
COMMUNITY DEVELOPMENT AUTHORITY (CDA) MEETING

**Wednesday August 25, 2021 at 4:00 p.m.
Caledonia Village Hall – 5043 Chester Lane**

1. Meeting Called To Order
2. Approval of Minutes From the July 28, 2021 meeting
3. Branding/Marketing Group Update- Adam, Kjell, Elsa, Fran, Cory
4. Recap of Lighthouse Run/Caledonia Crawl- Adam
5. Blight Update- Pete
6. Finalize Budget Request
7. Update on Zip Code- Fran
8. Real Racine Information- Fran
9. Treasurer's Report- Kjell
10. Adjourn

Dated August 20, 2021

Joslyn Hoeffert
Village Clerk

Only Community Development Authority members are expected to attend. However, attendance by all Board members (including non-members of the CDA) is permitted. If additional (non-committee) Board members attend, three or more Board members may be in attendance. Section 19.82(2), Wisconsin Statutes, states as follows:

If one-half or more of the members of a governmental body are present, the meeting is rebuttably presumed to be for the purposes of exercising the responsibilities, authority, power or duties delegated to or vested in the body.

To the extent that three or more members of the Caledonia Village Board actually attend, this meeting may be rebuttably presumed to be a "meeting" within the meaning of Wisconsin's open meeting law. Nevertheless, only the committee's agenda will be discussed. Only committee members will vote. Board members who attend the committee meeting do so for the purpose of gathering information and possible discussion regarding the agenda. No votes or other action will be taken by the Village Board at this meeting.



CDA Minutes

COMMUNITY DEVELOPMENT AUTHORITY (CDA) MEETING

Wednesday, July 28, 2021 at 4:00 p.m.

Caledonia Village Hall – 5043 Chester Lane

This was an in-person meeting

Committee Members Present: William Streeter, Dave Gobis, Kjell Erlandsson, Adam Emery & Jacob Lovdahl

Committee Members Absent: Fran Martin, Jim Dobbs

Guests, Peter Wagner

- 1. Meeting called to order by Chairman William Streeter at 4:06**
- 2. Minutes of June 23, 2021 motion for approval by Dave Gobis, second by Kjell Erlandsson, approved unanimously**
- 3. Blight Update. Pete Wagner provided an update on the property at 6121 Hwy 31 and the property at 41 and Seven Mile. Numerous complaints are in various stages of being addressed within legal and available staffing limitations. Work continues on accessory building/property size and parking ordinances’.**
- 4. Branding Report- Adam Emery expressed concern that there was no exposure from Real Racine on the Lighthouse Run and no interest in promoting the Caledonia Crawl aspect which was promoted entirely by the CDABA. In his research he only finds two mentions of Caledonia in the past year and those were on the Franksville Beer Garden. Caledonia contributes approximately \$70,000 a year to Real Racine but we get very little in return. As State statutes require that hotel tax be spent on Tourism he feels it may be time to look at the possibility of bringing that aspect in house. There was general agreement and further discussion will ensue**

5. **CDABA Report, Adam Emery- The CDABA is breaking off the association with the CDA and henceforth wishes to be known as the Caledonia Business Association (CBA). They are in the process of forming a 501 (C)(6) Corporation. This would be a membership dues organization with the intention of expanding its programs to all business in Caledonia.**

**** NOTE ** for those not familiar with the purpose of a 501(c)(6) it is defined as the following:**

Reg. 1.501(c)(6)-1 defines a business league as an association of persons having a common business interest, whose purpose is to promote the common business interest and not to engage in a regular business of a kind ordinarily carried on for profit. Its activities are directed to the improvement of business conditions of one or more lines of business rather than the performance of particular services for individual persons.

The CBA wishes to keep the flower pot program for which Elsa Mileager will be submitting a budget request to the CDA. They may choose to expand the program. Additionally, the CBA is requesting \$5,000 as reimbursement of printing cost for the Caledonia Crawl.

