



# **\*\*\*AMENDED\*\*\* LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE AGENDA**

**September 25, 2024 at 4:30 PM**

**City Hall - Conference Room 106, 828 Center Avenue,  
Sheboygan, WI**

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It is possible that a quorum (or a reverse quorum) of the Sheboygan Common Council or any other City committees/boards/commissions may be in attendance, thus requiring a notice pursuant to State ex rel. Badke v. Greendale Village Board, 173 Wis. 2d 553, 494 N.W.2d 408 (1993).

Persons with disabilities who need accommodations to attend this meeting should contact the City Attorney's Office at 828 Center Avenue, Suite 210, Sheboygan, Wisconsin, Ph. 920-459-3917. Persons other than committee members who wish to participate remotely shall provide notice to the City Attorney's Office at Ph. 920-459-3917 at least 24 hours before the meeting so that the person may be provided a remote link for that purpose.

## **OPENING OF MEETING**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Introduction of Committee members, staff and guests

## **MINUTES**

5. Approval of Minutes - September 11, 2024

## **ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

6. Gen. Ord. No. 19-24-25 (9-16-24) An Ordinance amending various sections of the Sheboygan Municipal Code so as to update animal ordinances.
7. Gen. Ord. No. 18-24-25 (9-16-24) An Ordinance amending Section 48-322 of the Sheboygan Municipal Code so as to allow special event applicants to request a Designated Outdoor Refreshment Area as part of their event.
8. R. O. No. 57-24-25 (9-16-24) by City Clerk submitting various license applications.
9. R. O. No. 59-24-25 (DIRECT REFERRAL) by City Clerk submitting a license application.
10. R. O. No. 60-24-25 (DIRECT REFERRAL) by City Clerk submitting a license application.

## **NEXT MEETING DATE**

11. Next meeting date will be October 16, 2024

**ADJOURN**

12. Motion to adjourn

***In compliance with Wisconsin's Open Meetings Law, this agenda was posted in the following locations more than 24 hours prior to the time of the meeting:***

*City Hall • Mead Public Library  
Sheboygan County Administration Building • City's website*

**CITY OF SHEBOYGAN****LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE MINUTES****Wednesday, September 11, 2024**

**COMMITTEE MEMBERS PRESENT:** Chair Alderperson Zach Rust, Vice Chair Alderperson Robert La Fave, Alderperson Joseph Heidemann, Alderperson Daniel Peterson

**COMMITTEE MEMBERS EXCUSED:** Alderperson Grazia Perrella

**STAFF/OFFICIALS PRESENT:** Assistant City Attorney Audrey Kratz, Paralegal Kathy Hoffman

**OTHERS PRESENT:** None

**OPENING OF MEETING**

1. Call to Order

Chair Alderperson Zach Rust called the meeting to order at 4:30 PM.

2. Roll Call
3. Pledge of Allegiance

The Pledge of Allegiance was recited.

4. Introduction of Committee members, staff and guests

**MINUTES**

5. Approval of Minutes

MOTION TO APPROVE THE MINUTES OF THE PREVIOUS MEETING HELD AUGUST 28, 2024.

Motion made by Vice Chair La Fave, seconded by Alderperson Heidemann.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Peterson.

**ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

6. Gen. Ord. No. 17-24-25 (9-3-24) An Ordinance amending various sections of the Sheboygan Municipal Code so as to improve clarity and interpretation.

ACA Kratz explained the three amendments to the Committee and answered questions.

MOTION TO RECOMMEND THE COMMON COUNCIL ADOPT GEN. ORD. NO. 17-24-25.

Motion made by Alderperson Peterson, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Peterson.

7. Res. No. 67-24-25 (9-3-24) A Resolution authorizing the creation of a temporary Designated Outdoor Refreshment Area during Riverfest on September 21, 2024.

ACA Kratz provided the Committee with details regarding this DORA.

MOTION TO RECOMMEND THE COMMON COUNCIL ADOPT RES. NO. 67-24-25.

Motion made by Alderperson Heidemann, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Peterson.

