



ADMINISTRATIVE COMMITTEE AGENDA

Date and Time: Monday, December 6, 2021 at 8:00AM
Location: City Hall, 101 South Boulevard, Baraboo, WI 53913
Room: C205 *Dennis O Thurow* Committee Room

This meeting is open to the public. However, with the health concerns regarding COVID-19, anyone appearing in person will be required to socially distance themselves.

Remote participation at this meeting is allowed and encouraged. Committee Members and the public wanting to participate remotely must dial:

Conference Call: 1 (414) 662-3639 Conference Code: 217 534 706#

Notices:

Full Paper to Members: Alderpersons: John Ellington, Heather Kierzek & Kathleen Thurow
Citizen or other notices: Mayor, Rob Nelson, City Administrator, Casey Bradley; Police Chief, Mark Schauf; Finance Director, Julie Ostrander; City Engineer, Tom Pinion; Clerk, Brenda Zeman, Library for subsequent posting, and Media

- 1) Call to Order:
 - a) Roll call of members
 - b) Note Compliance with Open Meeting Law.
 - c) Approve minutes – November 1, 2021.
 - d) Approve agenda.
- 2) Action Item(s):
 - a) Discussion and recommendation to the Common Council for Debbie Zirzow's request for Excessive Household Animals
 - b) Consider Operator's License for Brittanee Leverenz
 - c) Discussion and recommendation to the Common Council to amend §12.05(2) of the Baraboo Municipal Code, the Special Event License.
 - d) Discussion and recommendation to the Common Council to amend §29.11(1) of the Baraboo Municipal Code, the number of cats and dogs allowed per Household.
- 3) Discussion Item(s): None.
- 3) Information Item(s):
 - a) Date and time of next meeting: Monday, January 3, 2022 at 8:00AM
- 4) Adjournment: Alderperson Ellington

For more information about the City of Baraboo, visit our website at www.cityofbaraboo.com.

Agenda prepared by Brenda Zeman, (608) 355-2700
Agenda Posted by Jessie Atkinson on December 3, 2021

Any person, who has a qualifying disability as defined by the Americans with Disabilities Act and requires the meeting or materials at the meeting to be in an accessible location or format, should contact the Baraboo City Clerk at 101 South Boulevard, Baraboo, Wisconsin or by phone (608) 355-2700 during regular business hours at least 48 hours before the meeting to ensure reasonable arrangements are made to accommodate each request.

Present: Alderpersons John Ellington, Heather Kierzek, Kathleen Thurow
Absent: None.
Also Present: Mayor Nelson, City Clerk, Brenda Zeman; Finance Director Julie Ostrander, Police Chief Schauf; City Administrator, Casey Bradley
Citizen Present: None.

The meeting was called to order by Chairman John Ellington at 8:00AM, with roll call and noting compliance with the Open Meetings Law.

Motion by Thurow, seconded by Kierzek to approve the October 4, 2021 minutes. Motion carried unanimously.

Motion by Thurow, seconded by Kierzek to approve the Agenda. Motion carried unanimously.

Consider the Temporary Liquor License for Downtown Baraboo

Chief Schauf noted that this is their 2nd license for the year. Motion by Kierzek, seconded by Thurow to approve and recommend to Council the Temporary Liquor License (aka Picnic License) for the Downtown Baraboo Winter Wine Walk, November 19, 2021. Motion carried unanimously.

Consider the Temporary Liquor License for Sauk County Historical Society

Motion by Thurow, seconded by Kierzek to approve and recommend to Council the Temporary Liquor License (aka Picnic License) for the Sauk County Historical Society Christmas at the Mansion, December 10, 2021. Motion carried unanimously.

Consider the Temporary Liquor License for Baraboo Young Professionals

Motion by Thurow, seconded by Kierzek to approve and recommend to Council the Temporary Liquor License (aka Picnic License) for the Baraboo Young Professionals Baraboo Night Market, December 17, 2021. Motion carried unanimously.

Discussion Items:

Ald. Thurow explained that she has had a few citizens ask if the Committee would consider reviewing the number of cats and dogs allowed within the City. Chief Schauf noted that it was only a few years ago that the exception was allowed. He is not thrilled with the idea of increasing the number of allowed cats and dogs. It's not the barking that concerns him as only one dog can bark, his concern is allowing 4 dogs on a city lot. The committee agrees with increasing the number of cats and dogs allowed to 3 with a combined total of 4. Chief Schauf noted that regardless of the number of dogs, it often comes down to being responsible owners. Ald. Kierzek is in favor of increasing it to no more than 3 dogs or cats with a combined total of 5 animals. Mayor Nelson suggested changing the ordinance to allow for no more than 3 dogs or cats with a combined total of 4 animals. Chief Schauf will review this with his Community Service Officers bring it back to the Committee in December.

