seaquist for the parcel at 11482 STH 42. **Goss moved, Appel seconded** to recommend the Board authorize the Administrator to send a letter of support to the County for the Future Land Use Map change as requested for the parcel at 11482 STH 42, and also for the commercial zoning change. **Roll call:** Watts, Goss, Appel, and Johnson voted aye. There were no nays. Ward abstained. **Motion carried 4 – 0** Administrator Kalms suggested mentioning in the letter that the Town is looking into amending its Future Land Use Map by having a Hearing and Board meeting on the same night to clarify the request.

Goss moved, Ward seconded that the Town Board of Liberty Grove recommend approval of the variance requested by Mark R. Dixon for Parcel ID 018660403, located at 11725 Mossy Cliff Trail, as described in the April 15, 2025 communication from the Door County Land Use Services Department. The variance pertains to Section IV.B.2. of the Door County Shoreland Zoning Ordinance, allowing a proposed structure (this would be the foyer addition) to be constructed as close as 25 feet from the Ordinary High Water Mark (OHWM) of Green Bay/Lake Michigan. This recommendation is made with the following condition: The height and massing of the proposed connecting structure shall match the dimensions shown in the submitted scaled architectural drawings dated July 25, 2024. No additional vertical expansion beyond those elevations shall be permitted as part of this variance approval. **Roll call:** Appel, Goss, Ward, Johnson, and Watts voted aye. There were no nays. **Motion carried 5 – 0**

Appel moved, Goss seconded that the Town Board donates \$10,000.00 to the Chief Hecht Fund, source to be determined at a future meeting. **Roll call:** Johnson, Ward, Watts, Appel, and Goss voted aye. There were no nays. **Motion carried 5 – 0**

Goss moved, Watts seconded that the Town Board confirm the appointment of Cathy Ward as Plan Commission Chair. **Carried 4 – 0** Ward abstained.

Johnson moved, Goss seconded to approve Ordinance 1-25 Appointing Julie Kingsbury, Walter Kalms, and Yvonne Dwonch as alternates for the Board of Review. **Roll call:** Appel, Ward, Goss, Johnson, and Watts voted aye. There were no nays. **Motion carried 5 – 0**

Kalms asked that item #13 be postponed to a future meeting to obtain more cost information and details on the project.

Watts moved, Johnson seconded to table item #14 until our next meeting. **Carried 5 – 0**

Goss moved, Ward seconded to approve the Short-Term Rental applications for Cheryl Carlson at 12278 Europe Lake Ln, Michael Morrison at 9825 Hwy 57, and Marc Stromen at 830 Wisconsin Bay Rd. **Carried 5 – 0**

Goss moved, Johnson seconded to approve the Operator Licenses as presented at May 7, 2025 Board meeting for Dale Doney, Dawn Doney, Alicia Welhouse, Carol Wall, Robert Purman, and Yannique Purman. **Carried 5 – 0**

Goss moved, Johnson seconded to adjourn to Closed Session pursuant to Wisconsin State Statutes § 19.85 (1) (c): Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, and to remain in closed session per State Stat. 19.85(1)(e)-deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. **Roll call:** Ward, Appel, Watts, Johnson and Goss voted aye. There were no nays. **Motion carried at 7:43pm 5 - 0**

Goss moved, Johnson seconded to reconvene into Open Session at 8:21pm. **Roll call:** Watts, Johnson, Appel, Goss and Ward voted aye. There were no nays. **Motion carried 5 – 0**

There were no announcements

Correspondence: Administrator Kalms shared that Voight Marine Service (Washington Island Clipper) passenger service to Washington Island is ending after 53 years of service; a resident requested a lighted speed board sign be placed on Isle View Road during all holiday weekends to help deter drivers from continued speeding on that road, and requesting further study on lowering the speed limit; Door County North had their membership social at Osteria Tre Tassi; a

“Thank You” letter was sent to the Town from the DC Humane Society; the Sister Bay Electronics Recycling event is this weekend; a “stop work notice” was issued to a resident on 12711 Watersmeet Ln until new building permits are issued; the DCEDC May Mixer event is taking place at Kitty’s Hideaway on May 13th.

Future Meeting(s): There will be a brief Board of Review “meeting to Adjourn to a later date” at 5:45pm on May 21st, followed by a 6:00pm regular Board meeting.

Johnson moved, Goss seconded to adjourn at 8:31pm. **Carried 5 - 0**

Respectfully submitted,
Pamela Donart-Welcome, Clerk/Treasurer

Pending approval at a future meeting of the Town Board

Liberty Grove Utility District #1 Balances

	2025	2024
Checking account *7823		
Balance as of March 31,	\$ 84,521.96	\$ 68,335.72
Add Deposits	\$ 39,241.03	\$ 40,143.42
Less Disbursements	\$49,791.22	\$204.34
Add Interest	0.70% \$ 43.05	1.00% \$ 66.33
Balance as of April 30,	\$ 74,014.82	\$ 108,341.13
Savings account *9812		
Balance as of March 31,	\$314,604.69	\$332,150.29
Add deposits		\$ -
Less Disbursements		\$ -
Add Interest	2.10% \$ 537.84	2.50% \$ 719.26
Balance as of April 30,	\$315,142.53	\$332,869.55
Savings Restricted account *0291		
Balance as of March 31,	\$ 131,368.11	\$ 128,953.37
Add Deposits	\$ 245.37	\$ 775.61
Less Withdrawals		\$ -
Add Interest	0.30% \$ 32.41	0.50% \$ 56.62
Balance as of April 30,	\$ 131,645.89	\$ 129,785.60
North Shore CD (9 months ending 11/14/2024)		4.92% \$ 157,663.14
Nicolet Bank CD (9 months ending 8/14/2025)	4.40% \$ 164,308.61	
Balance of all accounts as of April 30,	\$ 685,111.85	\$ 728,659.42