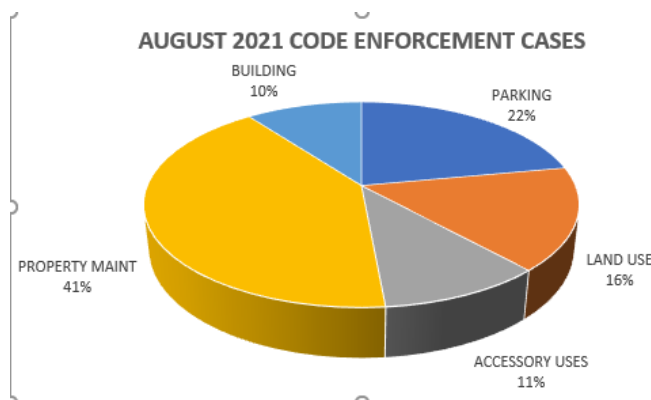
6. **Treasures Report- Kjell Erlandsson reports no additional income or disbursements. He again reminds the CDA and CBA that the budget proposal is due in August. Pete Wagner again reminded that it should include about \$18,000 for demolition of blighted property; CBA is to determine the amount for flower pots. The Branding committee suggests \$40,000 for future branding efforts which will also require a breakdown.**
7. **Adjournment- Motion to adjourn made by Jake Lovdahl and seconded by Adam Emery at 6:108 PM, passed unanimous**
10. **Next meeting August 25, 2021 4PM Village Hall**

**Submitted August 19, 2021, 1 by Dave Gobis
Secretary**

CODE ENFORCEMENT CASE UPDATE

Village staff has now used the Caselle Connect Code Violation software for a full year. All existing violations and new complaints are recorded in the program. With the help of Clerical staff, reports have been created that tally the total number of cases, number of new cases received, and number of cases resolved. The reports break down the number of cases in each category. A report copy is attached.

The number of open cases at the end of 2020 varies from the number previously reported because some older cases entered in 2021 had the violation date back dated to the receipt date in 2020.



PARKING	15
LAND USE	11
ACCESSORY USES	7
PROPERTY MAINT	28
BUILDING	7
TOTAL	68
CODE ENFORCEMENT CASE UPDATE AUG 2021	
Open Cases End 2021	37
New Cases	72
Resolved	-41
Open	68

As shown by the above data, 41 cases have been resolved in 2021. With 37 open cases at the end of 2020, and 72 new cases entered, there are 68 open cases. Property Maintenance continues to be the category with the most cases.

Not all complaints lead to code enforcement action. A property owner complained her neighbor had piles of brush along his driveway. Upon investigation, it was found that there was one pile visible from the complainant's backyard, along with some tree stumps. Entering the property via the driveway, staff found there were several piles of brush, branches and some stumps stacked *in a wooded area* along the private drive. The debris was not visible from the road. Zoning Administrator advised not to send a Notice of Violation.



A trustee received an emailed complaint about the parking of commercial vehicles in a residential neighborhood. It listed five addresses where commercial vehicles are routinely parked, whether in the driveway or on the street. The Zoning Department enforces violations of off-street parking rules. The police enforce violations when vehicles are parked in a public area. Zoning staff did a site inspection and found there was one commercial vehicle parked in a driveway. Sec. 20-1009. Parking, states, "a van or pickup truck used for transportation to and from a place of employment of the occupant may be parked on a residential property." The vehicle is a Ford F350 truck.



The section further states, "Vans used in a business or trade, for purposes of this section, are included if they are less than 227 inches in total body length....," Information on ford.com shows the minimum total length of any F350 is 231.8 inches. Further the vehicle is not a van, which is the only type of vehicle specified in this exception.

Still, a Notice of Violation may not be issued until staff observes the vehicle regularly parked at the site. The Parking Code states: "No other vehicular equipment of a commercial nature, except as stated above, shall be parked or stored for more than two consecutive hours and four accumulated hours during an 24-hour period on any (residential) lot."

When staff inspected the area, there were no vehicles parked on the street. Staff referred the complaint to the Police Department. An officer investigated the area in the evening and reported: "It appears as if these are citizens that have a work truck that they are assigned. The vehicles that were parked on the roadway were done so in a manner that did not violate Village Ordinances. I took no action as a result."