8. R. O. No. 53-24-25 (9-3-24) by City Clerk submitting license applications.

MOTION TO APPROVE THE CLASS "B" LIQUOR LICENSE APPLICATION OF SPICES OF SHEBOYGAN DOWNTOWN LLC AND TO DENY THE CLASS "B" BEER LICENSE APPLICATION OF 1211 INDIANA LAUNDROMAT LLC PURSUANT TO WIS. STAT. § 125.32(3m) WHICH STATES THAT A CLASS "B" LICENSE MAY NOT BE GRANTED FOR ANY PREMISES WHERE ANY OTHER BUSINESS IS CONDUCTED.

Motion made by Alderperson Peterson, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Peterson.

#### **NEXT MEETING DATE**

9. The next committee meeting is scheduled to be held on September 25, 2024 at 4:30 p.m.

#### **ADJOURN**

10. Motion to adjourn

MOTION TO ADJOURN AT 4:37 PM.

Motion made by Vice Chair La Fave, seconded by Alderperson Peterson.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Peterson.

**CITY OF SHEBOYGAN  
ORDINANCE 19-24-25**

**BY ALDERPERSONS RUST AND LA FAVE.**

**SEPTEMBER 16, 2024.**

AN ORDINANCE amending various sections of the Sheboygan Municipal Code so as to update animal ordinances.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

**SECTION 1:            AMENDMENT** “Sec 8-1 Adoption Of State Law Provisions; Abatement Orders” of the Sheboygan Municipal Code is hereby *amended* as follows:

**AMENDMENT**

Sec 8-1 Adoption Of State Law Provisions; Abatement Orders

The provisions of Wis. Stats. ch. 951 regarding crimes against animals, excluding penalties for violation, are adopted by reference in this section as if fully set forth. The provisions of Wis. Stat. ch. 173 and § 95.21, excluding penalties for violation, are adopted by reference in this section as if fully set forth.

(Code 1975, §§ 7-6—7-8; Code 1997, § 18-1(a); Ord. No. 26-06-07, § 1, 9-5-2006)

**SECTION 2:            AMENDMENT** “Sec 8-3 Definitions” of the Sheboygan Municipal Code is hereby *amended* as follows:

**AMENDMENT**

Sec 8-3 Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Animal* means ~~both the male and female sex of either wild or domesticated species~~any mammal, bird, reptile, amphibian, mollusk, or arthropod, or any egg of any bird, reptile, amphibian, mollusk, or arthropod.

*Cat* means any feline animal, male or female, sexed or neutered.

*Dog* means any canine animal, male or female, sexed or neutered.

*Domestic animal* means an animal that is listed as a domestic animal by rule of the department of agriculture, trade and consumer protection.

*Humane officer* means an officer appointed by the City of Sheboygan Common Council pursuant to Wis. Stat. ch. 173 and § 173.03.

*Kennel* means any establishment where dogs are kept for the purpose of breeding, sale or sporting purposes.

*Owner* means any person keeping, harboring, or having charge or control of, or permitting any dog or cat to habitually be or remain on, or be lodged or fed within, such person's house, yard or premises. The term "owner" shall not apply to veterinarians or kennel operators who temporarily maintain on their premises dogs or cats owned by others.

*Pet shop* means any business establishment where domesticated mammals, birds or reptiles are kept for sale; provided, however, that the term "pet shop" shall not include the term "kennel."

*Police dog* means any dog owned by a municipal entity and used by the city police department or the county sheriff's department for police functions while involved in police work.

*Possess* means to own, possess, keep, harbor, or have custody or control of an animal.

*Vaccination against rabies* means the inoculation of a dog or cat with a rabies vaccine licensed by the federal department of agriculture. Such vaccination must be performed by a veterinarian, duly licensed to practice veterinary medicine in the state.

*Wild animal* means any animal of a wild nature that is normally found in the wild and that is not a "domestic animal."

(Code 1975, § 7-1; Code 1997, § 18-2)

**SECTION 3:            AMENDMENT** “Sec 8-5 Animals Running At Large” of the Sheboygan Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 8-5 Animals Running At Large

Animals shall not be allowed to run at large within the city limits. An animal is considered to be running at large if it is off the premises of its owner and not under the control of the owner or some other person.

