

## **AGENDA**

CITY OF STURGEON BAY  
COMMUNITY PROTECTION & SERVICES COMMITTEE  
Monday, June 7, 2021  
**4:30 p.m.**  
Council Chambers, City Hall – 421 Michigan Street

1. Roll Call
2. Adoption of Agenda
3. Approval of Minutes from May 6, 2021
4. Public Comment on Agenda Items
5. Consideration of: Review of Ordinances for Possible Revision
  - a. Chapter 7.12 (8)(a)(1) – Bicycles, Play Vehicles and In-line Skates
  - b. Chapter 10.02 – Carrying a Concealed Weapon Prohibited
  - c. Chapter 10.175 – Drinking on Public Property Regulated
  - d. Chapter 5.01 – Police Department Composition
6. Discussion of: Review of Ordinances for Possible Revision
  - a. Chapter 24 – Communication Towers
  - b. Chapter 27 – Signs
  - c. Chapter 10.09 – Unreasonably and Excessive Noise
  - d. Fence Ordinance
  - e. Wireless Facilities in the Right-of-Way Ordinance
7. Adjourn

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR

Notice is hereby given that a majority of the Common Council may be present at this meeting to gather information about a subject over which they have decision-making responsibility. If a quorum of the Common Council does attend, this may constitute a meeting of the Common Council and is noticed as such, although the Common Council will not take any formal action at this meeting.

Posted:  
Date: 06/02/21  
Time: 2:00 p.m.  
By: SSO

Committee: Community Protection & Services  
Dan Williams, Chr.  
Kirsten Reeths  
Seth Wiederanders

**COMMUNITY PROTECTION & SERVICES COMMITTEE**  
**May 6, 2021**

A meeting of the Community Protection & Services Committee was called to order at 4:30 p.m. by Chairperson Williams in the Council Chambers, City Hall. **Roll Call:** Members Ald. Williams, Ald. Reeths and Ald. Wiederanders were present. Also present from City Departments were Chief Dietman, Mr. Olejniczak, Mr. Sullivan-Robinson and Mr. VanLieshout.

*Moved by Ald. Reeths, seconded by Ald. Wiederanders to adopt the following amended agenda:*

1. Roll Call
2. Adoption of Agenda
3. Approval of Minutes from March 29, 2021
4. Public Comment on Agenda Items
5. Consideration of: Hazard Mitigation Plan
6. Discussion of: Review of Ordinances for Possible Revision
  - a. Chapter 24 – Communication Towers
  - b. Chapter 27 – Signs
  - c. Chapter 10.09 – Unreasonably and Excessive Noise
  - d. Chapter 7.12 – Bicycles, Play Vehicles and In-line Skates
  - e. Fence Ordinance
  - f. Wireless Facilities in the Right-of-Way Ordinance
7. Adjourn

*All Ayes. Carried.*

**Approval of Meeting Minutes**

*Moved by Ald. Wiederanders, seconded by Ald. Reeths to approve the March 29, 2021 minutes.*  
*All Ayes. Carried.*

**Public Comment**

None

**Hazard Mitigation Plan**

Communities are required to have an adopted Hazard Mitigation Plan in order to remain eligible for federal financial assistance in the event of a disaster. The City of Sturgeon Bay is able to once again be part of the Door County plan, as it had been in 2016; rather than doing a separate plan. A draft Memorandum of Agreement was reviewed regarding the City's participation. This MOA ensures officials will engage in the planning and assist in preparation of the updated plan.

*Moved by Ald. Williams, seconded by Ald. Reeths recommend the Common Council approve the City's continued participation in drafting of a Hazard Mitigation Plan in order to be eligible for federal financial assistance.*

**Review of Ordinances**

The purpose of the review process of City of Sturgeon Bay ordinances on file is to determine validity, enforceability, and relevance. After reviewing, if an ordinance needs to be updated it will be discussed then presented to Council.

