

**CITY OF SHEBOYGAN
ORDINANCE 36-23-24 SUBS. OF
BY ALDERPERSONS DEKKER AND RUST.**

FEBRUARY 5, 2024.

AN ORDINANCE amending various sections of Chapter 60 of the Municipal Code so as to reflect desired management changes regarding the Marina and Riverfront.

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

SECTION 1: **AMENDMENT** “Sec 60-2 Penalties” of the Sheboygan Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Sec 60-2 Penalties

- (a) Any person violating any of the sections in article IV of this chapter shall be fined not less than \$25.00, or after five days \$50.00, nor more than \$100.00, plus the costs of prosecution. In default of payment of such fines and costs, the violator shall be imprisoned in the county jail until such are paid, but not exceeding 30 days.
- (b) Any person violating sections 60-5, 60-6, 60-45, 60-66 through 60-71 or article ~~52~~60-IV shall be fined not less than \$50.00 nor more than \$500.00, plus the costs of prosecution. In default of payment of such fine and costs, the violator shall be imprisoned in the county jail until such are paid, but not exceeding 30 days.
- (c) Any person violating section 60-74 or 60-7~~9~~5 shall be fined not more than \$300.00, plus the costs of prosecution. In default of payment thereof, the violator shall be imprisoned in the county jail until such are paid, but not exceeding 60 days.

(Code 1975, § 18-3; Code 1997, § 134-2; Ord. No. 74-97-98, § 1, 10-20-1997; Ord. No. 101-05-06, § 25, 3-20-2006)

SECTION 2: **AMENDMENT** “Sec 60-3 Operation Of Eighth Street Bridge” of the Sheboygan Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Sec 60-3 Operation Of Eighth Street Bridge

- (a) The hours and operation of the Eighth Street bridge shall be in accordance with the appropriate federal regulations governing the bridge.
- (b) From May 1 through October 31~~0~~, the bridge shall open on signal except that: in accordance with the following schedule:
- (1) From 6:~~10~~ a.m. to 7:~~10~~ p.m., Monday through Saturday, the bridge shall draw will open at 10 minutes after the hour, on the half-hour, and 10 minutes before the hour; and for marine traffic each half-hour, on the hour and half-hour.
 - (2) From Monday through Friday, except federal holidays, the bridge need not open between 7:30 a.m. and 8:30 a.m., between 12:00 p.m. and 1:00 p.m., and between 4:30 p.m. and 5:30 p.m.; and 7:00 p.m. to 10:00 p.m., the draw shall open on signal.
 - (3) Between the hours of 10:00 p.m. and 6:00 a.m., the bridge shall open on signal if at least 2 hours advance notice is provided.
- (c) From November 1 through April 30, the bridge shall open on signal if at least 12 hours advance notice is provided.
- (d) At all ~~other~~ times, the bridge shall open as soon as possible for public vessels of the United States, state or local government, vessels seeking shelter from rough weather, or any other emergency. the draw shall open on signal if at least two hours' advance notice has been given.

(Code 1975, § 18-64; Code 1997, § 134-3)

SECTION 3: **REPEAL** “Sec 60-46 Reimbursement Of Boat Expenses” of the Sheboygan Municipal Code is hereby *repealed* as follows:

REPEAL

Sec 60-46 Reimbursement Of Boat Expenses

~~The harbormaster shall be reimbursed for the cost of maintaining the harbormaster's privately-owned motorboat used in the performance of official duties in river and harbor patrol. The reimbursement shall be the amount authorized by the common council for contractual services; boat maintenance budgeted by the department of engineering and public works.~~

(Code 1975, § 18-49; Code 1997, § 134-79)

SECTION 4: **AMENDMENT** “Sec 60-74 Damage To Installations” of the Sheboygan Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 60-74 Damage To Installations

No person shall carelessly, willfully, or negligently operate a boat or permit a boat to be so operated so as to cause it to run into any bridge or bridge abutments, piers, cribs or docks of the harbor and waterways of the city or take any stones from a crib. Any owner or operator of a vessel that causes damage to such installations ~~violation of this section~~ shall, in addition to the penalty imposed for violation, be liable for all resulting damages to such installations.

