

**CITY OF SHEBOYGAN
ORDINANCE 17-24-25**

BY ALDERPERSONS RUST AND LA FAVE.

SEPTEMBER 3, 2024.

AN ORDINANCE amending various sections of the Sheboygan Municipal Code so as to improve clarity and interpretation.

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

SECTION 1: AMENDMENT “Sec 1-12 Repeal” of the Sheboygan Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 1-12 ~~Repeal~~Conflict of Provisions

~~All sections, articles, chapters or other provisions of this Code desired to be repealed should be specifically repealed by section number, article number, chapter number or other number, as the case may be. If the provisions of different chapters of this Code conflict with, or contravene each other, the provisions of each individual chapter shall control as to all issues and questions arising out of the events and persons intended to be governed by that chapter. If the provisions of different sections of the same chapter conflict with each other, the provision that is more specific in its application to the events or persons raising the conflict shall control over the more general provision. To the extent that the provisions of this Code conflict with Wisconsin Statutes or federal regulations, said statutes and regulations shall control.~~

(Code 1975, § 2-99; Code 1997, § 1-22)

SECTION 2: AMENDMENT “Sec 1-13 Effect Of Repeals” of the Sheboygan Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 1-13 ~~Effect Of~~ Repeals

- (a) All sections, articles, chapters or other provisions of this Code desired to be repealed should be specifically repealed by section number, article number, chapter number or other number, as the case may be.

- (b) No ordinance or part of any ordinance repealed by a subsequent act of the common council is revived or affected by the repeal of the repealing act.
- (c) The repeal of the whole or part of an ordinance shall not remit, defeat or impair any civil liability for offenses committed, penalties or forfeitures incurred or rights of action accrued under such ordinance before the repeal thereof, whether or not in course of prosecution or action at the time of such repeal; but all such offenses, penalties, forfeitures and rights of action created by or founded on such ordinance, liability wherefor shall have been incurred before the time of such repeal thereof, shall be preserved and remain in force notwithstanding such repeal, unless specially and expressly remitted, abrogated or done away with by the repealing ordinance.

(Code 1975, § 1-16; Code 1997, § 1-23)

SECTION 3: **AMENDMENT** “Sec 2-799 Duty To Maintain Records” of the Sheboygan Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 2-799 Duty To Maintain Records

- (a) Except as provided under section 2-804, each officer and city employee shall safely keep and preserve all records received from their predecessor or other persons and required by law to be filed, deposited or kept in their office or which are in the lawful possession or control of the officer or employee or the officer or employee's deputies or to the possession or control of which they may be lawfully entitled as such officers or employees.
- (b) Upon the expiration of an officer's term of office or an employee's term of employment or whenever the office or position of employment becomes vacant, each such officer or employee shall deliver to the officer or employee's successor all records then in the officer or employee's custody, and the successor shall deliver to the officer or employee's successor all records then in the officer or employee's custody and the successor shall receipt therefor to the officer or employee, who shall file the receipt with the city clerk. If a vacancy occurs before a successor is selected or qualifies, such records shall be delivered to and receipted for by the clerk, on behalf of the successor, to be delivered to such successor upon the latter's receipt.
- (c) Whenever in this Code any standard code, rule, regulation, statute, or other written or printed matter is adopted by reference, it shall be deemed incorporated in this Code as if fully set forth herein and the city clerk shall maintain in their office a copy of any such material as adopted and as amended from time to time. Materials on file at the city clerk's office shall be considered public records open to reasonable examination by any person during the office hours of the city clerk, subject to such restrictions on examination as the city clerk imposes for the preservation of the material.

(Code 1975, § 32.5-2; Code 1997, § 2-837)

SECTION 4: **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 5: **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

Ryan Sorenson, Mayor, City of
Sheboygan

Meredith DeBruin, City Clerk, City of
Sheboygan