Town of Liberty Grove balances as of April 30,		2025	2024
Municipal Checking Account *8401			
Balance as of March 31,	\$	2,145,873.57	\$ 1,649,912.36
Transfer to General Checking	\$	-	\$ -
Transportation Aid	\$	79,664.46	\$ 79,664.46
Interest 0.70%	\$	1,267.72	1.00% \$ 1,505.20
Balance as of April 30,	\$	2,226,805.75	\$ 1,731,082.02
Money Market Account *7390			
Balance as of March 31,	\$	1,148,059.73	\$ 1,115,873.04
Interest 3.00%	\$	2,519.44	3.00% \$ 2,895.77
Balance as of April 30,	\$	1,150,579.17	\$ 1,118,768.81
General Checking Account *1120			
Balance as of March 31,	\$	1,008,716.88	\$ 1,006,535.31
Plus deposits and transfers	\$	11,493.73	\$ 63,149.21
Less FICA	\$	10,116.32	\$ 9,830.06
Less State withholding	\$	1,653.24	\$ 1,518.19
Less payroll	\$	43,774.87	\$ 29,268.11
Less disbursements	\$	324,235.18	\$ 387,857.98
Balance as of April 30,	\$	640,431.00	\$ 641,210.18
TOTAL in all Utility District Accounts:			
Utility District Checking *7823	\$	74,014.82	\$ 108,341.13
Utility District Savings *9812	\$	315,142.53	\$ 332,869.55
Utility District Restricted Savings *0291	\$	131,645.89	\$ 129,785.60
North Shore CD (9 months ending 11/14/2024)	\$	-	\$ 157,663.14
Nicolet Bank CD (9 months ending 8/14/2025)	\$	164,308.61	\$ -
Balance as of April 30,	\$	685,111.85	\$ 728,659.42
TOTAL in all Town Accounts:			
Municipal Checking *8401	\$	2,226,805.75	\$ 1,731,082.02
Money Market Acct *7390	\$	1,150,579.17	\$ 1,118,768.81
Checking *1120	\$	640,431.00	\$ 641,210.18
Utility District	\$	685,111.85	\$ 728,659.42
As of April 30, the total in all Town accounts is:	\$	4,702,927.77	\$ 4,219,720.43

DRAFT
(subject to change until final approval by the Committee)
Town of Liberty Grove
Minutes of the Parks & Property meeting on May 13, 2025

Agenda:

1. Call to order
2. Declaration of Quorum
3. Approve Agenda
4. Approve minutes from 2/11/25
5. Public input
6. **Disc Golf site analysis report**
7. Status of current projects, including
 - a. Garrett Bay launch area
 - b. Mariner Park
 - c. Equipment-less Boat Cleaning signs
8. Correspondence
9. Future meeting date(s)
10. Adjourn

Chairman Ward called the meeting to order at 9:01am. Committee members Sylvann Welcome, Paul Schwengel, Mike Repp, and Hope Bogenschutz were present along with Clerk/Treasurer Pamela Donart-Welcome.

Ward moved, Repp seconded to approve the agenda as posted. **Carried 5 - 0**

Schwengel moved, Welcome seconded to approve the 2/11/25 minutes as corrected (change year to 2025). **Carried 5 - 0**

Public input: Paul Schwengel asked if Parks & Property could have additional meetings to move projects along. Cathy Ward informed the committee members that Liberty Grove has nearly 20% of the permanently preserved land in the County.

Ward moved, Welcome seconded to have the Liberty Grove Parks & Property Committee recommend to the Town Board to contract with Essential Discs to provide services detailed on their April 19, 2025 Quote. **Carried 5 - 0**

There was no update on the Garrett Bay Launch area. Ward updated the Committee on the plan to have ARI Environmental do the asbestos remediation in the buildings at Mariner Park prior to building removal. The Town office will be ordering the Equipment-less Boat Cleaning Signs as approved by the Town Board.

Correspondence: Ward reported that she received a “thank you” email from a resident regarding the tennis courts at Ellison Bay Park, and requesting the Town take care of replacing/repairing the center strap.