ANONYMOUS COMPLAINTS AND EMAIL

Complainants frequently ask to remain anonymous. Yet any email sent to the Village becomes a matter of public record and the information may be obtained by anyone who submits a written request for it. While staff does not volunteer this information, the property owner upon whom the complaint has been registered may ask about the origin of the complaint. Staff may answer, "in an email," or "from a trustee." But if the owner persists on obtaining details, and the complaint was emailed to staff, the information must be released. **Village staff can not guarantee the anonymity of complaints emailed via Village server.**

INTERACTION WITH PROPERTY OWNERS

When a property maintenance violation involves a major cleanup, staff attempts to cultivate a congenial working relationship with the property owner who expresses a desire to bring the site into compliance. When a new complaint is received about an open case, staff may phone the owner, email a reminder, or mail updated pictures to show items that remain noncompliant.

One such case is 456 4 Mile Road, which was first investigated in August 2019. Notices of Violation were sent in March and December 2020. The owner has kept staff updated on his progress with phone calls. He most recently stated he has rented a dumpster for six weeks and is continuing to clear the property of debris and vehicles. He purchased a property Up North and plans to sell his house in Caledonia.

DAVE PICHELMAN

456 4 MILE ROAD



An investigation involving several properties at the west end of Bell Road revealed Ken Small as the owner of two of the sites with the most debris. Upon receiving Notices of Violation for both his properties, the owner phoned staff and said he would begin cleanup and would need more than 30 days to become compliant. An extension was granted. The owner visited Village Hall to show staff pictures of the progress he has made in removing debris from the site.

KEN SMALL

13413 & 13431 BELL ROAD



Neighbors have complained about the condition of the property two houses east of STH 38 on Caddy Lane. The back of the property abuts an access road for Jellystone. An inspection revealed the site is full of debris. A Notice of Violation was sent in April. The owner called staff to say he will begin cleanup. Staff met the owner on site at the end of May to view his progress. He had a dumpster in the driveway which he said he was filling for the second time. He opened a gate to reveal a large amount of debris and stored materials not observable from the right-of-way. Overall, minimal progress had been made. Staff advised the owner to call and set up another inspection at the end of July.

STEVE FRANKIEWICZ

10547 CADDY LANE



Not having heard from Steve, staff called him in early August and left a voicemail message to call and set up a time to meet. He did not call back. While in the area for another inspection, staff drove

by the house and saw Steve outside. Talking with the owner, staff advised him to call by August 13 to set up an inspection.

CLOSED CASES

A next-door neighbor complained about a pile of debris behind the detached garage at **2518 Sunrise Road**. The debris was visible only from adjacent backyards.



Because a complaint had been received, a Notice of Violation was sent. Upon receipt the angry owner called, asking why having a brush pile in his backyard was a violation, and why he received a letter when the conditions at other properties are just as bad or worse. Staff explained the rules and the caller hung up. Upon re-inspection staff observed the debris was gone.



After a complaint about discarded furniture in the right-of-way and overflowing dumpsters, staff sent a Notice of Violation to the owner of **6755 Douglas Ave.**, The furniture was removed. Staff will periodically check that the site is compliant.



Report Criteria:

