

SHORT TERM RENTAL GUIDANCE

This guide offers the basics of what an owner needs to know before renting out their property to the public.

This is not intended as a comprehensive guide listing every consideration that may arise but provides the highlights to short term rentals in Eau Claire County.



The legal term in Wisconsin for a short-term rental is a **Tourist Rooming House**. Any room, home, second home, investment property, cabin or basically any structure for overnight stays to the public for a fee is considered a Tourist Rooming House (TRH). You are probably most familiar with tourist rooming houses when searching on AirBnB, VRBO, or similar websites.

For an overview of this process and short-term rentals in Wisconsin please read: [“Thinking of Renting Out Your Property For Overnight Stays?”](#).

Other Considerations Before You Apply:

- Verify with your Lake Association, Homeowner Association (HOA) or Property Owner Association (POA) if there are any restrictions or requirements in the area regarding short term rentals.
- Talk with your homeowner’s insurance company. Renting may bring in extra income but can also bring additional liabilities.
- Contact your local township/municipality/city to see if there are forms to complete for any room tax.
- If you have a septic system, check with the Eau Claire-City County Health Department to verify the capacity and ensure there are no issues.
- See other [FAQ’s](#)



Follow These Steps to License Your Tourist Rooming House:

1.

Review all important codes, ordinances, fact sheets, and informational handouts.

1. Requirements and codes for short term rentals:

- a. [Chapter ATCP 72 Hotels, Motels, and Tourist Rooming Houses](#)
- b. [WI SPS 361-366 - Building Structure and Safety](#)
- c. [WI SPS 321.097](#) and [362.1200](#) – Carbon Monoxide Detectors

Apply for a local zoning permit.

2.

Some townships within Eau Claire County may not have zoning restrictions, but it is important to check with Planning and Zoning to verify. This process can take a few months before approval is given.

- City of Eau Claire Planning: 715-839-4714 or planning@eauclairewi.gov
- Eau Claire County – Planning and Development: 715-839-4741
- City of Altoona: 715-839-6092

3.

Contact your local township/municipality/city to see if there are any forms to complete regarding room tax.

4.

Complete a license application through the Eau Claire City-County Health Department. A complete plan review and license application will need to be submitted and reviewed before any inspection can be done.

If you have a private drinking well, you will need to complete [a yearly water test](#) for bacteria and nitrates.

5.

After the Health Department has completed your plan review and no changes need to be made, an inspection (called a pre-inspection) is scheduled with you and any other agency such as the Fire Department if required at your property. See inspection checklist on page 5.

6.

If your property meets all requirements of the Wisconsin Lodging Code and all [fees](#) are paid, a license will be issued to you. Yearly inspections by the Health Department need to be completed to keep your Tourist Rooming House license. Licenses are valid from July 1 through June 30th of the following year.

Short Term Rental FAQ's

How many people can I rent to?

To determine how many people you will be able to rent to is determined by two things: the **size of your bedrooms and their location** and the **size of your septic system**. If you are on public sewer and water, then it will be solely based on the size and location of the bedrooms.

When advertising it is important to note:

1. Rooms located in basements without proper exits will not be available to renters to use as bedrooms.
2. If the property has a private septic system, the number of people will be determined by the size of that system. This will be determined by the Well and Septic Inspector. In general, the guidance is **2 people per bedroom**.
 - a. Please note: An approved septic system must be in place. Water is never allowed to be drained directly to the ground.
3. If there is a private well, a water sample must have been taken and meets safe limits for bacteria and nitrate. Provide this documentation in the plan review and yearly upon inspection. Discuss with the inspector how water will be provided if there are any unusual or alternative plans for a water supply.
4. Sizing of Sleeping Rooms: each bedroom needs to provide at least 400 cubic feet of air space for each person over 12 years of age.
5. If the owner will be living or present during the rental, then a separate bathroom must be provided.

Can I rent out a tiny home?

Some rentals such as “tiny homes” or RV’s may not meet the definition of a Tourist Rooming House. It is important before beginning any process to discuss these with the Eau Claire City-County Health Department for guidance. If you have questions regarding a specific property or you are planning on building a rental contact the Health Department to help guide you through this process.

How many days can I rent my home?

There is no limit of rental days per calendar year in the Wisconsin Lodging Code. However, local zoning ordinances in your township or municipality may set a limit.

However, using ATCP 134.02(14) from the Residential Rental Practices defines "tourist or transient". A "tourist or transient" is defined to mean: tourists or other persons who occupy a dwelling unit for less than 60 days while traveling away from their permanent place of residence. In other words, if the stay exceeds 60 or more days then that person(s) is now a tenant and no longer fits the scope of ATCP 72.



INSPECTION CHECKLIST

For Short Term Rentals in Eau Claire County

This checklist shows the main items covered during a health inspection. [See Wisconsin Administrative Code ATCP 72](#) for all health regulations.