(Code 1975, § 7-3; Code 1997, § 18-4)

**State law reference**—Similar provisions, Wis. Stats. § 172.01.

**SECTION 4:            AMENDMENT** “Sec 8-6 Authority To Destroy Certain At-Large Animals” of the Sheboygan Municipal Code is hereby *amended* as follows:

#### AMENDMENT

Sec 8-6 Authority To Destroy Certain At-Large Animals

~~The police city officers are hereby authorized to kill all animals that may be running at large and cannot be captured safely and in the most expedient manner, pursuant to the provisions of Wis. Stats. § 174.01 et seq. It shall be unlawful for any owner of any dog or cat to permit such animal to run at large at any time.~~ A person may intentionally kill an animal if a person is threatened with serious bodily harm by the animal and other restraining actions were tried and failed or immediate action is necessary. A humane or law enforcement officer may intentionally kill an animal pursuant to court order, if the officer has reasonable grounds to believe the animal is hopelessly injured beyond a reasonable chance of recovery, or if the animal poses an imminent threat to public health or safety or to the health or safety of itself or its custodian.

(Code 1975, § 7-4; Code 1997, § 18-5)

**SECTION 5:            AMENDMENT** “Sec 8-8 Sale, Giving Away Or Coloring Of Live Animals As Prizes Or Premiums” of the Sheboygan Municipal Code is hereby *amended* as follows:

#### AMENDMENT

Sec 8-8 Sale, Giving Away Or Coloring Of Live Animals As Prizes Or Premiums

No person ~~shall~~ may sell, ~~raffle, or~~ give away as a prize or premium, or use as an advertising device or display any live animal ~~as a prize, premium, reward or inducement in connection with purchases and sales of any other or similar commodities made and conducted within the city, or artificially to color any such animal or fowl for the purposes of display or sale.~~ that has been dyed or otherwise colored artificially.

(Code 1975, § 7-9; Code 1997, § 18-7)

**SECTION 6:            AMENDMENT** “Sec 8-15 Keeping Of Fowl” of the Sheboygan Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 8-15 Keeping Of Fowl And Wild Animals

- (a) No person shall keep any ducks, geese, pigeons, chickens, birds, or other fowl within the city in any unsanitary condition or within such proximity of dwelling houses or in any manner so as to be a nuisance.
- (b) No person shall possess a wild animal or provide shelter, food, or water to wild animals.
- (1) Exceptions. The provisions of this subsection shall not be deemed to prevent the lawful importation, possession, purchase, or sale of any species by a public agency, institute of higher learning, persons holding federal or state permits, persons authorized by state or federal law to temporarily possess a wild animal, or to any person or organization licensed to present a circus. Nor shall the provisions of this subsection be deemed to prohibit feeding wild birds via bird-feeding devices and structures at a sufficient height or design to prevent access by deer.
- (c) The building inspector ~~or their designee~~ ~~ion department shall~~ may, upon complaint or on its own initiative, inspect premises upon which fowl are kept and ascertain ~~and determine~~ whether the conditions are unsanitary or if, for any reason, a nuisance is caused thereby. If the ~~department~~ inspector determines that conditions are unsanitary, or if, for any reason, a nuisance exists, it shall order the owner or occupant of the premises to abate the nuisance and it shall thereupon be unlawful to keep such fowl on the premises. If consent to inspection is denied, such officer may seek court approval to inspect.
- (d) The building inspector, humane or law enforcement officer, or their designee may, upon reasonable belief that a violation of this Code exists, inspect such premises where a wild animal is kept. If consent to inspection is denied, such officer may seek court approval to inspect.
- (e) (Code 1997, § 18-14; Ord. No. 13-99-00, § 1, 8-2-1999)

**SECTION 7:            AMENDMENT** “Sec 8-17 Feeding Of Seagulls” of the Sheboygan Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 8-17 Feeding Of Seagulls And Wild Animals



No person shall encourage the congregating of seagulls by feeding or any other means ~~in any commercial zoning district~~. No person may place, deposit, or allow the placement of any material to feed or attract wild animals except as authorized by state law.