April 19, 2025

Invoice No. 031925-2



Quote

Prepared for the Town of Liberty Grove, WI • Design Estimate DGC-510

Attn: Sylvann Welcome : tlibertygrove@gmail.com : PO:N/A

DESCRIPTION OF WORK	QTY/HRS	UNIT PRICE	SUB TOTAL
Field review and GPS plotting of two teeing areas and one basket position for each hole. Measurements using GPS and Laser Range Finder. course designed for safety, sustainability, and flow for a 9-hole disc golf course.	9-Hole Disc Golf Course Design	Flat fee	\$10,000
Create a .KMZ map file for use with Google Earth online.	1	INCLUDED	
Review and redesign the proposed course one additional time making small changes to compensate for concerns before implementation.	1	INCLUDED	
Stake out Teeing area and basket locations (1 basket area 1 adult teeing area, 1 kids teeing area per hole)	36	INCLUDED	
Oversee the implementation of the site plan. Through marking, onsite review, or other appropriate methods.	1	INCLUDED	
Inclusion in the main Disc Golf directories (Discgolfcoursereview, DGscene, Udisc, PDGA)	1	INCLUDED	
Site evaluation weekend. (9 temp holes are erected on-site and feedback is gathered from the community. Adjustments to the design made if needed.)	1	INCLUDED	
Ongoing course support for the life of the course and park	*	INCLUDED	
Grand Opening Weekend Celebration, where we will come and give disc out to the public and encourage participation to play at the course.	1	INCLUDED	
Discount -\$600 for initial site visit fee		Total	\$9,400

PAYMENT TERMS:

Worked on P.O. Due upon Grand Opening

Make checks payable to:

Essential Discs
2611 Fairfax Rd
Lansing, MI 48910

Pay with credit card through paypal at with a 3% convenience fee orders@essential-discs.com

ACH:
Acct: 513982673
Routing: 072000326

2025 ANIMAL CONTROL OFFICER AGREEMENT

This agreement made and entered into by and between the Town of Liberty Grove ("Town") and Mark J. Richard (an individual), for providing services to the Town in the "appointed" position of "Animal Control Officer" for domestic cats and dogs for the period described and within the conditions as follows:

1. The General Liability Insurance coverage of the Town is provided to Mark Richard when acting as Animal Control Officer.
2. The Animal Control Officer provides service(s) for lost, found or stray animals and does not handle complaints of noise or bites. Such complaints or concerns shall be referred to the Door County Sheriff's Department.
3. The following payments may be authorized upon submission of invoice/voucher following the rendering of service(s):
 - a. "On-call" for services \$100/month wage
 - b. Catching of animal = \$35.00 per animal, per incident
 - c. Boarding of animal = \$12.00 per animal per day, limited to a maximum of three (3) days.
 - d. Mileage for animal = Internal Revenue Service determined mileage rate for miles traveled per incident (round trip). Mileage travelled when an animal is transported to the Door County Humane Society (single trip).
 - e. Telephone time = actual costs for additional telephone time is permitted.
4. An activity report shall be included on each invoice/voucher submitted for payment to the Town of Liberty Grove Clerk/Treasurer by the end of each month as service(s) are rendered.
 - a. Information related to the owner, license, and location of pick-up, date, etc. shall be included whenever possible.
5. When the Animal Control Officer is not available to provide service(s) due to vacation or illness, a Town Representative, as determined by the Town Board, shall deliver the animal to the Door County Humane Society.
6. This agreement shall be in effect for the calendar year of January 1, 2025, through December 31, 2025.
 - a. Cancellation of this agreement may be made by either party without cause during the time referenced above.

- b. This agreement WILL NOT be automatically renewed. A review of the current agreement and approval of a new agreement by the Town Board shall be completed prior to the end of each year.

TOWN OF LIBERTY GROVE
11161 Old Stage Road
Sister Bay, WI 54234

By: _____

Nancy B Goss, Town Chair

Town of Liberty Grove

Dated: _____, **2025**

Mark J Richard

4686 Willow Road, Egg Harbor, WI 54209

Dated: _____, **2025**



Town Clerk <tlibertygrove@gmail.com>

pricing and layouts

1 message

Lisa <lisa@langeenterprises.com>
To: tl libertygrove@gmail.com
Cc: town@libertygrovewi.gov

Mon, Apr 21, 2025 at 11:19 AM

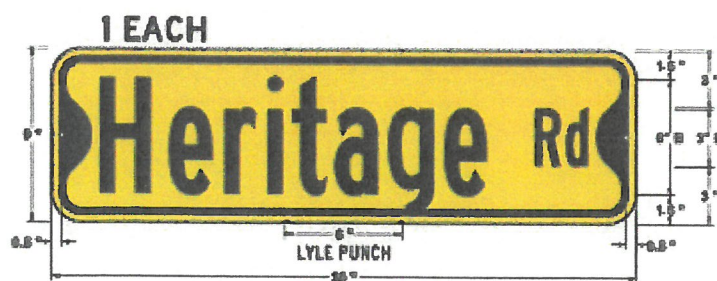
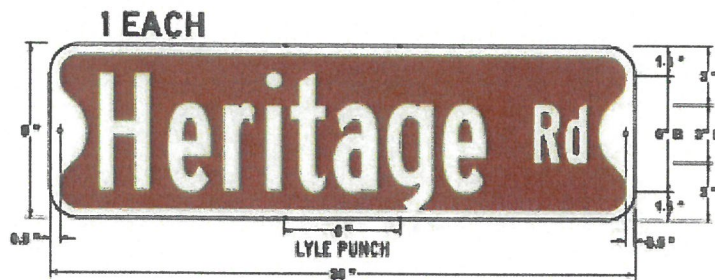
Hello Walter,

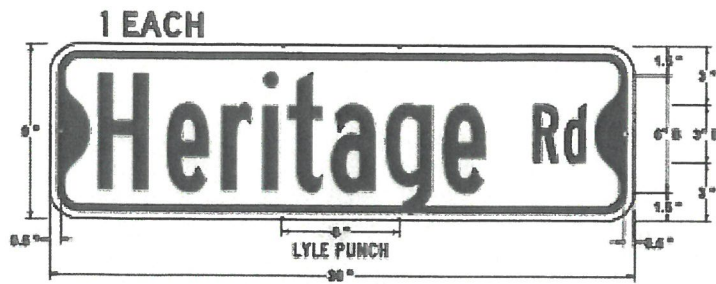
Please find pricing and layouts below of what we discussed last week. Let me know if you have any questions.