BEFORE INSPECTION:

- Conditional Use Permit provided or zoning approval verification from City of Eau Claire or Eau Claire County
- Plan approval letter obtained from Eau Claire City-County Health Department.
- Copy of safe water test if on private well.

GENERAL:

- The property must be in good condition.
- All guests must register their true names and addresses into a registry that must be available to inspectors for the current and prior year. Digital registry is sufficient.
- One smoke detector per home is required. One smoke detector on each level and in each sleeping room is recommended.
 - *Suggestion: check smoke detectors after each guest rental to ensure guest hasn't disengaged batteries.*
- One carbon monoxide (CO) detector per home is required if there is an attached garage or fuel-burning device*.
 - CO detectors must be on each level of the house and outside of bedrooms (in hallway). If a fuel burning appliance is inside of a bedroom, like a gas fireplace, there must be one present inside the bedroom. If the home has an attached garage, a CO detector must be present in the first room that is attached to the garage.
- All appliances shall be clean and in good working order.
- To prevent cross contamination, all water faucets with threads for hose attachment (laundry tub and/or outdoor faucets) must be equipped with an air gap vacuum breaker faucet or a backflow preventer valve which meets plumbing standard ASSE 1011.
- Railings on decks, patios, and balconies more than 24" off the ground must be at least 36" tall. Gaps cannot be larger than four inches. All parts must be in good condition.
- Staircases with more than three risers must have securely fastened handrails.
- Fire extinguishers are not required but highly recommended.
- All personal food medications, alcohol, etc. are to be removed from the premises or kept in a lockable closet that is not accessible to renters.
- Garbage service and leak proof garbage containers are required.
- Provide measures to prevent pests.
- In general, maintain the property in a clean and safe manner.

**Fuel-burning device definition: Device that burns fossil fuel and found in homes, i.e. a stove, grill, clothes dryer, furnace, boiler, water heater, heater or fireplace.*



KITCHEN:

- No food can be offered except for pre-packaged, shelf-stable items and fresh fruits and vegetables.
- If ice is offered, use a refrigerator ice dispenser or provide an empty, sanitized ice cube tray for each separate guest reservation group. Reach-in ice bins are only allowed for guest use if emptied and sanitized between guests.
- Wash cups, plates, silverware, and pans after each use and sanitize using either method below:
 - Home dishwashers which reach 160°F degrees will sufficiently sanitize. An NSF certified residential sanitizing dish machine is approved by our department. The homeowner must provide proper instruction on how to use the sanitize cycle on the appliance.
 - Wash, rinse and then soak utensils for 30 seconds in basin containing 1 tablespoon unscented chlorine bleach per gallon of water.

BATHROOM

- Each guest sleeping room has its own designated full bathroom that can be shared with hosts, or two separate, designated men's and women's full bathrooms for all guests and hosts to share, although host's family can use any bathroom, regardless of gender designation.
- If all guestrooms are rented to one reservation party, then only one full bathroom is needed.
- Each guest room is supplied with separate soap and towels.
 - Shared soap, shampoo and other toiletries are permissible if in dispensers or bottles which prevent cross contamination.
- Slip-resistant flooring is required in showers and bathtubs or have bath mat available.
- All bathrooms must have a vent fan or openable window.

GUEST SLEEPING ROOMS

- Guest beds must have a mattress pad.
- All guest bed top sheets must have a 12" fold-back over top of blanket.
- Pillowslips, sheets, towels, and washcloths must be washed between guests and at least once per week. They must remain in good condition.
- Soiled and clean linens must be separate.
- Individual locks on guest sleeping room doors are required unless entire home is rented to one reservation party or home has only one guest room. Locks must be unkeyed on the inside and keyed on the outside.
- All guest sleeping room windows and doors that open to the outside must have screens.
- If bunk beds are used, they must meet [16 CFR 1513 for railing requirements](#).



EXITS:

- Two exit doors are required, unless structure is less than 400 square feet.
 - At least one of the exits shall discharge directly to grade
 - If structure is under 400 square feet, one exit door and one egress window are required
- Exits from second floor
 - If loft exceeds 400 square feet, one stairway exit is required
 - If loft is less than 400 square feet, a stairway or ladder may be utilized
- Exits from basement and ground floor
 - Each basement used for sleeping must have **at least 2** of the following exit options:
 - A stairway or ramp that leads to the floor above
 - A door to the exterior of the building
 - A stairway that leads to the garage provided the garage has an exit door other than the overhead door.
 - An egress window that complies with window exiting requirements located in each bedroom.
- Windows used for exiting must:
 - Able to open from the inside without the use of tools
 - Dimensions of at least 20 inches by 24 inches
 - Lowest point of opening shall be no more than 60 inches above floor