(Code 1997, § 18-16; Ord. No. 15-05-06, § 1, 7-18-2005)

**SECTION 8:            AMENDMENT** “Sec 8-18 Animal Fancier Permit” of the Sheboygan Municipal Code is hereby *amended* as follows:

### AMENDMENT

#### Sec 8-18 Animal Fancier Permit

- (a) In this section, the term "domestic animal" includes all animals encompassed under the definitions provided in Wis. Stats. §§ 95.001(ad) and 169.01(7).
- (b) No person may keep, harbor, shelter or possess more than three domestic animals including fowl over the age of five months unless the person holds a valid animal fancier permit. There shall be no more than one animal fancier permit issued per dwelling unit.
- (c) The keeping of more than three domestic animals including fowl over the age of five months without an animal fanciers permit is declared to be a nuisance as defined in section 36-1.
- (d) This permit shall be included at no cost with pet licenses issued pursuant to sections 8-9(c) and 8-42. If a person has no pet license because the person owns only animals not requiring licenses, an animal fancier permit shall be issued upon the payment of \$3.00 on an annual basis. The permit year commences on January 1 and ends on the following December 31. The collecting official shall assess and collect a late fee of \$5.00 from every animal fancier applicant if the applicant fails to obtain a permit prior to April 1 of each year, or within 30 days of falling under the requirements of this section. All late fees received or collected shall be paid into the city treasury as city revenue.
- (e) Whenever a humane officer, the director of planning and development or their designee requests an inspection of the interior and exterior premises of a person holding an animal fancier permit or of an applicant for an animal fancier permit, the animal fancier or applicant shall schedule such an inspection and allow the inspection to be completed no later than ten days after the date of the request. A request for a department inspection under this subsection may be made by any of the following means:
  - (1) A written request left at the residence or place of occupation of the applicant or permit holder.
  - (2) A written request delivered to a competent adult occupant of the applicant's or permit holder's residence.
  - (3) A written request addressed to the applicant or permit holder at the applicant's

residence and mailed by first class, prepaid mail.

- (f) Upon the denial of consent to inspect, a humane officer, the director of planning and development, or their designee may apply for an administrative warrant to inspect the premises. A person who fails to comply with an inspection request as required by this subsection ~~shall~~ may have their permit revoked and ~~shall~~ may be ineligible for an animal fanciers permit for a period of one year. ~~A person who on two or more occasions within a period of five years fails to comply with an inspection request as required by this subsection shall be permanently ineligible for an animal fanciers permit.~~
- (g) No person who has a criminal conviction for a violation under Wis. Stats. ch. 951 or who has multiple non-criminal convictions for violations under Wis. Stats. ch. 951 or this chapter shall be issued an animal fancier's permit unless the common council or the committee thereof designated for such purposes, upon the request of the person wishing to hold the permit, determines that the issuance of such a permit is in the best interest of the community, that the person wishing to hold the permit is unlikely to re-offend, and ~~that~~ the animals will be properly taken care of. Conditions may be attached to the issuance of a permit in such a situation at the complete discretion of the common council or committee.
- (h) A person holding an animal fancier permit who does not conform to the following requirements shall have their permit revoked and shall be ineligible for an animal fanciers permit for a period of one year. A person who is found not to conform to the requirements below on two or more occasions within a period of five years shall be permanently ineligible for an animal fanciers permit.
- (1) All animals shall be maintained in a healthy condition or, if ill, shall be given appropriate treatment immediately.
  - (2) The quarters in which the animals are kept shall be maintained in a clean condition and in a good state of repair.
  - (3) Animal pens or enclosures shall be large enough to provide freedom of movement to the animals contained therein and shall be constructed of nonporous and noncorrosive materials.
  - (4) Dogs shall be kept in separate enclosures from cats. Dogs and cats over the age of five months shall be housed in separate enclosures with no more than three dogs or three cats contained within the same enclosure.
  - (5) Food supplies shall be stored in rodent-proof containers and food and water containers shall be kept clean.
  - (6) Litter or bedding material shall be changed as often as necessary to prevent an odor nuisance.
  - (7) Feces shall be removed from yards, pens and enclosures at least daily and stored in tightly covered, secure containers until final disposal.
  - (8) Yards, pens, premises and animals shall be kept free of pest infestations.
  - (9) No odor nuisance shall be permitted. Any animal holding area containing animals shall be provided with fresh air by means of windows, doors, vents, exhaust fans or air conditioning so as to minimize drafts, odors and moisture condensation.
  - (10) All animals shall have protection from the elements, whether indoors or

outdoors.