Informational Items

The next meeting will be Monday, December 6, 2021 at 8:00AM.

Motion to adjourn by Kierzek, seconded by Thurow and unanimously carried. Meeting adjourned at 8:17AM.

Respectfully submitted,
Brenda Zeman, City Clerk

Action Item A

To Whom It May Concern:

- I live at 1225 Victoria Circle here in Baraboo and am requesting something called a "special exception animal permit".
- I have 2 registered "adult" dogs (a Chihuahua "LILLY MAE" and an Italian Mini Greyhound "EMMA LOU") and 1 cat (Maine Coon "SAMUEL") within our home. We have also been caring for my first son's 2 "adult" dogs (a Chihuahua "SADIE JO" and a Mini pug "OLIVE JEAN") along with my second autistic son's service dog who is a Pomeranian mix "MOLLY MOO". I am asking for this permit as I have no one else to care for these animals like they need to be at this time and they have been in our family since they were rescued. My son is currently in Dodge Correctional in Waupun and will hopefully be out no later than May of 2022 depending on his charges / sentencing. We have had my son's dogs since October 2020 and we were unaware of having to even license our dogs or file for this special permit. Upon learning about having to license our own dogs we did so within 2 weeks. We did not license the other dogs due to not knowing how long they would be with us at our home.
- All the dogs are current with their rabies and distemper shots. They are all healthy, microchipped and spayed. I can provide vet records for everyone. Their weights range from 9-15 pounds (which is healthy so the vet says) so yes everyone is a small / mini dog. Everyone is very friendly and never showed any aggression. One of the Chihuahuas "SADIE JO" has a pinched nerve in her back and we take her to the chiropractor at the Dells Animal Hospital once a month for therapy sessions. They get their nails done at least once a month unless needed more. They all get brushed regularly. We have bought a self-feeder for them as they like to snack throughout the day and a waterfall for them due to them not liking standing water in a dish. In addition to that they also have their own dinner dishes so we can share our dinner with them nightly.
- They have never escaped out of our home and we have provided them with a large (.25 acre) fenced in well-kept yard to run around and play in. They get let out regularly and are only left by themselves for no longer than 6-8 hours a day. Our house is 1900 sq. ft. so you barely notice that we have this many animals and I am willing for anyone to come in to inspect their living conditions at any time necessary. We provide fresh chew bones once a week and new toys once a month to all of them.
- We did get a noise complaint a few months back from a neighbor, we do not get along with, in the next cul-de-sac but have since installed "bark boxes" and have been in contact with our close neighbors within our own cul-de-sac who tell us they have noticed a difference. Obviously they do bark when someone walks by or approaches our house still.
- We have remained current with our property taxes and our animals are covered under our home owner's insurance policy.
- If we need to get licenses for these additional dogs I have no problem in doing so immediately.

On a personal note, I am begging for you to grant this permit as these precious fur babies are our family and are beyond well taken care of. I will do what it takes to prove they are not neglected, abused or disruptive and are spoiled beyond belief.

Sincerely,



Debbie D Zirzow

11/22/2021

Action Item B

TAVERN OPERATOR LICENSE APPLICATION

Allow 15 days for processing.

Fees are non-refundable and non-transferrable.

Application # Operator 20210000305
100-10-44120

12/02/2021

JA

New License -- Not previously licensed, or applicant licensed by another Wisconsin municipality within the last 2 years

Provisional – This license shall only be issued in order to allow the applicant time to complete a Responsible Beverage Server Training Course. Provisional licenses are only sold in combination with a NEW Operator license.

APPLICANT INFORMATION:

Last Name	First Name	Middle Initial	Date of Birth	Male/Female
LEVERENZ	BRITTANEE	R		Female
E-Mail	Telephone #		Place of Birth	Driver License #
			Baraboo, wi	
Street Address		City, State		Zip
		Baraboo, wi		53913

- Where will you be employed? Poor richards saloon
- Employer's Telephone #: 608-356-5921
- Where have you had previous experience as an Operator? Thirsty beaver
- Have you lived in Wisconsin for at least 90 consecutive days? Yes No
 (If answer to Q 4 is no, do not file your application until you have satisfied the residency requirement.)
- How long have you continuously resided in Wisconsin? 32 In Sauk County? 32
- Have you reviewed the Bartender License Issuance Guidelines, which are attached to this application?
 Yes No
- Have you ever been convicted for a violation of any federal laws, state laws of Wisconsin or any other state, as well as any county or municipal violations? Yes No

If **Yes** to any portion of this question – you are required to complete the box below. If more room is needed, attach a document listing the items. List everything in your past, even if you think it is not important. Your license can be denied if you provide incomplete or inaccurate information! See Attached Flowchart.