- Chapter 24 – Communication Towers

This ordinance was designed to give the City some authority on where to place towers. The State, however, adopted new legislation that preempted our local code and control of the towers. With



that, the code was not being enforced with the intention of repealing or replacing. A concern was the ordinance was overwritten for what it's intended use was. The City staff would like to use the Door County ordinance as a template and bring this back to the Committee for review.

- Chapter 27 – Signs

This code has been amended overtime by both the Plan Commission and CPS Committee. Years ago, a Supreme court decision impacted how communities regulate signs, stating they had to be content neutral. Another area to review is where electronic signage can be placed; i.e. commercial district only, or include residential. City staff would like to continue to work on this ordinance and bring it in front of both Plan Commission and CPS with revisions.

- Chapter 10.09 – Unreasonably and Excessive Noise

This ordinance has been a collaboration between the Police Department and Community Development. The issue involved is commercial vs residential areas. Committee recommends to discuss this further with the Police Chief.

- Chapter 7.12 – Bicycles, Play Vehicles and In-line Skates

This ordinance is looking into limiting area bicycles would be allowed (i.e. new water fountain in Graham Park). Also states 'play vehicles' should be better defined. Committee recommends to discuss this further with the Police Chief.

- Fences

At this time there is no ordinance defining what can and cannot be done when erecting a fence. Currently no permits are required, and there are no set standards. It is recommended that the Municipal Services Director and the City Engineer, along with other department heads, to discuss and come to Committee with their thoughts.

- Wireless Facilities in the Right-of-Way

Municipal regulations have been determined with Wisconsin Public Services Commission. It was recommended to model and ordinance after that, and review with this Committee.

- Parking

Review ordinance to make sure it is enforceable. Consideration of ticketing for parking longer than 48 hours, spacing with regards to location and emergency vehicle being able to pass through. Committee recommends to discuss this further with the Police Chief.

Ald. Williams will talk to the different departments to gather input and move forward. The Committee will consider these initial ordinances before taking on additional ones.

*Moved by Ald. Wiederanders, seconded by Ald. Reeths, to adjourn the meeting of the Community Protection Services Committee. All ayes. Carried. The meeting was adjourned at 5:07 p.m.*

Respectfully submitted,

Sarah Spude-Olson  
Police Department Office Manager

**10.02 - Carrying concealed weapons prohibited.**

No person, except a peace officer, shall carry concealed on his/her person any Bowie knife, dirk, dagger, slingshot, switchblade knife or other dangerous weapon.

(Code 1992, § 10.02)

**10.175 - Drinking on public property regulated.**

- (1) Except as provided in section 9.01(9) and to the limited extent necessary to permit the activities authorized by a commercial quadricycle business license under chapter 37, no person shall possess or drink from any open can, bottle or other container containing fermented malt beverage or intoxicating liquor on any public street, sidewalk, alley or other public way in the city.
- (2) Except as provided in section 9.01(9) and to the limited extent necessary to permit the activities authorized by a commercial quadricycle business license under chapter 37, no person shall consume any alcohol or fermented malt beverage which was purchased by the glass or other open container except on the premises of the licensed establishment it was purchased from.

(Code 1992, § 10.175; Ord. No. 1362-0819, § 1, 8-6-19)

**5.01 - Composition.**

The police department of the city shall consist of a chief of police, a captain, a sergeant-investigator, three patrol sergeants, and one or more police officers and one or more police assistants.

(Code 1992, § 5.01)

**State Law reference—** Police department generally, § 62.13, Wis. Stats.



**7.12 - Bicycles, play vehicles, and in-line skates.**

(1) *Registration and tagging of bicycles is optional.*

(2) *Procedure for bicycle registration; release of abandoned bicycles to police department.*

Registration shall be made by filing with the police department the name and address of the owner, along with a complete description of the bicycle, on forms provided by the department, and paying a registration fee of \$2.00. Registrations shall be serially numbered and kept on file in the police department as a public record. Upon such registration, the department shall cause an identification tag, which is serially numbered to correspond with the registration number, to be affixed to the bicycle registered. Such tag shall remain affixed to the bicycle, unless removed by the police department for cause or unless sold to another person. In case of theft or loss, a new identification tag shall be issued for a fee of \$1.00. All registrations shall be nonexpiring. No person shall retain in his/her possession a bicycle found abandoned within the city. Any person who finds an abandoned bicycle within the city shall notify the police department within 24 hours of the time of discovery and release such abandoned bicycle to the police department upon request.

