

TOWN OF FREDONIA
PUBLIC HEARING HELD 4/9/2014
MINUTES Ordinance Change – Establishing Bed & Breakfast Ordinance

The Town of Fredonia held a Public Hearing on Wednesday, April 9, 2014, in the Town Hall, 242 Fredonia Avenue, to hear comments for or against an Ordinance Change. Chairman Mueller called the hearing to order at 7:40 p.m.

OFFICIALS PRESENT: Chairman Rich Mueller; Supervisors: Chris Janik, Lance Leider, Mark Schubert, Jim Stemper; Town Clerk Dave Gorton; Treasurer Jean Wills.

This hearing was held in compliance with the Open Meeting Law in that notice was posted in at least three public places in the Town and e-mailed to the Souder, Ozaukee Press, and Milwaukee Journal Sentinel. The Public Hearing Notice was also posted on the Town web site. In addition to Town Officials there were 15 people present.

Chairman Mueller read the Notice of Public Hearing as follows:

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Fredonia will hold a Public Hearing on April 9, 2014, at the Fredonia Government Center, 242 Fredonia Ave. Fredonia, at 7:30 pm, for the purpose of hearing and discussing the following new Ordinance:

Chapter 12 – Licenses and Permits - New Sub-Section (10)

12.10 Bed and Breakfast

- (1) License Required. No person shall operate a Bed and Breakfast without first obtaining a license from the Town Clerk.
 - (a) Definition: A building other than a hotel where lodging and meals are furnished for compensation for persons not of a family.
- (2) Application. Applications for such events shall be made on forms supplied by the Town Clerk and filed with the Town Clerk. The application will require an inspection and approval by the Town Building Inspector and Fire Department Inspector.
- (3) License Fee. An annual fee for each Bed and Breakfast shall be set by the Town Board of the Town of Fredonia and published in the Town's fee schedule.
- (4) Referral to Town Board. Applications shall be referred to the Town Board which may grant, grant with conditions, or deny the license.
- (5) Applicable Restrictions.
 - (a) All requirements set forth in Section 254.64 of the Wisconsin Statutes and Chapter HFS 197 of the Wisconsin Administrative Code shall be fully complied with by the proprietor. Necessary state permits and licenses shall have been secured.
 - (b) The owner of the Bed and Breakfast shall be the proprietor of the establishment and shall occupy the property as his/her main residence at the time of room rental.
 - (c) Applicable Zoning requirements: a bed and breakfast is consistent with an accessory use in an Exclusively Agricultural Zone if the business meets the conditions required by Section 17.07(3)(g) of the Town Code.
 - (d) Adequate off-street parking shall be provided pursuant to Sections 17.26(3)(e) "Hotels, motels" and 17.26(3)(g) of the Town Code.
- (6) REVOCATION AND SUSPENSION OF LICENSE.
 - (a) Upon complaint being made in writing by any official of the Town to the Town Board that any licensee hereunder has violated any of the provisions of this section, the Town Board shall cause a summons and complaint to be served upon the licensee to appear before it at the time specified in the summons, which shall be not less than 10 days after the date of the service thereof, to show cause why his/her licenses shall not be revoked or suspended. The Board shall thereupon proceed to hear the matter and, if it finds that the allegations of such complaint are true, may revoke or suspend the license of such person. The provisions hereunder shall not be effective unless the licensee has received a copy of said complaint and such licensee has been given reasonable time to correct the condition complained of or to otherwise satisfy such complaint.
 - (b) Whenever a license is revoked, the licensee shall have a period of 45 days from the date of such revocation to liquidate his/her business, during which time he/she shall be required to comply with all the terms and conditions of this section.

The Town Board will act on this change at the Town Board Meeting immediately following this hearing.

Chairman Mueller asked for any questions or comments. None.

Chairman Mueller asked for any public comments a second time. None.

Chairman Mueller asked for any public comments a third time. None.

Chairman Mueller proceeded to the next Public Hearing item.

Dave Gorton, Clerk

Approved 5/14/14