Violation.Resolution date = 01/01/2021-08/15/2021

Property Address	Primary Owner	Code	Violation Date	Resolution Date	Violation Number
2809 INDIAN TRL	BRADLEY A OLSON	Accessory Uses 2.0	11/20/2020	07/30/2021	V-20-043
7800 MICHNA RD	LUIS M SANCHEZ	Accessory Uses 2.0	01/14/2021	01/15/2021	V-21-005
6028 MIDDLE RD	KRISTIE L SLAASTED	Accessory Uses 2.0	02/18/2021	03/05/2021	V-21-010
7701 MICHNA RD	RENEE E MICHNA	Accessory Uses 2.0	04/05/2021	05/10/2021	V-21-020
4423 DOUGLAS AVE	CHURCH ST RITA'S	Accessory Uses 2.0	04/22/2021	05/11/2021	V-21-037
7931 DOUGLAS AVE	NELLY & FRANCISCO RODRIGUEZ RUBIO	Accessory Uses 2.0	05/11/2021	06/30/2021	V-21-048
3900 CTH H	THOMAS C CASPER	Accessory Uses 2.0	05/19/2021	07/20/2021	V-21-052
5541 WILLOWVIEW RD	ALEX J CANALES	Accessory Uses 2.0	06/07/2021	07/06/2021	V-21-058
Total Accessory Uses 2.0:					8
8447 CTH V	CLETUS S LONG	Building	04/16/2021	07/20/2021	V-21-027
Total Building:					1
6034 STH 31	CHERYL CARTER	Land use	07/06/2020	08/02/2021	V-20-010
8537 CTH V	SCOTT T WOIAK	Land use	04/16/2021	04/27/2021	V-21-028
3127 FENCELINE RD	CHRISTIAN RIVERA	Land use	04/16/2021	06/30/2021	V-21-031
3420 LEO LN	RONALD J LAST	Land use	05/24/2021	07/29/2021	V-21-054
Total Land use:					4
6337 DOUGLAS AVE	BX3 LLC	Parking	12/30/2020	03/31/2021	V-21-002
5625 RANDAL LN	RACINE COUNTY	Parking	04/20/2021	04/20/2021	V-21-035
1129 PALAMINO DR	JENNIFER A FREE	Parking	08/05/2021	08/09/2021	V-21-074
Total Parking:					3
2908 INDIAN TRL	BRYAN & AMY SAVAGE	Property Exterior Maintenance	02/28/2020	03/10/2021	V-20-067
726 ROYAL PARK RD	ALLEN & CONSTANCE SCHUSTER	Property Exterior Maintenance	11/20/2020	02/22/2021	V-20-062
9825 4 MILE RD	PHILLIP J POULOS	Property Exterior Maintenance	12/04/2020	05/12/2021	V-21-008
COUNTY LINE RD	RACINE COUNTY	Property Exterior Maintenance	01/15/2021	01/15/2021	V-21-007
5812 DORSET AVE	JOAN S BERGEMANN	Property Exterior Maintenance	04/01/2021	04/27/2021	V-21-016
5525 BIRCH VIEW RD	KEITH A FLICK	Property Exterior Maintenance	04/01/2021	05/03/2021	V-21-014
2508 ST RITAS RD	LLOYD L DEJONG II	Property Exterior Maintenance	04/01/2021	08/09/2021	V-21-013
3408 ELDERBERRY RD	RONALD LEE BUSS	Property Exterior Maintenance	04/14/2021	05/05/2021	V-21-021
2117 4 MILE RD	ELLIOTT W BRIESKE	Property Exterior Maintenance	04/16/2021	04/16/2021	V-21-023
4526 NORTHWESTERN AVE	4526 NORTHWESTERN III LLC	Property Exterior Maintenance	04/20/2021	04/20/2021	V-21-032
5405 COUNT DR	SCOTT P SCHNETZKY	Property Exterior Maintenance	04/22/2021	05/03/2021	V-21-038
13046 4 MILE RD	JPETER GROUP INC	Property Exterior Maintenance	04/22/2021	07/21/2021	V-21-040
6708 BRIAN DR	STEVEN V NOVAK	Property Exterior Maintenance	04/23/2021	06/02/2021	V-21-030
STH 31	DONALD I CHADY	Property Exterior Maintenance	05/04/2021	05/06/2021	V-21-042
1723 JOHNSON AVE	645 WISCONSIN LLC	Property Exterior Maintenance	05/07/2021	07/29/2021	V-21-043
13620 BELL RD	JEFFREY ZONDAG	Property Exterior Maintenance	05/10/2021	06/02/2021	V-21-045
13119 BELL RD	TOMETCZAK FAMILY ASSET TRUST	Property Exterior Maintenance	05/10/2021	08/02/2021	V-21-044
13624 BELL RD	ELIZABETH A VAN RYEN	Property Exterior Maintenance	05/19/2021	05/19/2021	V-21-050
9026 7 MILE RD	WILLIAM D LYNCH	Property Exterior Maintenance	05/19/2021	06/02/2021	V-21-049
13523 BELL RD	PAUL HARVEY	Property Exterior Maintenance	05/19/2021	06/02/2021	V-21-051
5141 DOUGLAS AVE	ZALES DISCOUNT LLC	Property Exterior Maintenance	05/20/2021	05/28/2021	V-21-004
5030 BLUEBIRD LN	MARSHA J PASSEHL	Property Exterior Maintenance	06/01/2021	07/21/2021	V-21-055
2518 SUNRISE RD	SEAN M FLICK	Property Exterior Maintenance	06/07/2021	07/29/2021	V-21-059
6755 DOUGLAS AVE	RANDY J HETTWER	Property Exterior Maintenance	07/02/2021	07/29/2021	V-21-061
5405 ERIE ST	DUFFECK RENTALS LLC	Property Exterior Maintenance	07/20/2021	08/09/2021	V-21-062
Total Property Exterior Maintenance:					25
Grand Totals:					41