Quantity 56 – 30" x 9" single faced street name plates, punched and notched for E series brackets, .080 alum, 3M HIP sheeting \$28.18 each

Quantity 28 – E450 double bracket complete \$55.74 each

Plus shipping charges





Thank you,

Lisa



Lisa M. (Lange) Butschke

Lange Enterprises of Wisconsin, Inc.

~~(800) 242-3126~~

TOWN OF LIBERTY GROVE
RESOLUTION 1-25
APPROVING ELECTRONIC COMPLIANCE MAINTENANCE ANNUAL REPORT
(eCMAR) FOR LIBERTY GROVE UTILITY DISTRICT #1

The Liberty Grove Town Board, the governing body of the Liberty Grove Sanitary District and Liberty Grove Utility District, hereby approves the eCMAR as formulated for the Liberty Grove Utility District.

Motion to adopt: _____ Second: _____
Vote: Aye: _____ Nay: _____

I, Pamela Donart-Welcome, Clerk/Treasurer of the Town of Liberty Grove, hereby certify that the above resolution was passed at a properly noticed meeting of the Liberty Grove Town Board on May 21st, 2025.

Pamela Donart-Welcome, Clerk/Treasurer
Town of Liberty Grove

LIQUOR LICENSES to Approve 5/21/25

"Class A" liquor (sale of liquor/wine for consumption off premises)

Jean Thompson Door County Bakery

"Class A" liquor & Class "A" Beer (sale of liquor, wine, and beer for consumption off premises)

Sheila Gersek Forty-Two Fuel Company
 Kevin Oram Koepsel's Farm Market
 Barbara Greene Pioneer Store

"Class B" liquor & Class "B" Beer sale of liquor, wine, and beer for consumption on premises)

Tesa Santoro Blue Bear Ellison Bay/DC Della Porta
 Kristine Johnson Waterfront Restaurant
 Rochelle Hasselbach The Ellison Inn & Lounge
 Linden Ray Mink River Basin

"Class C" wine (sale of wine for consumption on premises)

Jamie Mead Door County Underground

TEMPORARY "Class B" Wine and "Class B" Beer - Ellison Bay Day 6-28-25

Gary Kemp Ellison Bay Service Club

Operator Licenses to approve 5/21/25

App Date	Applicant Name	Business Name	Bkgrnd Chk
4/16/2025	Jamie L Mead	Door County Underground	OK
5/5/2025	Rochelle Hasselbach	The Ellison Inn and Lounge	OK
5/5/2025	Chandra Johnson	The Cleat Inc	OK
5/5/2025	Ty Johnson	The Cleat Inc	OK
5/7/2025	Laura Siegesmund	The Waterfront	OK
5/8/2025	Jean Monfils	Pioneer Store	OK
5/8/2025	Beverly Tesnow	Pioneer Store	OK
5/12/2025	Kami Oram	Koepsel's farm Market	OK
5/12/2025	Karina Oram	Koepsel's farm Market	OK
5/12/2025	Stephen Seybold	Island Orchard Cider	OK
5/12/2025	Sheila Nelson-Seybold	Island Orchard Cider	OK
5/12/2025	Sheila Gersek	Fuel Forty Two Co LLC	OK

Tobacco Permits to Approve 5/21/25

Applicant Name	Business Name
Sheila Gersek	Forty-Two Fuel Company, LLC
Barbara Greene	Pioneer Store

Commercial Launch Permits to approve 5/21/25					
App Date	Business Name	Owner	# of Passes	Amt Paid	Insurance
5/13/2025	Lakeshore Adventures	Todd Haleen	14	\$700.00	YES

Short-Term Rental Applications to Approve									
Owner Name	Property Address	Agent Address	Max Occ	SepticType	BDRM	DATCP	DCTZ	Insured	Payment
Thomas Reilly	11397 Beach Ln	10920 State Hwy 42, Sister Bay	6	Septic System	3	YES	YES	YES	YES

TOWN OF LIBERTY GROVE
DRAFT ORDINANCE __-25 (to amend Ord 10-23)
Draft in progress. No changes effective until final draft approval and publication.
REGULATING SHORT-TERM RENTALS

The Town Board of the Town of Liberty Grove (hereinafter referred to as “the Town”), in the County of Door, State of Wisconsin, does hereby ordain as follows:

All previous Ordinances regulating Short-Term Rentals are hereby rescinded, to be replaced by this Ordinance 10-23 (“Ordinance”).