Date of Conviction	Location of Charge (City, County)	Type: Felony, Misdemeanor, Ordinance, Other	Penalty Imposed

8. Have you ever been convicted of operating a motor vehicle while under the influence? Yes No

If Yes, provide details requested below:

Date of Conviction	State	County

9. Are there any charges presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any Federal laws, any Wisconsin laws, any laws of any other states or ordinances of any municipalities?

Yes No If Yes, indicate in writing, the law or ordinance allegedly violated, trial court, date of alleged offense, description and status of charges. If more room is needed, attach a document listing the items.

Offense Date	Location of Case (City, County)	Court Date	Violation	Description of Charges	Status
12/28/19	Caledonia,		Possession	Drug	Open

13. Have you ever used any other name(s) or alias (es)? Yes No

If yes, state full name(s) of alias (es). _____


The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

I verify that I have read and accept the city of Baraboo Bartender License Issuance Guidelines. (See below)

Total Due \$ 87.00 I will pay: On Line by US Mail In Person

Applicant:  Date: 11/30/2021

Approvers:
 Police Record Check
 12/01/2021

Police Chief
 12/01/2021
 Denied due to pending drug changes

START HERE

Do you have a felony conviction or pending felony charge involving alcohol or drugs?

NO

Do you have a felony or Class A Misdemeanor conviction or pending charge involving bartending?

NO

Do you have 3 or more OWI convictions and at least one occurred in the last 10 years?

No

Do you have 3 or more convictions or pending charges (including municipal citations) involving drugs or alcohol (including OWI charges and underage drinking) within the past 5 years??

No

Do you have **any** of the following:

- 2-OWI convictions w/in 10 years
- 1-OWI conviction w/in 10 years and a pending OWI charge
- 2-Convictions or pending charges (including citations) involving drugs or alcohol (incl. OWI and underage drinking) w/in the past 5 years
- Any conviction or pending charge involving bartending
- 3+ convictions involving alcohol or drugs w/in the past 10 years

No

Are there any false or incomplete statements on the application?

No

If Applicant has no convictions or pending charges involving drugs, alcohol, or OWI, **or** if Applicant has only 1 OWI conviction or pending OWI charge the Application will be submitted for **APPROVAL**.

Yes

→

Yes

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Yes

→

Yes

Yes

→

↗

Yes

APPLICATION
AUTOMATICALLY
DENIED

APPLICATION
SUBJECT TO
CONDITIONAL
APPROVAL BY
ADMINISTRATIVE
COMMITTEE

Police Chief may refer applications to Administrative Committee if he believes there are issues that he cannot resolve.

APPLICATION SUBJECT TO
CONDITIONAL APPROVAL BY
CHIEF OF POLICE

Please note that this chart cannot anticipate all circumstances or combinations of offenses that may affect the disposition of your application, and the City retains the right to refer any application to the Administrative Committee for resolution.

Action Item C

12.04 TOBACCO RETAILER LICENSE (2460 7/11/2017) No person shall in any manner, or upon any pretense, or by any device, directly or indirectly sell, expose for sale, possess with intent to sell, exchange, barter, dispose of or give away any cigarettes or tobacco products to any person not holding a license as herein provided in the City without first obtaining a license from the City Clerk. The provisions of §134.65, Wis. Stats., are hereby adopted and made a part of this section by reference.

12.05 SPECIAL EVENT LICENSE. (2206 09/13/2005; 2429 05/26/2015; 2497 08/28/2018)

The City of Baraboo recognizes that special events can bring many benefits to the community. At the same time, the City must have sufficient notice prior to a special event so that the City can evaluate the potential impact the event might have on resources of City departments, City owned properties and facilities, and on the public. Because events have unique characteristics with different potential impacts on City services, the issuance of a license is considered on a case-by-case basis and in accordance with this ordinance.