Megan O'Brien

From: Frances Martin <fran5630@gmail.com>
Sent: Thursday, August 19, 2021 4:15 PM
To: Megan O'Brien
Subject: Fwd: Trustee Hewitt USPS document
Attachments: USPS 53177 Survey Reply January 2011.pdf

Fran Martin

----- Forwarded message -----

From: **Fran Martin** <fmartin@caledonia-wi.gov>
Date: Thu, Jul 22, 2021 at 6:37 PM
Subject: Fwd: Trustee Hewitt USPS document
To: Fran Martin <fran5630@gmail.com>

Thanks,

Fran Martin
Caledonia Trustee No. 4

From: Maureen Murphy <MMurphy@mtpleasantwi.gov>
Sent: Wednesday, July 21, 2021 1:12:09 PM
To: Fran Martin <fmartin@caledonia-wi.gov>
Subject: [BULK] Trustee Hewitt USPS document

Caledonia Trustee Martin,

Thank you for the phone call regarding zip codes.

I've attached the document that I mentioned in our phone conversation.

Always happy to help,

Maureen Murphy

Village Administrator

Village of Mount Pleasant

8811 Campus Drive [\[MAP\]](#)

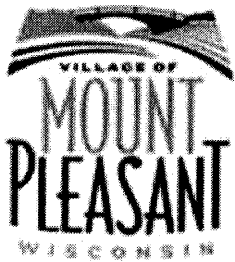
Mount Pleasant, Wisconsin 53406

Direct | 262.664.7818

Main | 262.664.7800

mmurphy@mtpleasantwi.gov

www.mtpleasantwi.gov



"You cannot have a positive life and a negative mind." Joyce Meyer

From: Frances Martin <fran5630@gmail.com>
Sent: Thursday, August 19, 2021 4:28 PM
To: Megan O'Brien <MOBrien@caledonia-wi.gov>
Subject: Fwd: [EXTERNAL] rvice Request # 29114263 [ref:_00DjOGyYH._500t0oxhTB:ref

Fran Martin

----- Forwarded message -----

From: Turman, Chriniesha L - Milwaukee, WI <Chriniesha.L.Turman@usps.gov>
Date: Tue, Aug 17, 2021 at 3:13 PM
Subject: RE: [EXTERNAL] rvice Request # 29114263 [ref:_00DjOGyYH._500t0oxhTB:ref
To: Frances Martin <fran5630@gmail.com>

Hello Frances,

I sent your attachment to Address Management to see if there is something they can assist with or if they can point you in the right direction.

Chriniesha Turman

Consumer Affairs Clerk

Wisconsin District

414-287-2530

From: Frances Martin <fran5630@gmail.com>
Sent: Tuesday, August 17, 2021 1:39 PM
To: Turman, Chriniesha L - Milwaukee, WI <Chriniesha.L.Turman@usps.gov>
Subject: [EXTERNAL] rvice Request # 29114263 [ref:_00DjOGyYH._500t0oxhTB:ref

CAUTION: This email originated from outside USPS. **STOP and CONSIDER** before responding, clicking on links, or opening attachments.