Section 1. Purpose

The Town of Liberty Grove recognizes the State-imposed limitations on local regulation of Short-Term Rentals (see 2017 Wisconsin Act 59; Wis. Stat. § 66.1014). The following Town Ordinance complies with the short-term rental portion of Act 59 and § 66.1014, Wisconsin Statutes.

The purpose of this Ordinance is to balance the interests of Property Owners to use their Property as Short-term rentals, 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. The Town has carefully considered these interests and enacts this Ordinance to protect the public health, safety, and welfare of its residents and visitors.

Additionally, due to the fractured bedrock and karst topography of most of Door County, Short-Term Rentals that are rented “over capacity” for their wastewater treatment system risk contamination of and, thereby, the health and quality of the potable water supply. This Ordinance takes into consideration setting reasonable restrictions related to wastewater treatment systems.

Section 2. State Statutes Adopted – Authority

The Board of Supervisors of the Town is granted authority for adopting this Ordinance under § 60.10(2)(c), § 60.22(3), and § 66.0113(1)(a), Wisconsin Statutes. The Town Board adopts this Ordinance under its general village powers authority and § 66.1014 of the Wisconsin Statutes, 2017 Act 59.

Section 3. Definitions

- A. “Agent” means a person or an entity who is authorized to act as the Agent of the Owner and Operator for the receipt of service of notice and remedy of municipal Ordinance violations and for service of process pursuant to this Ordinance. An Agent may also be an Owner or the Operator.
- B. “DATCP” means the Wisconsin Department of Agriculture Trade and Consumer Protection.
- C. “DCTZC” means the Door County Tourism Zone Commission.
- D. “Good Neighbor Best Practices” means the guidelines set forth in DCTZC’s Good Neighbor Best Practices document, available at the Town of Liberty Grove’s Clerk Office and at www.doorcountytourismzone.com.
- E. “License” means a Short-Term Rental License issued under this Ordinance.
- F. “Office of Short-Term Rentals,” or “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.

- G. "Operator" means the Person who manages or operates an STR, including but not limited to being identified in Short-Term Rental listings as the "host." An Operator may also be an Owner or the Agent.
- H. "Owner" means any Person who owns a Residential Dwelling operated as or proposed to be operated as an STR.
- I. "Person" includes all individuals, entities, trusts, partnerships, associations, and bodies corporate.
- J. "POWTS" means Private Onsite Wastewater Treatment System(s) (conventional septic, mound, or holding tank).
- K. "Property" means the Real Property on which an STR is being operated.
- L. "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.
- M. "STR" or "Short-Term Rental" means a Residential Dwelling that is offered for rent for a fee and for fewer than 29 consecutive days. A Short-Term Rental is a "Tourist Rooming House" as that term is defined in ATCP § 72.03(20), Wisconsin Administrative Code.

Section 4. Short-Term Rental License Required

- A. No Person may maintain, manage, or operate an STR more than ten (10) nights each year without a License issued pursuant to this Ordinance.
- B. Each STR operated on non-adjacent separate parcels in the Town requires a separate License.
- C. A single application can request issuance of a License for more than one STR so long as the properties and/or parcels are adjacent, and the Owner, Operator, and Agent are the same for each STR listed
- ~~E~~D. A License issued pursuant to this Ordinance is non-transferable and non-assignable.

Section 5. Application and License Issuance and Renewal Procedure

- A. The application for a License shall include the following:
 - 1. Address and parcel identification number of each STR for which a License is sought.
 - ~~a. A single application can request issuance of a License for more than one STR so long as the Owner, Operator, and Agent are the same for each STR listed.~~
 - 2. Property Identification number(s) for all utilized Lodging marketplace providers platforms, as defined in Wis. Stat. § 66.0615(1), including online platforms.
 - 3. Name, mailing address, physical address (if different from mailing address), phone number and email address of each Owner and the Operator.
 - 4. Name, mailing address, physical address (if different from mailing address), phone number and email address of the Agent, if other than the Operator.
 - 5. ~~Name, mailing address, physical address (if different from mailing address), phone number and email address of each Person with an ownership or beneficial interest in any entity that is an Owner, Operator, or Agent.~~
 - 6. If designating an Agent different than the Operator, an affirmative statement that the Agent is authorized to act as Agent and as the local contact person for the Owner(s) and Operator with respect to the operation of the STR, including taking remedial action and promptly

responding to any violation of this Ordinance or other law or regulation relating to the STR, and receiving service of process of notice of violations of this Ordinance.

