

Ordinance No. 1691A- Final

**AN ORDINANCE TO CREATE CHAPTER 5.38,
RESIDENTIAL RENTAL REGISTRATION, OF
THE MUNICIPAL CODE
OF THE CITY OF WHITEWATER.**

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do hereby ordain as follows:

Chapter 5.38 of the Municipal Code of the City of Whitewater is hereby created to read as follows:

5.38 Residential Rental Registration

(1) Registration Required. It shall be unlawful for any individual, partnership, corporation, or other for-profit entity to rent residential units within the City of Whitewater without being registered for that purpose as provided herein. A premise shall be considered rented if any funds are paid by a resident to another party for the right to reside at the property. This ordinance shall not apply to legally recognized non-profit rental entities and the State of Wisconsin, or any subdivision or agency thereof.

(2) Purpose. The purpose of the residential rental registration requirement as described herein is as follows:

a. The collection of current and accurate information identifying existing residential rental entities within the City of Whitewater and the initiation or termination of rental of premises.

b. Assistance with the efforts of various City officials and departments, including the Neighborhood Service Director, City Clerk, City Assessor, Police Department, and Fire Department in maintaining accurate records of residential rental premises to enable said officials and departments to perform their respective duties.

(3) Registration. Each owner of a rented residential premises within the City of Whitewater subject to this ordinance shall complete and return to the City Clerk a registration form that shall be available at the Clerk's office which shall require the following information pertaining to the residential rental premises: identification of the name, address, and phone number of the property owner; the property location and property location name, if any, name, phone number, email address, and address of primary contact person and directions for contacting the person. This requirement shall apply to all rented residential premises described in sub-section (I) which exist at the effective date of this ordinance and those initiated after the effective date of this ordinance. The registration shall be completed within 15 days of the rental of the residence.

(4) Term of Registration and Termination of Residential Rental Premises.

a. The residential rental registration described herein shall be effective and valid for the life of the residential rental entity. A new residential rental registration is required for a change in ownership.

b. Each residential rental owner shall notify the City Clerk upon termination of the rental of the premises. The Clerk shall record said termination.

(5) Duty to Update. Each residential rental owner shall notify the City Clerk of any change pertaining to the information provided within 15 days of any such change.

(6) Penalty. Any individual, partnership, corporation, or other business organization convicted of violating any provision of this section shall forfeit not less than \$100.00 nor more than \$200.00 for each violation plus costs of prosecution. Each day of violation shall be considered a separate offense.

(7) Fee. No fee shall be charged for the registration.

(8) Severance Clause. The provisions of this ordinance are declared to be severable, and if any section, sentence, clause, or phrase of this ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this ordinance; and they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

This ordinance shall take effect upon passage and publication as provided by law.

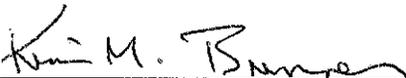
Ordinance introduced by Councilmember Stauffer, who moved its adoption. Seconded by Councilmember Nosek.

AYES: Stauffer, Nosek, Binnie, Singer, Kienbaum, Stewart.

NOES: Taylor.

ABSENT: None.

SECOND READING DATE: July 15, 2008.



Kevin M. Brunner, City Manager



Michele R. Smith, City Clerk