(1) DEFINITIONS. As used in this ordinance, the following terms have the following meaning:

- (a) “Applicant” means the person applying for the special events license.
- (b) “City Property” includes all buildings, parks, parking lots, streets, sidewalks and other rights-of-way and any other property owned, leased, managed or controlled by the City of Baraboo.
- (c) “Extraordinary services” means reasonable and necessary services provided by the City which specifically result from the special event. Extraordinary services result in measurable financial costs which are above and beyond the normal levels of public health and safety services on a non-event day. Extraordinary services will normally be those services requiring city employees to be specifically assigned to tasks in support of the special event and/or those services resulting in overtime pay or similar costs which result from the event. Examples of extraordinary services may include police protection, traffic control, fire monitoring, parks services, and other services necessary to ensure the protection of participants and citizens, the proper functioning of City services, and the

proper administration of this ordinance. The City will make reasonable efforts to adjust the schedules of employees to minimize the requirement for overtime pay or other costs for extraordinary services where sufficient advanced notice of the event is provided.

- (d) “Multiple day event” means a special event that occurs on more than one day, where the days are consecutive or at a consistent interval), at the same start and end time and at the same location (e.g., an event occurring on a consecutive Saturday and Sunday from 9:00 am until 5:00 pm or an event occurring three Tuesdays in a row from 5:00 pm until 8:00 pm) One special event license will be issued for a multiple day event.
- (e) “Normal and ordinary use” means the way City property should normally and ordinarily be used. Whether an event is considered within the normal and ordinary use of the property is determined by the City department that maintains jurisdiction over the property.
- (f) “Special event” or “event” means a temporary gathering of people for a planned occurrence on City property such as, but not limited to, festivals, concerts, demonstrations, rallies, performances, parades and athletic events, which are not within the normal and ordinary use of that place or which, by the nature of the event, may have a greater impact on City services or resources than would have occurred had the event not taken place. A special event may also occur on private property if it will affect, impact or interfere with the normal and ordinary use of City property by the general public within the vicinity of the event and/or will require the use of extraordinary services. A special event may be a single day event or a multiple day event. The City Administrator or designee shall have the exclusive authority to determine whether or not a license is required for any particular event should there be a question about whether an event meets this definition. The following events are excluded from meeting the definition of being a special event:
 - 1. Funeral processions;
 - 2. Events organized solely by the City and where the City is the applicant;

3. Events which enter into a separate and specific agreement, which is approved by the Common Council, to hold the event pursuant to the terms of the individual agreement. The Council is authorized to modify the terms or requirements of this Ordinance within such an agreement, provided the modifications meet the spirit if not the letter of this Ordinance.

(1) **LICENSE REQUIRED.**

- a. License Required. No person or entity acting as an event organizer shall set up for, hold, or conduct a special event within the municipal boundaries of the City of Baraboo without first obtaining a special event license.
- b. License Submittal Date.
 1. License requests are deemed submitted to the City when the City Clerk receives the application form, application fee and proof of insurance.
 2. License requests must be submitted at least thirty (30) calendar days prior to the event for events involving a public right-of-way or if the applicant intends to request a waiver of costs for extraordinary services; for events not involving a public right-of-way or a requested waiver of costs, the license request must be submitted at least fourteen (14) calendar days prior to the event.
- c. Application form. License requests must be submitted on an application form supplied by the City Clerk. The form must be complete and must contain a detailed map or diagram indicating the specific location and layout of the event. The map must also include any proposed street closures and the proposed route and direction of route, including all turns and the number of traffic lanes to be used, if applicable.
- d. Application Fee. A license application fee shall be set by the Common Council and listed in the City's Official Fee Schedule. The fee is due in full for a license

request to be deemed submitted to the City. The application fee is non-refundable unless the application is denied because it is submitted late. Events sponsored entirely by a registered non-profit organization or government entity are exempt from paying an application fee.

- e. Insurance. Applications must be accompanied by a certificate of insurance showing that the applicant is covered by general liability insurance by an insurance company licensed to do business in Wisconsin in the minimum amount of \$300,000 for the injury or death of one person, \$50,000 for property damage, and an aggregate of \$1,000,000 coverage for the event. Additional insurance may be required depending on the nature of the event and as determined by the City, which will be communicated to applicant by the City Clerk at least ten (10) calendar days prior to the event. If additional insurance is required, the applicant must provide the City Clerk with a certificate of insurance in the required amounts at least five (5) calendar days prior to the event. All certificates of insurance must list the City of Baraboo as an additional insured.
- f. Additional Licenses, Permits and Fees. The applicant is solely responsible for ensuring the event has all other necessary license, permits and variances prior to the event including, but not limited to, alcohol licenses, vendor permits, noise variances, etc.
- g. Applicant Requirements. Applicants must be at least 18 years of age or older. If the applicant is a corporate or government entity, the application must be signed by an authorized agent of the entity. The applicant must agree to indemnify, defend and hold harmless the City of Baraboo as it pertains to the event.
- h. Acceptance of Application. Applications not meeting the requirements of this ordinance shall be denied by the City Clerk.
- i. Application Review. Applications are reviewed by employees from the following City departments: Administration, Finance (City Clerk), Fire, Parks, Recreation & Forestry, Police and Public