7. Copy of current DATCP rooming house License **required**. ~~except that renewal applications need only include the DATCP rooming house License number if there has not been an updated DATCP rooming house License issued for the STR.~~
 8. Copy of **current** DCTZC permit. ~~except that renewal applications need only include the DCTZC permit number if there has not been an updated DCTZC permit issued for the STR.~~
 9. Proposed maximum occupancy for each STR.
 10. POWTS permit number on record with the Door County sanitarian for each STR.
 11. Proof of design capacity of POWTS for each STR. ~~except that renewal applications need only include proof of design capacity if there has been changes to the design capacity of the POWTS.~~
 12. The number of bedrooms within each STR and the number of bedrooms intended for use as a short-term rental.
 13. Written proof of liability insurance required under Section 6.
 14. For renewal applications, if during the prior STR licensing period the STR was excepted from the 180-day rental limitation pursuant to Section 6.A.2., below, and any ownership interest in the STR was transferred in the prior year, documentation that the new Owner(s) qualify for an extension of the exception to the rental limitation.
 15. For renewal applications, the number of days that each STR was rented during the prior License period.
 16. Signed certifications from all the Owners and the Operator acknowledging that the contents of the application are true, that the STR is in compliance with the terms and conditions of this Ordinance, and that as signatories they are individually and collectively responsible for compliance with this Ordinance.
 17. Signed certification from the Agent acknowledging that Agent agrees to assume the responsibilities assigned to Agents under this Ordinance.
- B. The Town shall issue a License using the following procedures:
1. All applications for a License or renewal shall be filed with the Town Clerk, or the designee of the Town Clerk, on forms provided. No License shall be issued unless the completed application form is accompanied by the payment of the required application fee.
 2. The Town Clerk shall issue a License to all applicants following payment of the required fee, receipt of all fully completed documentation and information requested by the application, and application approval by the Town Board, or its designee.
 3. A License shall be effective for one year. The annual licensing **term**s begins January 1st and ends December 31st the same year.
 4. A fully completed renewal application and renewal fee shall be filed with the Town Clerk at least forty-five (45) days prior to License expiration so that the Town Board or its designee, if required, has adequate time to consider the application. The renewal application shall include all information requested and identify changes since the previous application.
 5. Any changes in ownership of the STR require a new License per Wisconsin Administrative Code §72.04(b) prior to obtaining a permit from the Town.

- C. No License shall be issued or renewed if the applicant or STR has outstanding fees, taxes, special charges, ~~or~~ assessments, or forfeitures owed to the Town.
- D. No License shall be issued if the applicant or STR is found to be subject to one of the grounds for revocation as provided in Section 8.
- E. A new License for any STR may be applied for no less than 12 months after being revoked (see Section 8, "Revocation," and Section 9, "Revocation Process," below.)

Section 6. Operation of a Short-Term Rental

Each Short-Term Rental shall comply with all of the following requirements:

A. Rental periods.

- 1. Except as provided in Paragraph A.2., below, for all STRs the total number of days that any STR may be rented shall not exceed 180 days within any calendar year. Reservations made prior to the adoption of this Ordinance shall not be counted as part of the 180 allowable days, but the Operator or Agent shall provide proof to the Town of the date of reservation upon request, to the Town's satisfaction.
- 2. Any STR with a valid and unrevoked License as of January 1, 2024 is exempt from the rental restrictions under Paragraph A.1., above if all of the following apply:
 - i. The License has not been revoked pursuant to this Ordinance;
 - ii. The STR is in compliance with all applicable terms and conditions of this Ordinance; and
 - iii. The Property has not been transferred to any Person except to a parent, child (by blood or adoption), or spouse of the Owner(s) of record as of January 1, 2024.

B. Availability of Operator or Agent.

- 1. The Operator or Agent must be located within 35 miles of the STR for contact purposes.
- 2. The Operator or Agent must be available on those days when the STR is rented. The Operator's or Agent's contact information, including phone number and address, must be filed with the Town Clerk. The Town must be notified within 24 hours of any change in contact information and submit the revised contact information in writing to the Town Clerk within three-business days.

- C. No additional lodging. No recreational vehicle, camper, tent, or other temporary lodging arrangement shall be permitted on the Property as a means of providing additional accommodations for paying guests or other invitees.

- D. POWTS. If the STR is not served by a public sanitary sewer, ~~or holding tank~~ a Private Onsite Wastewater Treatment System (POWTS), in full compliance with this Ordinance and in accordance with Chapter 21 of the Door County Zoning Ordinance, shall serve the STR.

- E. Maximum occupancy. Occupancy shall not exceed any of the following:

- i. The maximum sleeping occupancy of all legal bedrooms to be rented in the STR as determined pursuant to Wis. Admin. Code ATCP § 72.14(2)(b), or
- ii. If the STR is served by a POWTS, the number of occupants for which the POWTS was designed, ~~or~~
- ~~iii. 12 individuals (children under the age of three (3) do not count towards determining occupancy limits).~~

Note: Children under the age of three (3) do not count towards determining occupancy limits.

- F. Detectors. The STR shall have functioning smoke detectors and carbon monoxide detectors pursuant to the requirements of Ch. ATCP 72, Wisconsin Administrative Code.
- G. Parking. Sufficient off-street parking shall be available to accommodate all vehicles on the Property. Off-street parking shall be in compliance with Door County Comprehensive Zoning Ordinance, Chapter 7.
- H. Signage. Signage shall conform to applicable Town and Door County Ordinances.
- I. Emergency service. The STR shall be able to reasonably accommodate reliable telephone communications in case of emergency.
 - i. Driveways should be maintained in such to allow emergency vehicle access. For reference to dimensions required, see Ordinance 15-23.
- J. Outdoor events. Outdoor events including but not limited to, weddings, graduations, reunions and the like are limited to six (6) in a calendar year as per Door County Zoning §2.07(1)(a).
- K. Quiet hours. Quiet hours of 10:00 p.m. to 7:00 a.m.
- L. Compliance with other laws and regulations. Applicable Town of Liberty Grove Ordinances; the Door County Zoning Ordinance; the DCTZC reporting and remittance requirements; and Wisconsin laws and regulations.
- M. Insurance. The Owner shall have and maintain homeowner's liability or business liability insurance issued by an insurance company authorized to do business in Wisconsin and effective during all Short-Term Rental periods for the premises that are used for short-term rental. The insurance policy shall identify that the Residential Dwelling is used as an STR. The Owner 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 Owner may choose, including but not limited to conventional insurance or insurance offered through a lodging marketplace.
- N. Registry. Pursuant to Wis. Admin. Code § 72.16, the Operator of each STR must keep a guest register and require the guest who booked the STR to register the true names and addresses of all guests and rental time period(s) before being assigned sleeping quarters. The guest register shall be kept by the Operator for at least one (1) year following a guest's rental.
- O. Reporting. No later than January 31 of each year, the Operator shall provide the Town Clerk with a report of STR activity for the prior calendar year, which includes a monthly accounting of the dates of stay, number of guests aged 6 years and older for each stay, and a listing of all websites and places where the Operator has advertised the Short-Term Rental. Failure of the Operator to submit 2 such reports by the required deadline or 2 incidents of inaccurate reporting in any one-year period shall be grounds for revocation or non-renewal of a License.