Dear Ms. Turman. We spoke several weeks ago about my Village, Caledonia,Wi. having multiple zip codes and mailing addresses in different municipalities, because that's where the post offices that service us are. We would like at the least to do what our neighboring municipality, Mt. Pleasant Wi did some years ago-get official USPS authorization to use the correct addresses and zip codes, but list "Caledonia" as the municipality. I've attached the authorization letter Mt. Pleasant received, and am hoping you can let us know exactly what we need to do to accomplish the same thing-.

thank you in advance.

Fran Martin

Village of Caledonia Trustee #4



January 2011

Dear Postal Customer,

In September 2010, the Village of Mount Pleasant requested that the Postal Service allow the use of Mount Pleasant WI with the Sturtevant 53177 ZIP Code for residents physically located within the Village limits but serviced by the Sturtevant Post Office for the purpose of community identity.

The Postal Service agreed to implement the request if the majority of customers impacted supported the proposal via survey. The results of the recent survey conducted for the impacted Sturtevant residents were:

76 or 58.5% of the respondents selected YES
54 or 41.5% of the respondents selected NO

As was explained in the survey and to Village officials, the change would be adopted or rejected in accordance with the majority of survey responses received.

Therefore, the Postal Service has made the necessary database coding changes to implement the proposal. As an impacted resident with current delivery from the Sturtevant Post Office, you will have the option to use either of the following as the last line of your mailing address:

MOUNT PLEASANT (or MT PLEASANT) WI 53177 or STURTEVANT WI 53177

This option will be effective February 1, 2011.

Continue to use your existing 53177 ZIP Code for all correspondence. The mail will be delivered to your address using either last line format by your current letter carrier. However, mail may be delayed if the correct ZIP Code is not used, or if a mail piece is received without a ZIP Code. **Therefore, it is imperative that the correct delivery ZIP Code of 53177 be used.**

Mailers that subscribe to products using the Postal Service address database will receive information to update their mailing lists that Mount Pleasant is an acceptable name for the impacted addresses. Some mailers will generate mail pieces with Mount Pleasant. Sturtevant will still continue to be acceptable.

If you choose to use Mount Pleasant WI 53177, you can continue to use any old return address labels with Sturtevant until exhausted and can also notify your correspondents to use Mount Pleasant.

If you choose to continue to use Sturtevant WI 53177, no changes are necessary. Do not notify your correspondents, change any account address information or address labels.

Please be aware that whichever format you choose to use, it's possible some website businesses may only recognize Mount Pleasant as the name instead of Sturtevant for address verification or online purchases while others will continue to use Sturtevant. The Postal Service has no control over how other websites use the information provided in the USPS database.

We thank you for your cooperation and participation in the survey. Your assistance will help ensure that your mail receives the timely, cost-efficient delivery to which it's entitled.

If you have any questions, you can contact me at 414-287-2558.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy Kordus". The signature is fluid and cursive, with the first name "Randy" and last name "Kordus" clearly distinguishable.

Randy Kordus
Manager, Address Management Systems

cc: Village of Mount Pleasant
Postmaster, Sturtevant
Manager, Post Office Operations
Manager, Consumer Affairs
Communications Programs Specialist

AGREEMENT

COPY

This agreement made and entered into this 14th day of March, 1983, by and between the Town of Caledonia, a municipal corporation, hereinafter referred to as the Town, and Greater Racine Area Convention and Visitor Bureau, Inc., a Wisconsin corporation, hereinafter referred to as the "Bureau";

WITNESSETH:

WHEREAS, pursuant to Section 66.75, Wis. Stat., the Town of Caledonia has levied a four percent (4%) tax on the gross receipts from the retail furnishing of rooms or lodgings within the Town of Caledonia for the purpose of the promotion of tourism, recreation and visitor and convention services within the Greater Racine Area, which includes the Town of Caledonia; and