(3) *Sale of unclaimed abandoned bicycles.* Unclaimed abandoned bicycles shall be sold at a public auction as specified in § 66.28(1), Wis. Stats.

(4) *Disposition of funds from bicycle registration and sale of abandoned bicycles.* All funds received from bicycle registration fees and from sale of unclaimed abandoned bicycles shall be paid to the clerk-treasurer.

(5) *Suspension of bicycle registration.* No bicycle shall be registered which is in an unsafe mechanical condition. The chief of police or his/her designee may suspend the registration of and remove the identification tag from any bicycle which is operated contrary to any state law or city ordinance or which is operated while in an unsafe mechanical condition.

(6) *Tampering with bicycle identification tag prohibited.* No person, other than a bicycle owner or a police officer authorized by the chief of police, shall willfully remove, deface or destroy a bicycle identification tag issued by the city.

(7) *Riding bicycles on sidewalks.* Under the provisions of § 346.94(1), Wis. Stats., persons are permitted to ride a bicycle on public sidewalks, except where posted as prohibited.

(8) *Use of play vehicles and in-line skates prohibited in certain areas.*

(a) No person shall use a play vehicle or in-line skates on any sidewalk or public or private parking lot located within the downtown area. For the purposes of this section, the boundaries of the downtown area are defined as follows:

*East Side boundaries:*

1. South boundary: Oregon St. from the Bay of Sturgeon Bay to S. Fifth Ave.
2. East boundary: S. Fifth Ave. from Oregon St. to Michigan St. and N. Fifth Ave. from

Michigan St. to Jefferson St.

3. North boundary: Jefferson St. from N. Fifth Ave. to N. Third Ave., then north on N. Third Ave. to Iowa St., then west on Iowa St. to the Bay of Sturgeon Bay.
4. West boundary: The Bay of Sturgeon Bay from Iowa Street extended to Oregon St.

*West side Boundaries:*

1. South boundary: W. Oak St. from S. Lansing Ave. to Madison Ave., E. Oak St. from Madison Ave. to S. Neenah Ave., S. Neenah Ave. from E. Oak St. to E. Maple St., then east to the Bay of Sturgeon Bay.
2. East boundary: The Bay of Sturgeon Bay from E. Maple Street extended, to the Juniper St. cul-de-sac at the east end of Otumba Park.
3. North boundary: Juniper St. from the cul-de-sac at the east end of Otumba Park to N. Lansing Ave.
4. West boundary: N. Lansing Ave. from Juniper St. to Maple St., and S. Lansing Ave. from Maple St. to W. Oak St.

(b) Sidewalks on either side of the streets defined in this subsection are considered to be within the boundaries of the downtown area.

- (9) *Use of bicycles and play vehicles where prohibited by property owners or occupants.* No person shall use a bicycle, play vehicle, or in-line skates on any public or private parking lot or private driveway if the owner of the property or lawful occupant of the property has posted a sign prohibiting such activity. The owner or lawful occupant of such property may prohibit any or all of the activity described in this subsection by posting a sign with an appropriate notice. The sign must be at least 11 inches square and must be posted in a conspicuous place on or immediately adjacent to such parking lot or driveway. The notice must specify the activity which is prohibited and the name of the property owner or lawful occupant followed by the word "owner" or the word "occupant," whichever applies. Proof that an appropriate sign was posted within six months prior to the activity complained of shall be prima facie proof that the property was properly posted. The posting of such sign in accordance with this section provides authority for the police department to enforce this section on the posted private property.

(Code 1992, § 7.12; Ord. No. 999-1297, § 1, 12-2-97; Ord. No. 1348-0718, § 1, 7-3-18)