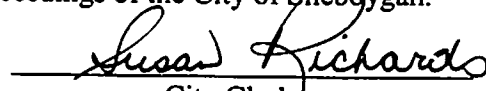


OFFICE OF THE CITY CLERK
Sheboygan, Wisconsin
CITY HALL

I hereby certify that this is a true copy of a
document from the Common Council
proceedings of the City of Sheboygan.


City Clerk

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Gen. Ord. No. 16 - 17 - 18. By Alderpersons Schneider, Bohren and
Belanger. September 5, 2017.

AN ORDINANCE amending Chapter 70, Article VII, Division 2 of the
Municipal Code so as to permit the discharge of weapons in certain rural
portions of the City so that hunting may be permitted in those portions of
the City where it would be appropriate, to ban the feeding of deer for
hunting purposes or otherwise, and to bring the Municipal Code up to date
with regard to various changes to state law related to the carrying of
weapons.

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

Section 1. Division 2 of Article VII of Chapter 70 of the Municipal
Code entitled "Weapons" is hereby repealed and recreated so as to read as
follows:

"Sec. 70-251. - Discharging and Carrying Weapons.

(a) PROHIBITED. No person, except an authorized police officer,
shall discharge any firearm, spring gun or air gun within the City. This
prohibition shall not apply to a shotgun, muzzle loader, bow, crossbow, or
other like weapons or instruments, air rifle, pellet gun, or like
instruments, provided the use thereof complies with the requirements of
subsections (d)(1) through (3) below.

(b) PERMITTED. Any person may possess, carry, or bear any weapon,
knife or firearm or facsimile firearm, or have under his or her control
any weapon, knife, firearm or facsimile firearm, on any public street,
sidewalk, boulevard, boardwalk, alley, public parking lot, or park if he
or she complies with this section or the Wisconsin Statutes and
Administrative Code sections specifically adopted under this section, with
the exception of the following:

(1) No person may possess, carry, or bear any weapon, knife or
firearm or facsimile firearm, or have under his or her control any
weapon, knife, firearm, or facsimile firearm, within any public
building owned by the City, unless said person is permitted to do so
pursuant to the provisions of §941.235, Wis. Stats.

(2) Notwithstanding the provisions of subsection (1), no
employee of the City of Sheboygan person may possess, carry, or bear
any weapon, knife, or firearm or facsimile firearm, or have under his
or her control any weapon, knife, firearm, or facsimile firearm,
within any public building owned by the City, if doing so is a



violation of a City policy adopted in light of §175.60(15m), Wis. Stats.

(3) No person may possess, carry, or bear any weapon, knife or firearm or facsimile firearm, or have under his or her control any weapon, knife, firearm, or facsimile firearm within any public building or athletic field owned by the Sheboygan Area School District, unless such person is permitted to do so pursuant to the provisions and exceptions contained in §948.605, Wis. Stats., and §948.61, Wis. Stats.

(4) No person may possess, carry, or bear any weapon, knife or firearm or facsimile firearm, or have under his or her control any weapon, knife, firearm, or facsimile firearm within any premises for which a Class "B" or "Class B" license or permit has been issued by the City pursuant to Ch. 125, Wis. Stats. This subsection shall not apply to a peace officer, a Wisconsin CCW licensee, a qualified out-of-state licensee, a qualified out-of-state law enforcement officer, or other person specifically excepted by the provisions of §941.237(3), Wis. Stats., so long as said person does not consume alcohol on the Class "B" or "Class B" premises. Active and former officers may consume alcohol on Class "B" or "Class B" premises if they are not under the influence and if the premise is not posted otherwise.

(5) No person may possess, carry, or bear any weapon, knife or firearm or facsimile firearm, or have under his or her control any weapon, knife, firearm, or facsimile firearm in or on school grounds or within 1,000 feet from the grounds of a school, if doing so is a violation of §948.605, Wis. Stats.

(6) No person may possess, carry, or bear any weapon, knife or firearm or facsimile firearm, or have under his or her control any weapon, knife, firearm, or facsimile firearm while any such person is under the influence of an intoxicant or a detectable amount of a restricted controlled substance.

(7) If the firearm is a facsimile firearm, no person may openly possess, carry, or display any facsimile firearm under circumstances that could reasonably be expected to alarm, intimidate, threaten or terrify another person.

(8) Notwithstanding the provisions of this section, no person may possess, carry, or bear any weapon, knife or firearm or facsimile firearm, or have under his or her control any weapon, knife, firearm, or facsimile firearm in violation of any state statute.

(c) REMOVAL FROM PROPERTY. If a property owner or tenant objects to any individual carrying a weapon, knife or firearm and does not wish to allow individuals to exercise the right to carry weapons, knives or firearms within their establishment and makes a complaint to the Police Department to remove the individual from the property and the individual refuses, the individual may be removed against their will.