WHEREAS, the Town wishes to engage the Bureau for the purpose of the promotion of tourism, recreation and visitor and convention services in the Greater Racine Area, which includes the Town of Caledonia; and

WHEREAS, the Town recognizes that the promotion of tourism, recreation and visitor and convention services within the Town of Caledonia is furthered by the promotion of such services within the Greater Racine Area and that such promotions can be more properly effected by the Bureau, which has experience and expertise in this area; and

WHEREAS, the Bureau is prepared to perform such services on the terms and conditions as hereinafter set forth:

COPY

NOW, THEREFORE, for and in consideration of the mutual covenants herein contained, the parties agree as follows:

1. The Town of Caledonia shall pay over and disburse to the Bureau 85% of the proceeds received by the Town from the room tax levied by the Town against retail furnishing of rooms or lodgings within the Town of Caledonia. Payments of such amounts shall be made by the Town to the Bureau on a monthly basis during the term of this contract.

2. The Bureau agrees that it will use all such monies received from the Town of Caledonia for the promotion of tourism and the use of recreational facilities and hospitality and convention facilities in the Greater Racine Area, including the Town of Caledonia, which promotion shall include advertising on television, radio, signs and promotional materials.

3. That the Bureau agrees to account to the Town annually on or before March 1, following December 31, of the previous year for all monies received by the Bureau from the Town during the prior year. In addition, the Bureau agrees that within 15 days after the receipt of any demand by the Town for an accounting at any other time during the term of this contract that the Bureau will provide such an accounting.

4. This contract shall be in force and effect from the date of execution of this contract and shall continue in force and effect until one of the following occurs:

A. Termination by either party on six months written notice to the other.

COPY

B. Repeal of the ordinance of the Town of Caledonia which levies the room tax referred to herein.

C. By mutual agreement of the parties.

It is agreed that advertising and promotion of the tourism, recreation, visitor and convention facilities within the Greater Racine Area constitutes the promotion of such business for the Town of Caledonia.

IN WITNESS WHEREOF, the parties, by their respective officers and agents, have executed this agreement on the date first above written.

TOWN OF CALEDONIA

By Patrick F. Motley
Chairman

Attest: Ernestine M. Lee
Clerk

GREATER RACINE AREA CONVENTION
AND VISITOR BUREAU, INC.

By Robert L. Carson
President

Attest: Dorothy M. Carson
Secretary

Ordinance 083-3

AN ORDINANCE TO CREATE CHAPTER 47 OF THE CODE
OF ORDINANCES OF THE TOWN OF CALEDONIA
RELATING TO A ROOM TAX

The Town Board of the Town of Caledonia, Racine
County, Wisconsin, do ordain as follows:

That Chapter 47 of the Code of Ordinances of the Town
of Caledonia, Racine County, Wisconsin, relating to a room tax
be and hereby is created to read as follows:

CHAPTER 47

ROOM TAX

Section 47.01. Purpose. Section 66.75, Stats., authorizes
the imposition of a tax on the privilege of furnishing, at retail,
lodging for transients by hotel keepers, motel operators and certain
other persons. The Town Board of Caledonia finds that such a tax is
in the public interest.

Section 47.02. Definitions.

(1) Lodging Facility means a building or group of
buildings in which the public may obtain accommodations for a
consideration including, without limitation, such establishments
as inns, motels, tourist homes, lodging houses, rooming houses,
apartment hotels, hotels, resort lodges and any other building
or group of buildings in which accommodations are available to the
public, except accommodations rented for a continuous period of
more than one month and accommodations furnished by any hospital,
sanitarium, nursing home, or by corporations or associations
organized and operated exclusively for religious, charitable or
educational purposes, provided that no part of the net earnings of
such corporations or associations inures to the benefit of any
private shareholder or individual.

(2) Gross Receipts means the total amount of the rental
price, with the conditions and exceptions provided in Section
77.51(11) (a), (b) and (c), Stats.

(3) Transient means any persons residing for a period of
less than one month continuously in a lodging facility.

(4) Innkeeper means the owner of a lodging facility.

(5) Treasurer means the Treasurer of the Town of
Caledonia or his or her designated representative.