- (i) The requirement to hold an animal fancier's permit applies to persons holding kennel licenses pursuant to section 8-48 and persons operating pet shops, as they are defined in article I of this chapter, except that any person paying the kennel license fee provided in section 8-48 may obtain the animal fancier's permit at no charge.

(Code 1997, § 18-57; Ord. No. 10-03-04, § 1, 7-7-2003; Ord. No. 16-03-04, § 1, 7-21-2003)

**SECTION 9:            AMENDMENT** “Sec 8-46 Impoundment” of the Sheboygan Municipal Code is hereby *amended* as follows:

#### AMENDMENT

##### Sec 8-46 Impoundment

- (a) *Pound authorized.* The common council of the city shall authorize a pound, or it may enter into an agreement with a licensed veterinarian or a certified humane society for the establishment and operation of a pound.
- (b) *Dog running at large or untagged subject to impoundment.* An officer shall attempt to capture and restrain any dog running at large and any untagged dog.
- (c) *Attempt to notify owner.* The pound, Humane Society, organization or officer who is notified or to whom a dog is delivered shall attempt to notify the owner personally or by mail as soon as possible if the owner is known or can be ascertained with reasonable effort. The officer or pound who is notified or to whom a dog is delivered shall check the lost and found column of the local daily newspapers having general circulation in the community to determine if a dog is advertised which answers the description of the dog.
- (d) *Posting notice.* Notice of impoundment of all animals, including any significant marks of identification, shall be posted at the pound as public notification of impoundment.
- (e) *Procedure for reclaiming; disposition of unclaimed animals.* Any animal may be reclaimed by its owner during the period of impoundment by payment of prescribed pound fees. For those impounded because of lack of a license tag, its owner must furnish proof of a current valid license. At the expiration of impoundment a dog or cat may be claimed by anyone by payment of established pound fees. If the dog or cat is unclaimed at the end of seven days, the pound may dispose of the dog or cat in accordance with Wis. Stats. § 173.23(1m).
- (f) *Fees.* Fees for impoundment by the city in a pound authorized by this section shall be established by the common council.

(Code 1975, §§ 7-34, 7-35; Code 1997, §§ 18-55, 18-56; Ord. No. 8-05-06, § 1, 6-20-2005)

**SECTION 10:            AMENDMENT** “Sec 8-72 Definitions” of the Sheboygan Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 8-72 Definitions

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Dangerous dog*, except as otherwise provided in this division, includes any of the following:

- (a) Any dog, except one assisting a peace officer in law enforcement duties, that has done any of the following:
  - (1) Caused injury to a person or domestic animal that is less severe than a serious injury;
  - (2) Chased or attacked any human being or domestic animal without provocation;
  - (3) Demonstrated an approach or apparent attitude of attack toward any human being or domestic animal in a menacing fashion, without provocation;
  - (4) Demonstrated a trait or characteristic or a generally known reputation for dangerousness;
  - (5) Demonstrated a known propensity, tendency or disposition to attack, cause injury to, or otherwise threaten the safety of humans or other domestic pets or animals without provocation;
  - (6) Demonstrated any other behavior which constitutes a threat of bodily harm to a person when such person is conducting themselves peacefully and lawfully;
  - (7) Run at large three or more times in any 12-month period;
- (b) Any dog declared to be dangerous pursuant to subsection (a) of this definition;
- (c) Any dog declared to be dangerous in another municipality, county, or state;
- (d) Any dog previously found to be dangerous in a trial on the charge of violating subsection (a)(6) of this definition.

*Vicious dog* includes any of the following:

- (a) Any dog, except one assisting a peace officer in law enforcement duties, that has done any of the following:
  - (1) Caused a serious injury to or killed a person or domestic animal;
  - (2) Caused an injury by biting a person in the face or neck;
  - (3) Attacked a person in such a manner as to require defensive action to prevent bodily injury or property damage when such person is conducting themselves peacefully and lawfully on property other than that of the owner of the attacking dog;
  - (4) Attacked a person in such a manner as to result in property damage or in an injury to the person when such person is conducting themselves peacefully

and lawfully on property other than that of the owner of the attacking dog;  
 (5) Attacked without provocation another animal or fowl on property other than that of the owner of the attacking dog;

- (b) Any dog owned, harbored, or trained primarily or in part for the purpose of fighting;
- (c) Any dog declared to be vicious pursuant to subsection (a) of this definition;
- (d) Any dog previously found to be vicious in a trial on the charge of violating subsection (b) of this definition;
- (e) Any dog declared to be vicious or prohibited in another municipality, county, or state.

