

Chapter 12 BUSINESS REGULATION AND TAXATION

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State Law reference— Authority for local regulation of transient merchants, Wis. Stat. § 134.65.

State Law reference— [Authority for local regulation of short-term rentals, Wis. Stat. § 66.1014](#)

ARTICLE I. IN GENERAL

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Secs. 12-1—12-18. Reserved.

ARTICLE II. TOBACCO SALES

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Sec. 12-19. License required.

No person residing in the town, or any person, firm or corporation, shall sell, offer for sale, or keep on his premises, cigarettes or other tobacco products, unless a license for the sale thereof has first been obtained from the town board. The town board shall have the sole power to grant or refuse licenses to any individual, firm or corporation. The applicant shall specify in the license application whether the applicant will sell, exchange, barter, dispose of, or give away the cigarette or tobacco products over the counter or in a vending machine, or both.

Sec. 12-20. Term of license.

All licenses issued shall take effect on the July 1 and expire on the succeeding June 30, unless sooner revoked by the town board or other authority of law.

Sec. 12-21. Contents of licenses.

All licenses shall be numbered in the order in which they are issued and shall clearly state the specific premises for which the licenses are granted, the date of issuance, the fee paid and the name of the licensee.

Sec. 12-22. Transfer of licenses.

Licenses shall not be transferable from one person to another nor from one premises to another.

Sec. 12-23. Fees.

Fees for tobacco sales licenses shall be as established from time to time by the town board, as indicated in the schedule of fees available in the office of the town clerk.

ARTICLE III - SHORT TERM RENTALS

Sec. 12-24 Purpose

The purpose of this Chapter is to ensure that the quality of short-term rentals operating within the Town is adequate for protecting public health, safety and general welfare, including establishing minimum standard of space for human occupancy and for an adequate level of maintenance; determining the responsibilities of owners, operators and property managers offering these properties for tourists or transient occupants; to protect the character and stability of all areas, especially residential areas, within the Town of Onalaska; to provide minimum standards necessary for the health and safety of persons occupying or using buildings, structures or premises; and provisions for the administration and enforcement thereof.

Sec. 12-25 Adaption

Town of Onalaska will adopt La Crosse County's Short-term rental ordinances into the Town Code of Ordinances by reference, specifically County Code Sections 11.37 and 17.04, and as from time to time they are amended, except with the addition of the following:

1. If a residential dwelling is rented for periods of more than 6 but fewer than 30 consecutive days, the total number of days within any consecutive 365-day period that the dwelling may be rented is 180 days, which starts when the first rental occurs. The short-term rental owner shall notify the Town Clerk in writing when the first rental within a 365-day period begins under Wis. Stat. § 66.1014(2)d1.
 - a. Listing and renting in contravention of the allowable 180-day period shall result in revocation of the Town permit.
 - b. Upon revocation of the Town permit, applications for new Town permits may be submitted to the Town of Onalaska one year following the date of the revocation. A forfeiture of \$4000 will be assessed for renewal of the permit application. Applications do not guarantee approval, and approval will be given by the Town Board of Supervisors.
2. Violation of Town of Onalaska Ordinances by any occupants of the short-term rental may result in revocation of the Town of Onalaska Permit, after review by the Town Board of Supervisors.
3. Violation of any required conditions in Sections 11.37 or 17.04 of the La Crosse County Ordinances that result in a County permit revocation, will also result in revocation of the Town of Onalaska permit. A forfeiture of \$4,000 will be required before a new application

from the same licensee so revoked. Applications do not guarantee approval, and approval will be given by the Town Board of Supervisors.

- a. Upon revocation of County or Town permits, failure to remove advertisements for the property from short-term rental marketplaces such as but not limited to online applications shall result in a forfeiture of \$100 per day per marketplace (e.g., Airbnb, Vacasa, VRBO, etc.) where the listing remains active.
- b. Upon revocation of County or Town permits, continuing to rent to tourists or transient occupants will result in forfeitures of \$500/day.
4. Failure to obtain Town and/or County permits prior to advertising and/or to leasing the property to tourists or transient occupants on short-term rental marketplaces such as but not limited to Airbnb, Vacasa, VRBO, etc. will result in forfeitures and require a permit application to continue operating.
 - a. A forfeiture of \$4,000 will be required for a violator to apply for a permit application.
 - b. A forfeiture of \$100/day per marketplace where the property listing remains active.
 - c. A forfeiture of \$500/day if the property is rented without an active permit.
5. Chapter 20 Fire Prevention and Protection of the Town of Onalaska Code of Ordinances applies to owner and occupants.

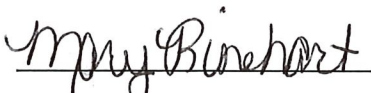
Sec. 12-26 Fees

All applications must be filed with the Town Clerk's office. A first-year application fee of \$400.00 will be charged to apply for a permit. Application is not a guarantee of approval. Upon review and approval by the town board, the permit is good for one year. After the first year, applications will be for a two-year term at a fee of \$700 per term. Applications for renewals do not guarantee approval. Approved licenses are not transferable if property ownership is transferred. Short-term rentals approved as a Conditional Use will be considered renewals. Any lapse in operation of the rental property for a year, or lapse in permit renewal will be considered a new application. All application forms, application fees, and forfeitures may be updated from time to time, as needed based upon the Town Fee schedule. All applications and renewals will be approved by the Town of Onalaska Board of Supervisors.

Dated this 12 day of November, 2024.



Stan Hauser, Town Chairperson



Mary Rinehart, Administrator/Clerk-Treasurer

Adopted: November 12, 2024

Noticed: November 13, 2024