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 SYNOPSIS: Opposition to Assembly Bill 583 and Senate Bill 446 Limiting Local Control Regarding Residential Dwellings Used As Tourist Rooming Houses

INTRODUCED BY: Planning and Zoning Committee

To the Honorable Board of Supervisors of Columbia County:

WHEREAS, Columbia County and other local governments in Wisconsin have developed local regulations that allow for tourist rooming houses in residential neighborhoods while protecting the property rights of neighboring residences; and,

WHEREAS, these local regulations are meant to ensure the tourist rooming house will be designed, constructed, operated, and maintained so as to be compatible with the existing or intended residential character of the general vicinity, and that the tourist rooming house will not change the essential character of the neighborhood or substantially impair or diminish the use, value or enjoyment of existing or future residential dwellings in the neighborhood; and,

WHEREAS, tourist rooming houses are not a principal residence but are short term vacation rentals of a residential dwelling which in Columbia County are occurring in neighborhoods consisting of primarily principal residences both owner occupied and long term rental occupied which is 30 days or more; and,

WHEREAS, Assembly Bill 583 and Senate Bill 446 will not allow a local government to prohibit, regulate the duration or frequency of, or unreasonably restrict the rental of a residential dwelling for 7 consecutive days or longer; and

WHEREAS, Assembly Bill 583 and Senate Bill 446 will not allow Columbia County to enforce the regulations that are currently included the County Code of Ordinance; and,

WHEREAS, state regulations covering tourist rooming houses do not consider or attempt to protect local needs or the character of existing local neighborhoods; and

WHEREAS, the existing county ordinance in Columbia County as well as local ordinances in other counties and local municipalities consider local needs and do not duplicate statewide regulations; and

WHEREAS, this proposed legislation will promote the change of neighborhoods from primarily principal single family residential to short term vacation rentals which will greatly increase the potential for land use and neighbor conflicts; and,

WHEREAS, the rental of a residential dwelling for a vacation rental is often for less than 7 seven days which use under the proposed legislation can still be regulated and this will put an undue burden on local governments as well as property owners to track the frequency and duration of rental agreements; and,

WHEREAS, the legislation has the potential to create loopholes to avoid public health codes and allows for the creative rental agreements that can potentially circumvent local and state rules; and,

WHEREAS, Assembly Bill 583 and Senate Bill 446 will not allow local governments to use local processes to address issues that are literally neighborhood concerns and not issues of state wide interest; and,

WHEREAS, unregulated rental of residential dwellings for essentially commercial lodging will put commercial lodging facilities in the County that are meeting all applicable standards at a competitive disadvantage.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board hereby supports local control that can balance the property rights of principal residences with property owners who desire to rent a residential dwelling on a short term basis and opposes Assembly Bill 583 and Senate Bill 446 and any state legislation that would preempt the ability of counties to craft their own regulations tailored to their local circumstances.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Governor Walker, 54 Senators Fitzgerald, Olsen, and Erpenbach, Representatives Ripp, Jagler, and Considine, Assembly Committee on Housing-and-Real-Estate, Senate Committee on Government 55 56 Operations and Consumer Protection, and the Wisconsin Counties Association. 57 58 59 Fiscal Note: "NONE" 60 61 Fiscal Impact: "NONE" 62 63 64 65 Kevin Kesster 66 67 John A. Stevenson 68 69 70 Harlan Baumgartner 71 72 73 Mike Weyh 74 75 76 Fred C. Teitgen 77 78 79 STATE OF WISCONSIN **COUNTY OF COLUMBIA CERTIFIED COPY**

> I certify that this is a true and exact copy of the original of which I am legal custodian for the County Clerk of Columbia County.

County Clerk or Deputy County Clerk

Signed by

Date

PLANNING AND ZONING COMMITTEE