

**CITY OF SHEBOYGAN
ORDINANCE 5-26-27**

BY ALDERPERSONS BOORSE AND HEIDEMANN.

MAY 27, 2026.

AN ORDINANCE amending section 8-80 of the Sheboygan Municipal Code.

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

SECTION 1: AMENDMENT “Sec 8-80 Procedure For Declaration Of
Vicious Or Dangerous Dog” of the Sheboygan Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

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. Stat. § 805.07(4) and must be served in the manner provided in Wis. Stat. § 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 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. Stat. § 68.13.

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

AFTER AMENDMENT

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- (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~~10 business 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~~30 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.
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 - (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 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. If the initial determination is affirmed, the committee shall advise the owner that the dog declared vicious shall be removed from the city or released to the humane society within 20 calendar days and that during pendency of removal, such animal shall be leashed at all times when not confined within a residence or kennel, and that the animal is prohibited from being within any public space or park within the city where people tend to congregate. ~~and shall, w~~ Within ~~20~~10 business days of completion of the hearing and the filing of briefs, if any, the city clerk shall 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. Stat. § 68.13.

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

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: EFFECTIVE DATE This Ordinance shall be in full force and effect from on and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

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Presiding Officer

Attest

Ryan Sorenson, Mayor, City of
Sheboygan

Meredith DeBruin, City Clerk, City of
Sheboygan