

The Daily Press

Read people. Read news.

ashlandwl.com 76¢

Los Angeles, Calif.

PAGE 7

WEATHER

Chance of rain



Highs
53-58
On Page 8

INDEX

CLASSIFIED ADS . . . 14-16
COMICS 10
DEAR ABBY 7
LOTTERY 2
SPORTS 11-13
STATE 2, 3
VARIETY 9
VOICES 4

VOL. 139 - NO. 224 © 2011
(ISSN9240-240)



Bayfield bed and breakfast ordinance gets challenged

By KEVIN MURPHY
For The Daily Press

MADISON — Owners of a Bayfield bed and breakfast want an ordinance that requires them to make Bayfield their principal residence in order to operate a bed and breakfast declared unconstitutional, according to a lawsuit filed Thursday in federal court.

Bruce and Barbara Hoekstra, owners of Lucy's Place, are challenging amendments made in June to the city's ordinance governing bed and breakfasts that are more restrictive than state law and allegedly violate the commerce, due process and equal protection clauses of the U.S. Constitution.

According to the suit:

- Until June, Bayfield's ordinance matched the state law and required bed and breakfast owners to live at the bed and breakfast when they had guests, and the "owner" had at least a 20 percent interest in the property.

- On June 6, by a 3-2 vote, the ordinance was amended to require the bed and breakfast owner to make the bed and breakfast

their residence for at least half of each year, their voting address, and the address on their driver's license.

- The amendment had been previously approved by the Bayfield Planning Commission, which has four of its seven members either owning a bed and breakfast or other lodging establishment, or closely related to someone who does.

Mayor Larry MacDonald, who broke the tie vote on the council, also owns a bed and breakfast in Bayfield.

Calls left for MacDonald Thursday weren't returned before deadline. A message left for Councilman Jim Byran, who owns the Isaac Wing House and who voted for the amendment, wasn't returned before deadline.

Thomas Kamenick, an attorney for the Hoekstras, said the council had economic motives in amending the ordinance.

"That's part of the problem, lots of government officials are driving the competition out of town," Kamenick said.

Prior to the June vote, the city revoked
See B&B Page 8

October declared Domestic Violence Awareness Month

By SARA NEMEC
Staff Writer

During the month of October, the nation comes together to learn more about and stop the spread of a condition that affects people of all races, ages, gender and income levels: domestic violence.

Hailed as the one of the most chronically underreported crimes in the country by the U.S. Department of Justice, it affects 1.3 million women per year and an estimated one in every four women will experience domestic violence in her lifetime.

To raise local consciousness and to show support for victims and

organizations who provide advocacy and services, representatives from the communities of Ashland, Washburn and the Red Cliff and Bad River reservations and local shelters came together Thursday to sign a joint proclamation declaring October as Domestic Violence Awareness Month.

The City of Bayfield did not have a representative at the signing.

"We know that domestic violence and abuse occurs every day, every month, every year," said Midge Montano, New Day Shelter program director, to the crowd at the Northern Great Lakes Visitor Center

See OCTOBER Page 5

Ashland

2011 TOYOTA CAMRY

Only 4% left!

111-2044

2011 TOYOTA CAMRY

STARS

B&B: Hoekstras have tried to sell Lucy's Place since 2010

Continued from Page 1

the conditional-use permit for Harbor Hill House, a bed and breakfast, for insufficient parking and "has another (bed and breakfast) in its crosshairs," said Kamenick.

Kate Mader, part-owner of Harbor Hill House, said the parking violation was a "technicality" the city used as an excuse to lessen some of the competition for lodging tourists.

"That's what they seem to be doing... and they (the council) vote on ordinances that affect their businesses," she said.

Councilman Jon Nelson, who doesn't own a lodging establishment, said he voted against the amendment because he didn't think it was constitutional.

"I didn't think it was legal to require someone to have a Wisconsin driver's license or have their primary residence here in order to operate a bed and breakfast. If someone lives in Florida and comes up here five months to operate a bed and breakfast, I don't think you can force them to become a city resi-

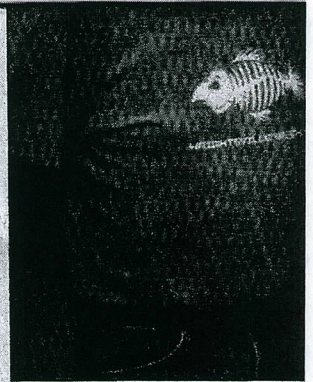
dent; it seems like it would violate the Constitution," he said Thursday.

Kamenick said residency requirements that other cities have tried to impose on business operators have been found to be unlawful discrimination and have been struck down in other cases.

The new requirements even impinge on the bed and breakfast owner's right to vote elsewhere, the suit alleged.

The Hoekstras have been trying to sell Lucy's Place since 2010, but the new restrictions have reduced the market for their property to only those who would live in Bayfield at least six months each year and have at least 50 percent ownership in the property.

The suit seeks a court order declaring the June amendments unconstitutional and other unspecified relief.



FUNDRAISING CAMPAIGN joins Director Randy Spangle, land. The council is preparing funding of the program. (Rick

COUNCIL: W

Continued from Page 1

year we are making our second annual effort."

Spangle said last year's low-key effort raised a surprising \$3,500 and the organization this year has set an ambitious goal of \$5,000.

Spangle said the council has, in the nearly four decades of its existence, helped thousands of area people struggling with substance. That number continues to this day.

"Last year we saw 514 individuals, so we impact a lot of people from Ashland and Bayfield counties," Spangle said.

The group doesn't plan any public activities; given the nature of what they do, they are content to let the need of their organization be known, and rely on the generosity of the communi-



The Daily Press

Real people. Real news.