Section 7. Information to be Posted

A copy of the State of Wisconsin Tourist Rooming House License and the Town License shall be posted on the Property. Property rules shall be made available to the renters and shall include at a minimum the following information:

- A. The Good Neighbor Best Practices.
- B. Maximum occupancy of the Property.
- C. Contact information for the designated Operator.

- D. Parking limit and where to park.
- E. Quiet hours of 10:00 p.m. to 7:00 a.m.
- F. Owner's policy regarding pets, if applicable.
- G. Outdoor burning regulations.
- H. Emergency contact information for Law Enforcement, Fire, and Emergency Medical Services (EMS).
- I. Non-emergency contact information for Law Enforcement and Fire.
- J. How to deal with existing POWTS or holding tank if applicable (location of high-water alarms, etc.).
- K. How to deal with waste and recyclables.

Section 8. Inspection and Enforcement

A. Inspection.

1. Upon probable cause to believe that a violation of this Ordinance, or of a law, code, rule or regulation relating to buildings, housing, electrical, plumbing, heating, gas, fire, health, safety, environmental pollution, water quality, food or zoning has occurred or is occurring, an Enforcement Officer under Subsection B, the Town Building Inspector, the OSTR, or a Local Health Officer (an "Inspector") may, upon presenting proper identification, request that the Owner, Operator or Agent allow him or her access to the STR at any reasonable time for any of the following purposes:
 - i. to determine if there has been a violation of this Ordinance, or of a law, code, rule or regulation related to the STR or its operation;
 - ii. to determine compliance with previously written violation orders;
 - iii. to examine and copy relevant documents and records related to the operation of the STR; or
 - iv. to obtain photographic or other evidence needed to enforce this Ordinance.
2. As used in this Section 11, "probable cause" means facts and circumstances within an Inspector's knowledge and of which he or she has reasonably trustworthy information that are sufficient to warrant a reasonable Officer in believing that a violation has been or is being committed.
3. If consent is refused, the Inspector may apply for a special inspection warrant issued pursuant to Wis. Stats. § 66.0119, or other warrant, subpoena or order as may be necessary or appropriate.

B. Enforcement Officers. The provisions of this Ordinance may be enforced by the Town Chairperson, Town Administrator, Town Clerk, or any of their designees. In addition, the Town may contract with an outside provider to assist with enforcing this Ordinance.

C. Form of Citation. Citations shall be issued per § 66.0113, Wisconsin Statutes, as may be amended, or any successor statute. The provisions of § 66.0113, Wisconsin Statutes, are hereby adopted as if set forth in full in this Ordinance.

D. Penalties.

1. Any Person that fails to comply with the provisions of this Ordinance shall, upon conviction, pay a forfeiture of not less than \$250.00 nor more than \$1,000.00, plus the

applicable surcharges, assessments, and costs, for each violation. Each day a violation occurs or continues to exist constitutes a separate offense under this Ordinance.

2. The penalties set forth in this Subsection shall be in addition to all other remedies, including but not limited to injunction, abatement, or costs, and whether existing under this Ordinance or otherwise.

Section 89. Revocation

The Town Board may suspend, revoke, or non-renew a License during the term of a License year, or reject a License application, and following a due process hearing for one or more of the following reasons:

- A. Failure to comply with the requirements of this Ordinance on three or more separate occasions within the prior 12 months.
- B. Failure by the Owner to make payment of delinquent fees, taxes, special charges, forfeitures or other debt owed to the Town, Door County, or DCTZC.
- C. Failure to maintain all required local, county, and state licensing requirements.
- D. Any violation of local, county, or state laws or regulations which, based upon their number, frequency, or severity, and their relation to the Short-Term Rental Property, its Owner(s), Operator(s), Agent(s), tenant(s), occupant(s), or visitor(s), substantially harm or adversely impact the predominantly residential uses and nature of the surrounding neighborhood.

In addition to action by the Town, any resident of or Owner of Property within the Town may file a sworn written complaint with the Town Clerk alleging one or more of the reasons set forth in this Section 8 as grounds for revocation of a License issued under this Ordinance. Upon filing of the complaint, the Town Board shall notify the Agent of the complaint by certified mail, return receipt requested, and provide the Agent with a copy of the complaint.