Works. Each department will recommend either approving or denying the application. The City Clerk will issue the license only upon receiving a recommendation for approval from all departments. Each department must recommend approving or denying an application based on the information relevant to that department. A department's decision to recommend approving or denying an application may be based on, but is not limited to, the following:

1. Use of department resources,
 2. Costs to the department,
 3. Any perceived public health or safety problems related to the department or jurisdiction covered by the department,
 4. If the applicant has a history not complying with this ordinance, including past failures to pay the application fee or costs, and/or other applicable rules or regulations. If a recommendation for denial is made by a department, an explanation must be provided to the City Clerk which will then be provided to the applicant upon request of the applicant.
- j. Priority. All license requests are accepted first come, first served. For purposes of determining the priority of an application, any amendment, or resubmittal of license application shall become the date the license request is submitted to the City Clerk.
- k. Waiver. Some or all of the license requirements may be waived in cases where the United States Secret Service or other government entity notifies the City of a proposed event in which it will be assisting with security details. It will be at the discretion of the City Administrator which requirements will be waived.

(3) SAFETY

- a. Security. All events must have at least one designated head of security who must, at minimum, be:
1. 18 years of age or older,

2. At the event for the duration of the event,
3. Reachable by phone at all times during the event by the City, and
4. Able to call 911 during the event.

- b. Additional Safety Features. The Police, Fire or Public Works Department may require the applicant to have additional safety features at an event, in which case the City Clerk will let the applicant know what additional safety features the event will need at least seven (7) calendar days prior to the event. If the applicant declines to provide the additional security features, the application may be denied.

(4) SET-UP AND CLEAN-UP

- a. Set-Up. Set-up for an event, including, but not limited to, dropping off supplies and erecting tents, shall not take place more than four (4) hours in advance of an event unless approval for earlier set-up has been granted by the department head or designee with jurisdiction over the location of the event.
- b. Markings. No markings, including temporary markings, shall be allowed on City property for an event.
- c. Portable Toilets. It is the responsibility of the applicant to ensure a reasonably adequate number of portable toilets are available during the event.
- d. Waste and Recycling Receptacles. It is the responsibility of the applicant to ensure reasonably adequate number of waste and recycling receptacles are present during the event.
- e. Clean-Up. It is the responsibility of the applicant to ensure the location of the event is left in the same condition it was in prior to the event. All clean-up efforts must be completed within four (4) hours after the conclusion of the event unless approval for additional clean-up time has been granted in writing by the Department with jurisdiction over the location of the event. During and following a special event, the applicant of the event shall be responsible for the cleanup of all streets, sidewalks and alleys within the area of the special event.

Special Event Permit – Proposed Changes

The City of Baraboo, Wisconsin

Background: All events occurring in the City of Baraboo that meet the definition of being a Special Event require a City issued Special Event license. It is proposed that the current ordinance be updated to be more specific on what information is required of the applicants requesting a Special Event Permit.

A “special event,” can be summarized as: a temporary gathering of people for a planned event on City property that is not within the normal and ordinary use of the property, or an event on private property that will require the use of extraordinary City resources.

New Requirements:

- Applicants requesting public right-of-way closures must meet with City Staff within 7 days of submitting their application. The amendments defines “public right-of-way” to include highways, streets, alleys, sidewalks and public parking lots located within the City of Baraboo.
- For all approved public right-of- way closures, within five calendar days of the event, the applicants must notify all owners/occupants on the public right of way or portion thereof, that is requested to be closed. The notice must include the event, the date, and the time the streets are to be closed. Notices must be delivered to each owner and occupant of property located on or adjacent to the closed public right-of-way. A copy of this notification must be submitted with the original Special Event permit application along with the names of owners/occupants to be served, which will be reviewed by City staff. The applicant must then make such notification within five days of the event and provide the City with affirmation of such notice.