(Code 1975, § 18-83; Code 1997, § 134-113)

SECTION 5: **AMENDMENT** “Sec 60-128 Administrative Responsibility; Accounting” of the Sheboygan Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 60-128 Administrative Responsibility; Accounting

- (a) The department of public works shall be responsible for enforcement of this article. ~~and for issuance of annual stickers. The department may authorize retail vendors as agents to sell annual stickers, for which the authorized agents shall be entitled to retain \$0.50 from each annual sticker sold.~~
- (b) The city's ~~contracted operator of the Harbor Centre Marina~~ shall be responsible for collecting the daily deposits at the city's public boat launch ramps and shall have the authority to give notices of violation of this article.
- (c) All revenues from annual and daily boat launch fees shall be accounted for as Harbor Centre Marina operating revenues. Costs for production of stickers, daily fee envelopes and printed forms shall be accounted for as Harbor Centre Marina operating expenses.

(Code 1975, § 18-114; Code 1997, § 134-177; Ord. No. 86-95-96, § 1, 11-20-1995; Ord. No. 82-96-97, §§ 1, 2, 11-4-1996)

SECTION 6: **AMENDMENT** “Sec 60-129 Launching Sites” of the Sheboygan Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 60-129 Launching Sites

The municipal sites included in this article are located at Deland Park parking lot and 8th Street Launch (at the intersection of South 8th Street and Riverfront Drive).

(Code 1975, § 18-110; Code 1997, § 134-178)

SECTION 7: AMENDMENT “Sec 60-130 Fees Applicable During Boating Season” of the Sheboygan Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Sec 60-130 Fees Applicable During Boating Season

Fees shall be charged for boat launching at the municipal sites designated in ~~this~~ section 60-129 of this Code. Absent a written waiver from the state department of natural resources, the fee charges shall be in conformity with the rate charged by the state for vehicular access to state park and forest areas. The one-day permit fee for all users will be ~~\$8~~7.00 per day, the annual sticker fee for nonresidents will be \$70.00 per year and the annual sticker fee for a resident will be \$60.00 per year.

(Code 1975, § 18-111; Code 1997, § 134-179; Ord. No. 79-02-03, § 1, 3-17-2003)

SECTION 8: AMENDMENT “Sec 60-131 Use Of Boat Launch Sites” of the Sheboygan Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Sec 60-131 ~~Use Of Boat Launch Sites~~Docking and Launching

- (a) No person shall launch a boat or other watercraft or otherwise utilize any of the designated municipal boat launch sites, nor shall any person park a boat trailer or other vehicle in the parking stalls near the boat launch sites designated for vehicles with boat trailers only, without having done the following:
 - (1) Obtained the appropriate permit or sticker;
 - (2) Paid the established fee;
 - (3) Followed the procedures set forth on the application for the permit or sticker, including, but not limited to, ~~time stamping the application prior to submission, and~~ properly affixing the permit or sticker to the windshield or dash of the parked trailer or vehicle.
- (b) Any vehicle parked in the parking stalls near the boat launch sites designated for vehicles with boat trailers only shall have a valid permit or sticker valid for each and every day it is so parked. Permits or stickers are valid for 24 hours from time of purchase. ~~A one-day permit shall be in effect until 11:59 p.m. on the date the permit was purchased.~~
- (c) No person shall launch a boat or other watercraft or otherwise utilize the designated

municipal boat launch site at Deland Park, nor shall any person park a boat trailer or other vehicle in the parking stalls near the boat launch site at Deland Park that are designated for vehicles with boat trailers only at any time when such parking stalls are reserved by the city for a special event as evidenced by signage posted at the parking area entrance(s). ~~from August 8 through August 14, 2023, except with the express written consent of the Mayor; such consent shall be granted only as part of the City's role in promoting safety during the Mercury Midwest Challenge event.~~ This subsection does not apply to the 8th Street Launch (at the intersection of South 8th Street and Riverfront Drive.)

- (d) No person shall dock a boat or other watercraft or otherwise use the docking sites at the Harbor Centre Marina or in the Sheboygan River without a permit issued for such purpose by the department of public works. This requirement shall not apply to transient vessels moored for less than 12 hours due to inclement weather or upon written permission granted by the Harbormaster.

(Code 1997, § 134-181; Ord. No. 85-97-98, § 1, 11-3-1997; Ord. No. 88-98-99, § 1, 10-5-1998)

SECTION 9: 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 10: 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