Section 910. Revocation Process

The Town, at its discretion, shall:

- A. Notify the Agent of any noncompliance or complaint.
- B. Determine whether the violation has been remedied.
- C. Schedule a License revocation hearing, before the Town Board, if the violation is not remedied immediately or if the STR is subject to “three strikes” under Section 8.A. above.
- D. Notify the Agent and attempt to notify all Owners of Property located within 150-feet of the Property of the hearing time, date, and place at least two weeks prior to the hearing before the Town Board.
- E. Hear written or verbal testimony from the Agent, Operator, or Owner, any complainant, any Town Official or Enforcement Officer, and other affected parties at the time of the hearing before the Town Board. If an Agent, Operator, or Owner appears at the hearing, that individual may produce and cross-examine witnesses, present relevant evidence, and be represented by counsel, at that individual’s expense.
- F. The Town Board shall provide its decision in writing to the Agent, specifying the reasons for its determination, within 30-days of the License revocation hearing.

Section 10 11. Judicial Review

The action of the Town Board in granting or renewing, refusing to grant or renew, or revoking a License under this Ordinance may be reviewed by the Door County Circuit Court upon appeal by the applicant,

Owner, Operator, Agent, or a Resident of or Owner of Property within the Town. Such appeal shall be filed within 30 days of the date of mailing by the Town Clerk of the notice of the Town Board's action granting or renewing, refusing to grant or renew, or revoking a License. The procedure on review shall be the same as in civil actions commenced in the Circuit Court pursuant to Wis. Stats. Chs. 801 to 807.

Section 11. Inspection and Enforcement

E. Inspection.

1. — Upon probable cause to believe that a violation of this Ordinance, or of a law, code, rule or regulation relating to buildings, housing, electrical, plumbing, heating, gas, fire, health, safety, environmental pollution, water quality, food or zoning has occurred or is occurring, an Enforcement Officer under Subsection B, the Town Building Inspector, the OSTR, or a Local Health Officer (an "Inspector") may, upon presenting proper identification, request that the Owner, Operator or Agent allow him or her access to the STR at any reasonable time for any of the following purposes:
 - i. — to determine if there has been a violation of this Ordinance, or of a law, code, rule or regulation related to the STR or its operation;
 - ii. — to determine compliance with previously written violation orders;
 - iii. — to examine and copy relevant documents and records related to the operation of the STR; or
 - iv. — to obtain photographic or other evidence needed to enforce this Ordinance.
2. — As used in this Section 11, "probable cause" means facts and circumstances within an Inspector's knowledge and of which he or she has reasonably trustworthy information that are sufficient to warrant a reasonable Officer in believing that a violation has been or is being committed.
3. — If consent is refused, the Inspector may apply for a special inspection warrant issued pursuant to Wis. Stats. § 66.0119, or other warrant, subpoena or order as may be necessary or appropriate.

F. Enforcement Officers. The provisions of this Ordinance may be enforced by the Town Chairperson, Town Administrator, Town Clerk, or any of their designees. In addition, the Town may contract with an outside provider to assist with enforcing this Ordinance.

G. Form of Citation. Citations shall be issued per § 66.0113, Wisconsin Statutes, as may be amended, or any successor statute. The provisions of § 66.0113, Wisconsin Statutes, are hereby adopted as if set forth in full in this Ordinance.

H. Penalties.

1. — Any Person that fails to comply with the provisions of this Ordinance shall, upon conviction, pay a forfeiture of not less than \$250.00 nor more than \$1,000.00, plus the applicable surcharges, assessments, and costs, for each violation. Each day a violation occurs or continues to exist constitutes a separate offense under this Ordinance.
2. — The penalties set forth in this Subsection shall be in addition to all other remedies, including but not limited to injunction, abatement, or costs, and whether existing under this Ordinance or otherwise.

Section 12. Fees

The License application fees shall be established by the Town of Liberty Grove Board of Supervisors and shall correlate with the administrative and related costs involved with compliance monitoring.

The fees may be changed without notice or amendment to this Ordinance. The current schedule of fees is available from the Town Office.

Section 13. Severability

If 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 14. Effective Date and Publication

This Ordinance shall become effective upon adoption and publication as required under § 60.80 Wisconsin Stats. Except as provided in Section 6, an existing Short-Term Rental holding a currently valid and unrevoked License as of the Effective Date of this Ordinance shall come into compliance with Section 6 of this Ordinance at the time of License renewal or application for a new License.

Adopted at a regular meeting of the Town Board of the Town of Liberty Grove, Door County, Wisconsin, on this ~~6th day of September 2023.~~ day of ,

Motion to adopt: ~~Johnson~~ Second: ~~Ward~~ Vote: Aye: 4 Nay: 0

I, ~~Anastasia Bell~~ Pamela Donart-Welcome, Clerk/Treasurer of the Town of Liberty Grove, Door County, Wisconsin do hereby certify that the above is a true and correct copy of an Ordinance that was adopted on the ~~6th day of September 2023~~ day of , by the Liberty Grove Town Board.

Dated this ~~6th day of September 2023.~~ day of , .

~~Anastasia Bell~~, Pamela Donart-Welcome, Clerk/Treasurer