Section 47.03. Tax. There is hereby imposed a tax on the privilege and service of furnishing, at retail, rooms or lodging to transients by innkeepers, whether or not membership is required for the use of such accommodations. The tax shall be at the rate of 4% of the gross receipts from such retail furnishing of rooms or lodging and shall be payable by innkeepers of lodging facilities in the Town of Caledonia. The proceeds of such tax shall be apportioned as follows: 5% to the innkeeper filing the return and 95% to the Town.

Section 47.04. Collection. The tax imposed is due and payable on a monthly basis not later than the 20th day of the month following that for which the tax is due. No later than the 20th day of each month every innkeeper shall file a return with the Treasurer on a form provided by the Treasurer and shall remit to said Treasurer the tax as provided in said return.

Section 47.05. Permit.

(1) No innkeeper shall operate in a lodging facility in the Town of Caledonia without first obtaining a room tax permit for each lodging facility. Application shall be made to the Treasurer on forms provided by the Treasurer. The Treasurer shall issue a permit to the innkeeper for each lodging facility for which application is made upon payment of a \$3.00 fee for each lodging facility. The permit is nontransferable and is valid only for the named lodging facility and the innkeeper named in said permit. The permit shall be posted in a conspicuous place in the lodging facility for which it is issued.

(2) In the event the innkeeper ceases to do business at the lodging facility for which the permit was issued, or conveys or transfers the business or his interest in it, or assigns his interest to another person, the innkeeper shall within ten (10) days of such event, notify the Treasurer of such change and turn into the Treasurer any such permit issued for the lodging facility.

Section 47.06. Liability. In the event an innkeeper who is liable for any tax under this chapter sells, conveys, assigns or transfers his lodging facility business or stock of goods or quits said business, the innkeeper's successors or assigns shall be responsible for the payment of any unpaid tax due under this chapter.

Section 47.07. Records. Every innkeeper holding a permit under this chapter shall, for a period of three (3) full calendar years, maintain available for inspection by the Treasurer the account books, records, receipts, invoices, and similar records relating to the rental of rooms and lodging in the lodging facility. The Treasurer may, upon audit of returns, records and other information received, determine the tax to be paid or refunded. An appeal from any additional tax imposed may be made by the innkeeper upon written notice to the Treasurer within twenty (20) days following

the date that notice of the assessment is mailed to such innkeeper. The Town Board of the Town of Caledonia shall hold a hearing on such appeal within thirty (30) days after the Treasurer received the notice of appeal and shall grant or deny said appeal.

Section 47.08. Assessment. In the event an innkeeper fails to file a return as required by this chapter, the Treasurer shall make an estimate of the amount of the gross receipts for such lodging facility. The estimate shall be made for the period for which the innkeeper failed to make a return and shall be based upon state sales tax records and records described in Section 47.07. On the basis of said estimate, the Treasurer shall compute and determine the amount of the tax. In addition to the tax, a penalty in the amount of \$25.00 shall be assessed.

Section 47.09. Delinquent Returns; Delinquent Tax. All unpaid taxes assessed or imposed under this chapter shall bear interest at the rate of 12% per annum from the due date of the return until paid. Delinquent tax returns shall be subject to a \$15.00 late filing fee.

Section 47.10. Penalty. Any innkeeper who is subject to the tax imposed by this chapter who fails to obtain a permit as required or who fails or refuses to permit the inspection of said innkeeper's state sales tax records by the Treasurer after such inspection has been duly requested, or who fails to file a return as required in this chapter, or who violates any other provision of this chapter, shall be subject to a forfeiture of not less than \$25.00 nor more than \$750.00, together with the cost of prosecution. Each violation and each day a violation continues or occurs shall constitute a separate offense.

Section 47.11. Effective Date. This ordinance shall be in force after its adoption and from the date of its posting.

Adopted by the Town Board of the Town of Caledonia,
Racine County, Wisconsin, this 14th day of March, 1983.

TOWN OF CALEDONIA

By: _____

Patrick F. Motley
Chairman

Attest: _____

Emmeline A. Lee
Clerk