Note: (*one*) [*Not Required*] [*Budgeted Expenditure*] [*Not Budgeted*]
Comments:

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTION 12.05(1) (2) OF THE MUNICIPAL CODE OF THE CITY OF BARABOO, SAUK COUNTY, WISCONSIN, RELATED TO THE LICENSING OF SPECIAL EVENTS

THE COMMON COUNCIL OF THE CITY OF BARABOO, SAUK COUNTY, WISCONSIN DO ORDAIN AS FOLLOWS:

WHEREAS, §12.05(1) and (2) of the Municipal Code for the City of Baraboo shall be amended to read as follows:

1) DEFINITIONS. As used in this ordinance, the following terms have the following meaning:

- (a) “Applicant” means the person applying for the special events license.
- (b) “City Property” includes all buildings, parks, parking lots, streets, sidewalks and other rights-of-way and any other property owned, leased, managed or controlled by the City of Baraboo.
- (c) “Extraordinary services” means reasonable and necessary services provided by the City which specifically result from the special event. Extraordinary services result in measurable financial costs which are above and beyond the normal levels of public health and safety services on a non-event day. Extraordinary services will normally be those services requiring city employees to be specifically assigned to tasks in support of the special event and/or those services resulting in overtime pay or similar costs which

result from the event. Examples of extraordinary services may include police protection, traffic control, fire monitoring, parks services, and other services necessary to ensure the protection of participants and citizens, the proper functioning of City services, and the proper administration of this ordinance. The City will make reasonable efforts to adjust the schedules of employees to minimize the requirement for overtime pay or other costs for extraordinary services where sufficient advanced notice of the event is provided.

(d) "Multiple day event" means a special event that occurs on more than one day, where the days are consecutive or at a consistent interval), at the same start and end time and at the same location (e.g., an event occurring on a consecutive Saturday and Sunday from 9:00 am until 5:00 pm or an event occurring three Tuesdays in a row from 5:00 pm until 8:00 pm) One special event license will be issued for a multiple day event.

(e) "Normal and ordinary use" means the way City property should normally and ordinarily be used. Whether an event is considered within the normal and ordinary use of the property is determined by the City department that maintains jurisdiction over the property.

(f) "Public right-of-way shall mean all highways, streets, alleys, sidewalks and public parking lots within the City of Baraboo.

g)f) "Special event" or "event" means a temporary gathering of people for a planned occurrence on City property such as, but not limited to, festivals, concerts, demonstrations, rallies, performances, parades and athletic events, which are not within the normal and ordinary use of that place or which, by the nature of the event, may have a greater impact on City services or resources than would have occurred had the event not taken place. A special event may also occur on private property if it will affect, impact or interfere with the normal and ordinary use of City property by the general public within the vicinity of the event and/or will require the use of extraordinary services. A special event may be a single day event or a multiple day event. The City Administrator or designee shall have the exclusive authority to determine whether or not a license is required for any particular event should there be a question about whether an event meets this definition. The following events are excluded from meeting the definition of being a special event:

1. Funeral processions;
2. Events organized solely by the City and where the City is the applicant;
3. Events which enter into a separate and specific agreement, which is approved by the Common Council, to hold the event pursuant to the terms of the individual agreement. The Council is authorized to modify the terms or requirements of this Ordinance within such an agreement, provided the modifications meet the spirit if not the letter of this Ordinance.

(2) LICENSE REQUIRED.

License Required. No person or entity acting as an event organizer shall set up for, hold, or conduct a Special Event within the municipal boundaries of the City of Baraboo without first obtaining a Special Event license.

(b) License Submittal Date.

1. License requests are deemed submitted to the City when the City Clerk receives the application form, application fee and proof of insurance.
2. License requests must be submitted at least thirty (30) calendar days prior to the event for those events involving the use of a public right-of-way or if the applicant intends to request a waiver of costs for extraordinary services; for events not involving a public right-of-way or a requested waiver of costs, the license request must be submitted at least fourteen (14) calendar days prior to the event.