(Code 1997, § 18-47(a); Ord. No. 46-10-11, § 1, 12-20-2010)

**SECTION 11:**        AMENDMENT “Sec 8-74 Vicious Dogs Prohibited” of the Sheboygan Municipal Code is hereby *amended* as follows:

#### AMENDMENT

##### Sec 8-74 Vicious Dogs Prohibited

No person may harbor, keep, maintain, or permit to remain about the person's premises any vicious dog within the city. No person may bring into the city any dog that has previously been declared vicious or prohibited in another municipality, county, or state.

(Code 1997, § 18-47(b), (c); Ord. No. 46-10-11, § 1, 12-20-2010)

**SECTION 12:**        AMENDMENT “Sec 8-80 Procedure For Declaration Of Vicious Or Dangerous Dog” of the Sheboygan Municipal Code is hereby *amended* as follows:

#### AMENDMENT

##### Sec 8-80 Procedure For Declaration Of Vicious Or Dangerous Dog

- (a) *Police officer declarations.* If a police officer determines that a dog is dangerous or vicious, as defined in this section, the officer may declare the dog to be a dangerous or vicious dog. The officer shall immediately inform the owner or custodian in writing, by personal service or certified mail, of such determination, and the reasons therefor. The determination shall be dated and shall advise such person of the right to have such determination reviewed, the time within such review may be obtained, and the officer or person to whom a request for review shall be addressed.
- (b) *Request for review hearing.* If an owner or custodian contests the designation of the dog as dangerous or vicious, the owner may request a hearing in writing, mailed or delivered in person to the chief of police within 30 days of issuance of the notice. The

request for review hearing shall state the grounds upon which the person aggrieved contends that the decision should be modified or reversed. The owner or custodian may file with the request for hearing written evidence and argument in support of the person's position with respect to the initial determination.

- (c) *Restrictions applicable pending hearing.* Pending the decision of the committee upon hearing, the owner must comply with the provisions of the section relating to dangerous dogs. The officer may impose additional restrictions on a dog declared vicious pending hearing.
- (d) *Time and notice of hearing.* The hearing shall be held within 15 days of receipt of the request for hearing before the licensing, hearings, and public safety committee of the common council. The chief of police shall serve the appellant with notice of such hearing by mail or personal service at least ten days before such hearing.
- (e) *Conduct of hearing.* Hearing under this section shall be subject to the following:
  - (1) At hearing, the determination of the police officer shall be termed an initial determination.
  - (2) At the hearing, the appellant and the city may be represented by an attorney and may present evidence and call and examine witnesses and cross examine witnesses of the other party. Such witnesses shall be sworn by the chair of the hearing committee. Any interested party may present evidence as to whether the dog is dangerous or vicious. The committee may issue subpoenas.
  - (3) An appellant's attorney of record may issue a subpoena to compel the attendance of a witness or the production of evidence. A subpoena issued by an attorney must be in substantially the same form as provided in Wis. Stats. § 805.07(4) and must be served in the manner provided in Wis. Stats. § 805.07(5). The attorney shall, at the time of issuance, send a copy of the subpoena to the decision maker.
  - (4) The proceedings shall be taken by a stenographer or recorded. The chair of the committee or a person employed for that purpose shall take notes of the testimony and shall mark and preserve all exhibits.
  - (5) After the hearing, the owner shall be notified in writing of the determination. The ~~law and~~ licensing, hearings, and public safety committee may impose additional restrictions on a dog declared vicious pending arrangements for its removal from the city or euthanasia.
  - (6) The committee may affirm, reverse, or modify the initial determination and shall, within 20 days of completion of the hearing and the filing of briefs, if any, mail or deliver to the owner or custodian a copy of the committee's decision on review, which shall state the reasons for such decision. Such decision shall be a final determination. The decision shall advise the owner or custodian of the right to appeal the decision, the time within which appeal shall be taken and the office or person with whom notice of appeal shall be filed.
- (f) *Judicial review.* Any party aggrieved by the determination at hearing conducted pursuant to this section may seek judicial review pursuant to Wis. Stats. § 68.13.

