

**TOWN OF ROUND LAKE
ROOM TAX
ORDINANCE NO. 02-2021**

010 Definitions.

(a) “Gross receipts” has the meaning as defined in Wisconsin Statutes, Section 77.51(4)(a), (b) and (c) insofar as applicable.

(b) “Hotel” or “motel” 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, tourist houses or courts, lodging houses, rooming houses, summer camps, apartment hotels, resort lodges and cabins, 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, sanitariums, or nursing homes, 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 corporation and associations inures to the benefit of any private shareholder or individual.

(c) “Transient” means any person residing for the continuous period of less than one month in a hotel, motel or other furnished accommodations available to the public.

(d) “Lodging marketplace” means an entity that provides a platform through which an unaffiliated 3rd party offers to rent a short-term rental to an occupant and collects the consideration for the rental from the occupancy.

(e) “Occupant” means a person who rents a short-term rental through a lodging marketplace.

(f) “Owner” means the person who owns the residential dwelling that has been rented.

(g) “Residential dwelling” means any building, structure, or part of the building or structure, that is used or intended to be used as a home, residence, or sleeping place by one person or by 2 or more persons maintaining a common household, to the exclusion of all others.

(h) “Short-term rental” means a residential dwelling that is offered for rent for a fee and for fewer than 29 consecutive days.

020 Imposition of Tax.

(a) Pursuant to Section 66.0615, a tax is imposed on the privilege and service of furnishing, at retail, of rooms or lodging to transients by hotelkeepers, motel operators, lodging marketplaces, owners of short-term rentals, and other persons furnishing accommodations that are available to the public, irrespective of whether membership is required for the use of the accommodations. Such tax shall be at the rate of four percent (4%) of the gross receipts from such retail furnishings of rooms or lodging. Such tax shall not be subject to selective sales tax imposed by Wisconsin Statutes, Section 77.52(2)(a)1.

(b) Sales of rooms to the federal government, state of Wisconsin, Wisconsin local governmental units, and other entities holding tax-exempt certificates shall be exempt from imposition of the room tax imposed under this chapter. The exemption shall be granted only if the following conditions have been met for any sale of a room:

- (1) The retailer shall bill the lodging in the name of the exempt entity; and
- (2) The retailer must be provided with either:
 - (A) In the case of federal, state of Wisconsin or local governmental units, a tax-exempt status number and a letter of authorization or purchase order from the governmental unit, or
 - (B) In the case of other tax-exempt entities, the entities certificate of exempt status number.

030 Tourism Entity

The municipality shall enter into an agreement with one or more tourism entities, as defined by Wis. Stat. 66.0615 (f), who shall be responsible for tourism promotion and tourism development as defined by Wis. Stat. 66.0615 1 (fm). The municipality hereby appoints the Hayward Lakes Visitors and Convention Bureau Sawyer County, WI, USA, Inc. ("HLVCB") as the tourism entity under the Room Tax Act.

040 Collection and Distribution.

(a) Collection of Tax. Collection shall be administered by the Town of Round Lake Treasurer. The tax imposed for each month, is due and payable on the last day of the month following the calendar quarter for which tax was imposed. From that tax, five percent (5%) is retained by the lodging collector. A return shall be filed with the Town of Round Lake Treasurer, by those furnishing at retail such rooms and lodging, lodging marketplaces, owners of short-term rentals, and other persons furnishing accommodations that are available to the public, irrespective of whether membership is required for use of the accommodations on or before the same date on which such tax is due and payable. Such return shall show the gross receipts of the preceding calendar quarter from such retail furnishing of rooms or lodging, the amount of taxes imposed for such period, and such other information as the treasurer deems necessary. All such returns shall be signed by the person required to file a return or his duly authorized agent, but need not be verified by oath. The Town of Round Lake Treasurer may, for good cause, extend the time for filing any return, but in no event longer than one month from the filing date.

(b) Distribution of Tax. The room tax remitted shall be allocated to a segregated fund of the municipality. The municipality will retain thirty (30%) of the remitted room taxes collected from those furnishing accommodations for use of any civic purpose and will remit seventy (70%) remaining room taxes to the HLVCB, and all seventy (70%) of the remitted taxes shall be used for tourism promotion and tourism development per Room Tax Act §66.0615 Wis. Stats.

050 Sale of Business. If any person liable for any amount of tax under this chapter sells out his business or stock of goods or quits the business, his successors or assigns shall withhold sufficient money from the purchase price to cover such amount of tax until the former owner produces a receipt from the treasurer showing that it has been paid or a certificate stating that no amount is due. If a person subject to the tax imposed by this chapter fails to withhold such amount of tax from the purchase price as required, he shall become personally liable for payment of the Municipal Code 57-024 amount required to be withheld by him to the extent of the price of the accommodations valued in money.