(d) CONDITIONS OF DISCHARGE WITHIN THE BOUNDARIES OF THE CITY. A shotgun, muzzle loader, bow or crossbow, or other like weapon or instrument may be discharged within the boundaries of the City, but only under the following conditions and regulations:

(1) Shotguns, muzzle loaders, or like weapons or instruments designed and used to propel a single slug, multiple pellets or "shot" may only be discharged in the City where not prohibited by this ordinance, and then according to the following regulations. No such weapons or instruments shall be discharged on or onto lands less than 200 yards from the boundary of an adjacent platted subdivision. In addition, no such weapons or instruments shall be discharged within 100 yards from a habitable building on any other adjacent property, unless the owner of such adjacent property or habitable building has given written permission to be closer. In no case shall such weapons or instruments be discharged in a direction that could result in the projectile landing on or flying over any adjacent properties unless the owner(s) of such adjacent properties have given written permission to do so.

(2) Bows, crossbows, or other like weapons or instruments designed and used to propel an arrow, dart or other similar missiles may only be discharged in the City where not prohibited by this section, and then only within the following regulations. No such weapons or instruments shall be discharged on or onto land less than 100 yards from the boundary of an adjacent platted subdivision. In addition, no such weapons or instruments shall be discharged within 100 yards from a habitable building on any other adjacent property, unless the owner of such adjacent property or habitable building has given written permission to be closer. In no case shall such weapons or instruments be discharged in a direction that could result in the projectile landing on or flying over any adjacent properties unless the owner(s) of such adjacent properties have given written permission to do so.

(3) Prohibited Areas. No instrument referred to in subsections (1) and (2) above shall be discharged on parkland, or on land not owned by the person unless written permission has been obtained.

(e) POSSESSION OF FIREARMS AND WEAPONS BY MINORS PROHIBITED. No parent, guardian, or other adult person having legal custody of a child under the age of 16 years shall permit such minor to have in his/her possession and control for use within the City any firearm or other dangerous weapon as enumerated in subsection (a).

(f) SALE OF FIREARMS AND WEAPONS.

(1) Sale to Minors. No person shall sell or give away to any child under the age of 16 any sling shot, blow gun, bean shooter, air gun, pellet gun, dart gun, or bow and arrow.

(2) Records. Any person selling firearms or other deadly weapons shall keep a record of the sale thereof, and such list shall be open to inspection by the Police Department. Such record shall include the name, address, age and birth date of the purchaser and the article purchased.

(g) STATE PROVISIONS ADOPTED. The City adopts those provisions of the Wisconsin Statutes and the Administrative Code related to dangerous weapons and concealed weapons, as well as such provisions of the Wisconsin Statutes and the Administrative Code enumerated under and within subsection (b) above, as from time to time amended by the Wisconsin Legislature, together with all definitions of relevant terms and all exceptions contained in such provisions, as if fully set forth at length in this section.

Sec. 70-252. Confiscation.

All weapons carried by any person who shall have been convicted of carrying, concealed about his person, such weapons in violation of the provisions of this division within the limits of the city shall be confiscated by the city."

Section 2. Section 18-13 of the Municipal Code, previously repealed, is hereby recreated to read as follows:

"Sec. 18-13. Feeding of Deer.

(a) Feeding of Deer Prohibited. It shall be unlawful for any person to place any feed such as salt, minerals, grain, fruit, vegetable material, sunflower seeds, deer suckers, or any other type of feed, on any public or private property for the purpose of enticing whitetail deer into any specific location in the City except as otherwise provided herein.

(b) Rebuttable Presumptions. There shall be a rebuttable presumption that either of the following acts are for the purpose of feeding whitetail deer.

(1) The placement of salt, minerals, grain, fruit, vegetable material, sunflower seeds, or deer suckers in an aggregate quantity of greater than one-half gallon at the height of less than six (6) feet off the ground.

(2) The placement of salt, minerals, grain, fruit, vegetable material, sunflower seeds, or deer suckers in an aggregate quantity of greater than one-half gallon in a drop feeder, automatic feeder or similar device regardless of the height of the salt, minerals, grain, fruit, vegetable material, sunflower seeds, or deer suckers.

(c) Exemptions. This section shall not apply to the following situations:

(1) Naturally growing grain, fruit or vegetable material, including gardens and residue from lawns, or gardens and other vegetable materials maintained as a mulch or compost pile;

(2) Unmodified commercially purchased bird feeders or their equivalent;

(3) Deer management practices approved, authorized, and sponsored on a temporary basis by the Common Council."

Section 3. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

Swang H. Hock
John B. Hock
James A. Hock

I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the 2nd day of October, 2017.

Dated October 3, 2017. Laura Richards, City Clerk

Approved October 3, 2017. Michael Vandeweyer, Mayor

Published October 07, 2017.

Certified October 04, 2017 to - Atty.; Ord. Book; Mun. Code Corp.; Mayor; Police Dept.; DPW