(Code 1997, § 18-47(i); Ord. No. 46-10-11, § 1, 12-20-2010)

**SECTION 13:**            **REPEALER CLAUSE** All ordinances or resolutions or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**SECTION 14:**            **EFFECTIVE DATE** This Ordinance shall be in effect from and after its passage and publication according to law.

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

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Presiding Officer

Attest

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Ryan Sorenson, Mayor, City of Sheboygan

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Meredith DeBruin, City Clerk, City of Sheboygan

**CITY OF SHEBOYGAN  
ORDINANCE 18-24-25**

**BY ALDERPERSONS RUST AND LA FAVE.**

**SEPTEMBER 16, 2024.**

AN ORDINANCE amending Section 48-322 of the Sheboygan Municipal Code so as to allow special event applicants to request a Designated Outdoor Refreshment Area as part of their event.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

**SECTION 1:**            **AMENDMENT** “Sec 48-322 General Regulations” of the Sheboygan Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Sec 48-322 General Regulations

- (a) *Permit required.* No person shall conduct, manage, or engage in a special event, block party, or street festival without first having obtained a rental or special event permit issued by the department of public works.
- (b) *Indemnification and hold harmless.* By submitting an application and to the extent permitted by law, event organizer(s) agrees to indemnify the city of Sheboygan for, and hold it harmless from all liability, claims and demands on account of personal injuries, property damage and loss of any kind whatsoever, including workers' compensation claims arising out of or in any manner connected to the event, based on any injury, damage or loss caused by any wrongful, intentional, or negligent acts or omissions of the event organizer, its agents or employees. The event organizer shall, at its own expense, investigate all claims and demands, attend to their settlement or disposition, defend all actions based thereon, and pay all charges of attorneys and other costs and expenses arising from any such injury, damage or loss, claim, demand or action.
- (c) *Application.* Any person interested in organizing a special event, block party, or street festival shall file an application for a special event permit with the department of public works. Such complete application shall be submitted at least 60 days prior to the event's anticipated date, be signed by the applicant, and be accompanied by a non-refundable application fee as set forth in the fee schedule. Applications received less than 60 days before the event date shall incur a late fee as set forth in the fee schedule and may be denied if the city is unable to process the application within the timeframe afforded. A completed application shall include the following:
  - (1) The name, address, and telephone number for the event organizer and the



name and telephone number for the primary and secondary contacts designated by the event organizer to be the city's contact immediately before, during and after the event;

- (2) The date(s), time(s) and purpose of the special event, the activities planned for the event, and the anticipated number of participants and spectators;
  - (3) A written description of the event location or route to be traveled;
  - (4) A detailed map/diagram of the event identifying each of the following, if applicable:
    - a. Concessions area(s);
    - b. Any location(s) where alcohol will be sold and the enclosure for same;
    - c. Service tent(s);
    - d. Vendor area(s);
    - e. Other structures such as inflatables, staging, etc.;
    - f. Street or lane closures;
    - g. Garbage and recycling bins;
    - h. Parking area(s) or parking plan if relying on off-site parking;
    - i. Restroom and sanitation facilities;
    - j. Activity area(s);
    - k. Points of egress and ingress; ~~or~~
    - l. Whether the applicant desires that a Designated Outdoor Refreshment Area be designated for the event and, if so, the requested boundaries of same; or
    - m. Any other information that would be helpful for the city as it prepares for the event.
  - (5) The estimated number of attendees;
  - (6) The start and end time of the event and of activities scheduled during the special event;
  - (7) Equipment and/or services desired of the city;
  - (8) Emergency management plan (severe weather, medical emergency, etc.);
  - (9) If streets or lanes will be closed, the following information shall also be provided with the application:
    - a. The time and date during which the street will be closed;
    - b. The exact portion of the street to be closed;
    - c. A list of all adults who reside or do business on the to-be-closed portion of the street and a statement that all of the identified adults have been contacted about the temporary street closure;
    - d. A description of the steps that will be taken to ensure the safety of all concerned.
- (d) *Application review.* Received applications shall be reviewed by the department of public works for completion and compliance with this section. The application should then be circulated among the departments of city clerk, transit, city attorney, police, and fire for review and comment. Additional city officials may need to review the application as may be warranted by specific circumstances of the proposed event. City

departments should notify the department of public works that they recommend approving or denying the permit application or whether any modifications or conditions are desired and the estimated costs for extraordinary services that may be necessary for the event.