3. Applicants requesting the closure of any public right-of-way or a portion of it **within the City of Baraboo must meet with designated City staff within seven (7) days of submitting the application**, to be scheduled by City staff.
- (c) Application Form. License requests must be submitted on an application form supplied by the City Clerk. The form must be complete and must contain a detailed map or diagram indicating the specific location and layout of the event. The map must also include any proposed closure of any public right-of-way and the proposed route and direction of route, including all turns and the number of traffic lanes to be used, if applicable.
- (d) Application Fee. A license application fee shall be set by the Common Council and listed in the City's Official Fee Schedule. The fee is due in full for a license request to be deemed submitted to the City. The application fee is non-refundable unless the application is denied because it is submitted late. Events sponsored entirely by a registered non-profit organization or government entity are exempt from paying an application fee.
- (e) Insurance. Applications must be accompanied by a certificate of insurance showing that the applicant is covered by general liability insurance by an insurance company licensed to do business in Wisconsin in the minimum amount of \$300,000 for the injury or death of one person, \$50,000 for property damage, and an aggregate of \$1,000,000 coverage for the event. Additional insurance may be required depending on the nature of the event and as determined by the City, which will be communicated to applicant by the City Clerk at least ten (10) calendar days prior to the event. If additional insurance is required, the applicant must provide the City Clerk with a certificate of insurance in the required amounts at least five (5) calendar days prior to the event. All certificates of insurance must list the City of Baraboo as an additional insured.
- (f) Additional Licenses, Permits and Fees. The applicant is solely responsible for ensuring the event has all other necessary license, permits and variances prior to the event including, but not limited to, alcohol licenses, vendor permits, noise variances, etc.
- (g) Applicant Requirements. Applicants must be at least 18 years of age or older. If the applicant is a corporate or government entity, the application must be signed by an authorized agent of the entity. The applicant must agree to indemnify, defend and hold harmless the City of Baraboo as it pertains to the event.
- (h) Public Right-of-Way Closing. **If the City grants a Special Events license that involves the closing of any public right-of-way in the City of Baraboo, the applicant must notify in writing all owners and occupants of property located on or adjacent to the public right-of-way to be closed. The notice must include a description of the event, the public right-of-way that will be closed, the dates and times of closure and any related parking restrictions.** The applicant must submit a draft notice with the application and a proposed list of owners/occupants that will be provided with the notice. Upon granting of the Special Events license, the City will approve the notice of public right-of-way closure and list of those to be notified, with any revisions. The applicant shall deliver the notice to the owners/occupants within five (5) calendar days of the Special Event and provide the City with an affirmation that such delivery has been made before the event. Acceptance of Application. Applications not meeting the requirements of this ordinance shall be denied by the City Clerk.
- (i) Application Review. Applications are reviewed by employees from the following City departments: Administration, Finance (City Clerk), Fire, Parks, Recreation & Forestry, Police and Public Works. Each department will recommend either approving or denying the

application. The City Clerk will issue the license only upon receiving a recommendation for approval from all departments. Each department must recommend approving or denying an application based on the information relevant to that department. A department's decision to recommend approving or denying an application may be based on, but is not limited to, the following:

1. Use of department resources,
2. Costs to the department,
3. Any perceived public health or safety problems related to the department or jurisdiction covered by the department,
4. If the applicant has a history not complying with this ordinance, including past failures to pay the application fee or costs, and/or other applicable rules or regulations.

If a recommendation for denial is made by a department, an explanation must be provided to the City Clerk who will then provide them to the applicant upon their request.

- (j) Priority. All license requests are accepted first come, first served. For purposes of determining the priority of an application, any amendment, revision or resubmittal of a license application shall become the date the license request is submitted to the City Clerk.
- (k) Waiver. Some or all of the license requirements may be waived in cases where the United States Secret Service or other government entity notifies the City of a proposed event in which it will be assisting with security details. It will be at the discretion of the City Administrator which requirements will be waived.

NOW THEREFORE, THE COMMON COUNCIL OF THE CITY OF BARABOO, SAUK COUNTY, WISCONSIN DO ORDAIN AS FOLLOWS:

The amended Ordinance shall take effect upon passage and publication as provided by law.

Mayor's Approval: _____

Clerk's Certification: _____

I hereby certify that the foregoing Ordinance was duly passed by the Common Council of the City of Baraboo on the _____ day of _____, 2021 and is recorded on page _____ of volume 43. A summary of this Ordinance was published in the local newspaper on the _____ day of _____, 2021.

City Clerk: _____

Action Item D

- (4) **RABIES VACCINATION REQUIRED.** It shall be unlawful for any person to keep an adult dog in the City which has not received a rabies vaccination as required by §95.21, Wis. Stats., or to keep an adult cat in the City which has not received a rabies vaccination. No license shall be issued until a certificate of rabies vaccination issued by a veterinarian has been presented to the City Clerk or designee. A rabies vaccination tag shall be attached to the collar of all licensed dogs and cats at all times, except as provided in §95.21, Wis. Stat.
- (5) **UNTAGGED DOGS AND CATS.** Untagged adult dogs and cats are prohibited. An adult dog or adult cat is considered to be “untagged” if a rabies vaccination tag or City-issued license tag is not attached to a collar which is kept on the dog or cat whenever the dog or cat is outdoors unless the dog or cat is confined.

