

ORDINANCE NO. 2023-16

**ORDINANCE TO AMEND SECTION 40.471 OF VILLAGE CODE OF
VILLAGE OF PEWAUKEE REGARDING THE REGULATION OF
TRANSIENT COMMERCIAL LODGING USES IN RESIDENTIAL DISTRICTS**

The Village Board of the Village of Pewaukee, Waukesha County, Wisconsin do ordain as follows:

SECTION I

Section 40.471, (a), (2) of the Village Code of the Village of Pewaukee is amended to read as follows:

Section 40.471(a)(2) – Transient commercial lodging uses: The use by any person of property residential purposes including for bed and breakfasts, hostels, hotels, inns, lodging, motels, resort or other similar uses. For purposes of this section, properties used for residential purposes shall include properties that are zoned for residential purposes, as well as those which allow for residential use because they are authorized for use based upon being legally non-conforming, conditional uses, mixed uses or as authorized as part of a Planned Unit Development Ordinance.

SECTION II

Section 40.471, (b) of the Village Code of the Village of Pewaukee is amended to read as follows:

Section 40.471(b) – Transient lodging uses: Transient lodging uses for remuneration are prohibited in the residential zoning districts of the Village or where legal residential uses are occurring including legal non-conforming property, conditional uses, mixed use, or residential uses allowed as part of a Planned Unit Development Ordinance, where the period of each individual use is less than three (3) days. Any person acting as an agent, real estate broker, real estate sales agent, property manager, reservation service or arranges or negotiates for the use of property for residential purposes or transient lodging uses, or any person who uses or allows the use of property for residential purposes in this manner shall be considered in violation of this Section. Each day in which such residential use is used or allowed to be used in violation of this Section shall be considered a separate offense. Any rental of single-family property for camping purposes is prohibited.

SECTION III

All Ordinances or parts of Ordinances contravening the terms and conditions of this Ordinance are hereby to that extent repealed.

SECTION IV

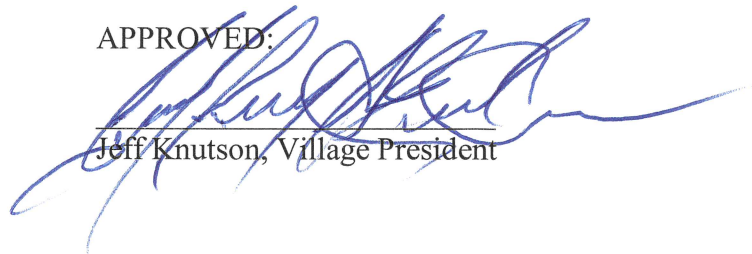
The several sections of this Ordinance shall be considered severable. If any section shall be considered by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other portions of the Ordinance.

SECTION V

This Ordinance shall take effect upon passage and publication as approved by law, and the Village Clerk shall so amend the Code of Ordinances of the Village of Pewaukee, and shall indicate the date and number of this amending Ordinance therein.

Passed and adopted this 5 day of September 2023 by the Village Board of the Village of Pewaukee.

APPROVED:



Jeff Knutson, Village President

Countersigned:



Cassie Smith, Village Clerk