Applications to close a street or lane may be denied if:

- (1) The street sought to be closed, or portion thereof, is part of the federal, state or county trunk highway system or is a major through street as determined by the police chief or his/her designee.
- (2) Such closure will, will be likely or will tend to cause an unreasonable traffic congestion; result in a disturbance of the peace; endanger the public health, safety and welfare.
- (3) Access to a business place would be hampered.
- (4) Any adult residing or establishment conducting business at the to-be-closed portion of the street objects to the temporary street closure.

Large events, new events, or applications requesting unique or complex extraordinary services may be reviewed by city officials during a special meeting, which shall be scheduled with priority. The event organizer may be invited to participate in this meeting to answer questions and provide additional information. The purpose of the meeting will be to discuss the special event and its potential impacts, the city services requested, and the city services which may be required.

The approval of any special event permit application shall be conditioned upon the approval of all other necessary permits, licenses, and inspections by city departments.

- (e) *Appeals.* Any applicant who has been denied a special event may, upon written request to the city clerk, have the denial reviewed by the licensing, hearings, and public safety committee, which shall either affirm or reverse the initial action taken on the application. Such determination by the committee shall constitute final action.
- (f) *Cancellation and changes.* Cancellation of any event, for any reason, shall result in charges for actual services provided, forfeiture of permit fees and fees related to facility or equipment rental. Any changes to the event requiring a modification to services rendered, equipment provided, or additional city review may result in the additional charges to the applicant.
- (g) *Fees.* Fees for services, venues, equipment and the like shall be established by resolution of the common council via fee schedule. Such fees may change from time to time but in no event, shall an event organizer be required to pay a different fee than what was noted on the schedule at the time of permit approval.
- (h) *Other regulations.* Applicant shall be solely responsible for obtaining any licenses or permits otherwise required for the event, such as alcohol licenses or food service licenses.
- (i) *Compliance with laws.* Applicant shall ensure that the special event complies with all city ordinances unless their application was waived by the common council, and that the special event complies with any applicable county, state or federal regulations.

**SECTION 2:**            **REPEALER CLAUSE** All ordinances or resolutions or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**SECTION 3:**            **EFFECTIVE DATE** This Ordinance shall be in effect from and after its passage and publication according to law.

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

\_\_\_\_\_.

Presiding Officer

Attest

\_\_\_\_\_  
Ryan Sorenson, Mayor, City of Sheboygan

\_\_\_\_\_  
Meredith DeBruin, City Clerk, City of Sheboygan

**CITY OF SHEBOYGAN  
R. O. 57-24-25**

**BY CITY CLERK.**

**SEPTEMBER 16, 2024.**

Submitting various license applications.

CIGARETTE/TOBACCO (June 30, 2025) (NEW)

<u>No.</u>	<u>Name</u>	<u>Address</u>
3672	Spices of Sheboygan Downtown LLC (Spices of Sheboygan Downtown)	1132 N 8 <sup>th</sup> Street
3687	Ryan Menzer (The Cigar Box)	4318 Redwing Drive

**CITY OF SHEBOYGAN  
R. O. 59-24-25  
DIRECT REFERRAL TO LICENSING, HEARINGS, AND  
PUBLIC SAFETY COMMITTEE**

**BY CITY CLERK.**

**SEPTEMBER 25, 2024.**

Submitting a license application.

CHANGE OF PREMISE

<u>No.</u>	<u>Name</u>	<u>Address</u>
1040	Brennan's on Michigan	1101 Michigan Avenue – Two-day event 10/19/24 – 10/20/24 to include current premise and west and south parking lot.

**CITY OF SHEBOYGAN  
R. O. 60-24-25  
DIRECT REFERRAL TO LICENSING, HEARINGS, AND PUBLIC SAFETY  
COMMITTEE**

**BY CITY CLERK.**

**SEPTEMBER 25, 2024.**

Submitting a license application.

**CHANGE OF AGENT**

JoAnne C. Solfest is replacing Amber M. Schanno as agent effective immediately for Kwik Trip 897 located at 2033 North Avenue.