29.11 NUMBER OF DOGS AND CATS PER HOUSEHOLD LIMITED; SPECIAL EXCEPTION PERMIT.

- (1) **DOG AND CAT LIMITS.** Except as otherwise permitted by this Chapter, no person shall own, harbor or keep more than two adult dogs and two adult cats in a household. If more than two adult dogs and two adult cats are owned, harbored or kept in or by any one household, the head of the household shall be deemed the person so owning, harboring or keeping such animals, notwithstanding that the dog or cat license or licenses may be issued to other members of the household as owners of such animals.
- (2) **SPECIAL EXCEPTION PERMIT.** The Common Council shall be authorized to grant a Special Exception Permit to allow a greater number of adult dogs and/or adult cats for a specific household provided the following conditions are satisfied:
 - a. Permit Request.
 - i. The head of household must submit a request for a Special Exception Permit in writing to the City Clerk, who, upon receipt, shall schedule the request to be considered at the next regularly scheduled Administrative

Committee meeting where the notice requirements described in sub. ii, below, can be timely made.

- ii. Upon receiving the request, the City Clerk or designee shall attempt to notify the owners of property immediately adjacent to the requestor’s property regarding the request. This attempt shall be made by regular mail to be posted at least 10 calendar days prior to the date of the Administrative Committee meeting at which the application will be heard.
- b. Administrative Committee Review. Before the Council considers a request for a Special Exception Permit, the request shall be reviewed by the Administrative Committee. If the Administrative Committee finds that the Permit should not be issued based on the factors listed in Subs. (c) i-vii, below, this determination shall be final and shall constitute a formal denial of the request. If the Administrative Committee finds that the Permit should be granted, or granted with conditions in addition to those listed in Par. (3), below, this determination shall be deemed a recommendation only and the final determination shall be made by the Council.
- c. Common Council Authorization. Upon a recommendation from the Administrative Committee to grant a Special Exemption Permit, or to grant a Special Exemption Permit with conditions in addition to those listed in Par. (3), below the Council shall make the final determination based on the following factors: (1885 10/08/96, 2448 09/13/16)
 - i. Whether the need for the additional animal is based on a change in

Cats & Dogs – Proposed Changes

The City of Baraboo, Wisconsin

Background: The City’s codebook currently allows for no more than 2 adult dogs and 2 adult cats. It has been discussed that we should amend this limit to be no more than 3 adult dogs or 3 adult cats with a combined total of 4 adult animals.

Note: (✓one) [x] Not Required [] Budgeted Expenditure [] Not Budgeted
Comments:

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTION 29.11(1) OF THE MUNICIPAL CODE OF THE CITY OF BARABOO, SAUK COUNTY, WISCONSIN, RELATED TO THE LIMITATION ON THE NUMBER OF DOGS AND CATS PER HOUSEHOLD

THE COMMON COUNCIL OF THE CITY OF BARABOO, SAUK COUNTY, WISCONSIN DO ORDAIN AS FOLLOWS:

Section 1: Section 29.11 of the Municipal Code of the City of Baraboo shall be and hereby is amended to read as follows:

29.11 NUMBER OF DOGS AND CATS PER HOUSEHOLD LIMITED; SPECIAL EXCEPTION PERMIT.

(1)DOG AND CAT LIMITS. Except as otherwise permitted by this Chapter, no person shall own, harbor or keep more than three adult dogs and three adult cats, and no more than a combined total of 4 adult animals in a household. If more than three adult dogs, three adult cats, or four adult animals total are owned, harbored or kept in or by any one household, the owner of the household shall be deemed the person so owning, harboring or keeping such animals, notwithstanding that the dog or cat license or licenses may be issued to other members of the household as owners of such animals.

Section 2: The amended Ordinance shall take effect upon passage and publication as provided by law.

Mayor’s Approval: _____

Clerk’s Certification: _____

I hereby certify that the foregoing Ordinance was duly passed by the Common Council of the City of Baraboo on the ___ day of _____, 2021 and is recorded on page _____ of volume 43. A summary of this Ordinance was published in the local newspaper on the ___ day of _____, 2021.

City Clerk: _____