060 Audit. The treasurer may, by audit, determine the tax required to be paid to the municipality or the refund due to any person under this chapter. This determination may be made upon the basis of the facts contained in the return being audited or on the basis of any other information within the treasurer's possession, or information such as that which would be gained from income tax returns which shall be

furnished upon request of the treasurer. One or more such audit determinations may be made of the amount due for anyone or for more than one period.

070 Failure to File. If any person fails to file a return as required by this chapter, the treasurer shall make an estimate of the amount of the gross receipts under Section 020. Such estimate shall be made for the period for which such person failed to make a return and shall be based upon any information which is in the treasurer's possession of which may come into their possession. On the basis of this estimate, the treasurer shall compute and determine the amount required to be paid to the municipality, adding to the sum thus arrived at a penalty equal to twelve percent (12%) thereof. One or more such determinations may be made for one or more than one period.

080 Interest. All unpaid taxes under this chapter shall bear interest at the rate of twelve percent (12%) per annum from the due date of the return until the first day of the month following the month in which the tax is paid or deposited with the treasurer. All refunded taxes shall bear interest at twelve percent (12%) per annum from the due date of the return until the first day of the month in which such taxes are refunded. An extension of time within which to file a return shall not operate to extend the due date of the return for purposes of interest computation. If the treasurer determines that any overpayment of tax has been made intentionally or by reason of carelessness or neglect, or if the tax which was overpaid was not accompanied by a complete return, it shall not allow any interest thereon.

090 Penalty Assessment. If due to negligence no return is filed, or a return is filed late, or an incorrect return is filed, the entire tax finally determined shall be subject to a penalty of twenty-five (\$25) dollars, exclusive of interest or other penalties. If a person fails to file a return when due, or files a false or fraudulent return with the intent in either case to defeat or evade the tax imposed by this chapter, a penalty of fifty percent (50%) shall be added to the tax required to be paid, exclusive of interest and other penalties.

100 Records and Taxation.

(a) Every person liable for the tax imposed by this chapter shall keep or cause to be kept such records, receipts, invoices and other pertinent papers in such form as the treasurer requires.

(b) All tax returns, schedules, exhibits, writings or audit reports relating to such returns, on file with the treasurer, are deemed to be confidential, except the treasurer may divulge their contents to the following and no others:

- (1) The person who filed the return;
- (2) Officers, agents, or employees of the Federal Internal Revenue Service or the State Department of Revenue;
- (3) The assessor, municipality's attorney, highest ranking municipal leader, and finance director;
- (4) Such other public officials of the municipality when deemed necessary.

(c) No person having an administrative duty under this chapter shall make known in any manner the business affairs, operations or information obtained by an investigation of records of any person of whom a tax is imposed by this chapter, or the amount or source of income, profits, losses, expenditures or any particular thereof, set forth or disclosed in any return, or to permit any return or copy thereof to be seen or examined by any person, except as provided in subsection (b).

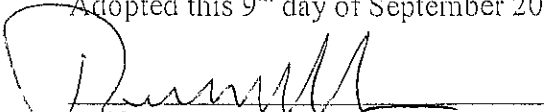
120 Penalty--Forfeiture. Any person who is subject to the tax imposed by this chapter and fails to file a return as provided in this chapter, or who fails to pay the room tax when required, or who violates any other provisions of this chapter, shall, in addition to the other charges and penalties imposed by this chapter, be subject to a forfeiture not to exceed two hundred fifty dollars (\$250.00) for each violation. Each day in violation is deemed to constitute a separate offense.

103 Termination This ordinance may be terminated at any time through the authorization of the Town of Round Lake Board of Supervisors. The Town of Round Lake must provide the Hayward Lakes Visitors and Convention Bureau Sawyer County, WI, USA Inc. ("HLVCB") with a 90 day notice of intent to terminate this ordinance in whole or amend this ordinance as to the named tourism entity.


130 Effective Date

This Ordinance shall take effect January 1st, 2022.

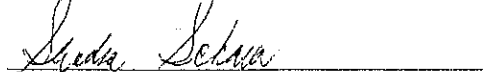
Adopted this 9th day of September 2021



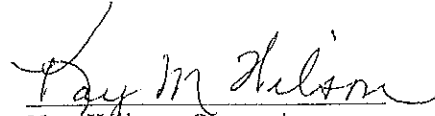
Rolfe Hanson, Chair




Virginia Chabek, Supervisor



Sandra Schara, Supervisor

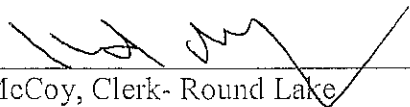


Kay Wilson, Supervisor



Sharon Haak, Supervisor

Attest:



Kathy A. McCoy, Clerk- Round Lake