



City of Racine, Wisconsin
Agenda Briefing Memorandum
Ordinance 0017-25 – Hotel and Motel
Occupancy Limits

AGENDA DATE:

According to 2026 Budget Consideration Calendar

PREPARED BY: Matthew J. Perz, Assistant City Attorney

REVIEWED BY: Scott R. Letteney, City Attorney

SUBJECT: Communication sponsored by Mayor Mason requesting an ordinance that clarifies a motel or hotel must limit occupancy to 29 days at the facility within a 90-day period and include a guest registration requirement. This is not applicable to extended stay motels or hotels.

BACKGROUND & ANALYSIS:

The current restrictions on motel and hotel operators require that guests have occupancy periods of no more than 29 days within a 90-day period. Some motel and hotel operators have guests change rooms every 29 days to claim a new “occupancy period.” This proposed ordinance clarifies that occupancy is determined by the time spent at the facility and not in different rooms within the facility.

Additionally, the proposed legislation requires all guests to be identified in the registry. Ensuring accurate guest information assists in identifying guests who may be trying to stay longer than permitted in the facility by using alternate guest names as the registered guest.

Current state regulations require that the name of each guest be recorded in the registry under Wis. Admin Code § 72. A final rule has been proposed by the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) that would increase some registration requirements but does not require that each guest be listed in the registry.

However, a city may enact ordinances regarding the licensees and premises for which the local health department is the designated agent which are stricter than DATCP rules if the ordinance does not conflict with the rule. Wis. Stat. § 97.615(2)(g). The proposed legislation incorporates the anticipated ATCP changes from the final rule and includes a requirement that all guests need to record their true names and addresses. These changes are no less stringent than the current rule and will be consistent with the proposed rule changes.

RECOMMENDED ACTION: To approve.

FISCAL NOTE & BUDGETARY IMPACT: N/A