

Important Update: Meeting Packets

For the safety of both residents and the Town's cyber systems, **full meeting packets will no longer be posted online.**

What's available online: A summary of meeting topics and recommendations.

Physical packets: Complete meeting packets are available for review at the Town Clerk's office. Copies can be made at **25¢ per page.**

This change helps protect sensitive information while keeping residents informed and engaged.

Meeting ID: 837 3024 9910
Passcode: 564448

REMOTE PARTICIPANTS MUST JOIN USING AN AUTHENTICATED ZOOM ACCOUNT AND WILL BE ADMITTED INDIVIDUALLY FROM THE WAITING ROOM.

**TOWN OF GIBRALTAR
REGULAR MONTHLY MEETING
WEDNESDAY, SEPTEMBER 2, 2026
GIBRALTAR TOWN CENTER
4097 HIGHWAY 42, FISH CREEK WI 54212
6:00 P.M.**

AGENDA*

- | | |
|---|-----|
| 1. Call to Order | |
| 2. Pledge of Allegiance | |
| 3. Roll call/quorum | |
| 4. Approve the agenda | D/A |
| 5. Approve minutes of previous meeting(s) | D/A |
| 6. Correspondence | |
| 7. Committee reports (Reports are for informational purposes only) | |
| 8. Public Comment | |
| 9. Consideration of National MS Society application for Temporary Class “B” Beer License | D/A |
| 10. Update from Cedar Corp. on Spruce Street area /storm water/infrastructure design | D/A |
| 11. Consideration of options from proposals for pedestrian railing along Highway 42 from Hide Side | D/A |
| 12. Consideration of recommendation from Broadband Committee with options for proceeding with broadband service(s) | D/A |
| 13. Consideration of Ordinance 2026-02, Regarding Appointment of Alternate Members to the Board of Review (Repealing and Replacing Ordinance 2003-01 and 2021-02) | D/A |
| 14. Consideration of appointment of alternate members to the Board of Review | D/A |
| 15. Consideration of Resolution 2026 Appointing Alternate Members to the Board of Review pursuant to Ordinance 2026-02 | D/A |
| 16. Consideration of amendments to Ordinance 2025-02, Architectural Design Standards and updated fee schedule | D/A |
| 17. Consideration of amendments to Ordinance 2026-01, Regarding Issuance of Alcohol Beverage Licenses and updated fee schedule | D/A |
| 18. Review of 2027 health insurance employer benefits contribution | D/A |
| 19. 2026 Firework event recap and future plans | D/A |
| 20. Approve financing for 2027 projects and grant funds | D/A |
| 21. Disposition of replaced lamp posts | D/A |
| 22. Approve Door County Tourism Zone Bylaws amendments | D/A |
| 23. Set date for budget workshop | D |
| 24. Payment of accounts | D/A |
| 25. Adjourn | D/A |

/s/ Steve Sohns, Chair

***DEVIATION IN ORDER MAY OCCUR**

Posted: August 28, 2026	<u>X</u>	Fish Creek Post Office
	<u>X</u>	Fish Creek BP
	<u>X</u>	Town Center Display Case
Laura Reetz, Clerk	<u>X</u>	Town Website

In compliance with the Americans with Disabilities Act, any person needing assistance to participate in this meeting, should contact the Office of the Town Clerk at (920) 868-1714. Notification 24 hours prior to a meeting will enable the Town to make reasonable arrangements to ensure accessibility to that meeting.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

**Any item may have action taken unless otherwise specified*

Approved:

**TOWN OF GIBRALTAR
REGULAR MONTHLY MEETING WITH
CLOSED SESSION PER WIS. STATS. §19.85(1)(d)
WEDNESDAY, AUGUST 5, 2026
GIBRALTAR TOWN CENTER
4097 HIGHWAY 42, FISH CREEK, WI 54212
6:00 p.m.**

Call to order: Chair Sohns called the regular meeting to order at 6:00 p.m.

Roll call/quorum: Board members present: Chair Sohns, Supervisor Birmingham, Supervisor Hancock (arrived at 6:03 p.m.) Supervisor Selenica, and Supervisor Merkel. Board member(s) absent: None.

Pledge of Allegiance:

Adopt agenda: *Motion (Selenica/Merkel) to approve agenda as presented. Carried.*

Approve minutes of previous meeting(s): *Motion (Birmingham/Merkel) to approve minutes from July 1, 2026 Regular Meeting as presented. Carried. Motion (Selenica/Birmingham) to approve minutes from July 13, 2026 Special Joint Town Board and Harbor Commission Meeting as presented. Carried.*

Reports:

Parks and Lands: Buske reported Eagle Bluff Lighthouse tour is scheduled for August 7. Committee has received several bench donations and donated flagpole has been installed at cemetery. Planning continues for upcoming Committee projects.

Fire Department/EMR: Chief Bertges submitted a written report. July call volume was 40, down from 48 in July 2025. Significant incidents include a drowning at Nicolet Bay, a CPR/AED response at the Settlement Inn, and a small electrical fire on Cottage Row. Department sold its old engine. Fireworks and Hairpin Run events were well managed with one medical call at each. He stressed the importance of wearing life jackets, especially in light of recent events.

Police Department: Chief Roesch reported Tahoe was repaired with a new engine. He participated in Culver's Lights of Christmas, attended Joint Drug Task Force meeting and utilized drone during search for missing kayakers. July 2 fireworks event went smoothly.

VFC: Schultz reported business at Visitor Center is proceeding as usual. Updated sign ordinance was distributed to business members. Summer concert series continues to be well attended.

Noble House: Buske reported concerts and tours continue to be well attended. She thanked Gibraltar EMR for assisting a docent who experienced a medical event and reported HCC donations continue to be received, including a significant donation in honor of Helen Allen.

Airport: Thyssen reported construction on new hangars continues. One hangar has been framed, and steel work is nearing completion. Asphalt regrading will be completed later in season.

Watershed: Thyssen reported WAV stream monitoring was completed.

Plan Commission: Thyssen reported Plan Commission approved amended design standards application certificate for change in roofing material for 9430 Spruce Street. Commission continued review of Chapter 2 county zoning district language. Commission also discussed its ongoing goal work.

Harbor Commission: Cain-Bieri reported on behalf of Harris who is out of Town for business. Operations at dock are going smoothly and LeClair is doing a great job. Commission is awaiting Board direction regarding waterfront project. July revenues were down slightly but year-to-date revenues up more than 10 percent.

Door County Tourism Zone/Room Tax: Thyssen reported May room tax collections exceeded May 2025. Commission discussed several noncompliant lodging operators and efforts to bring those properties into compliance.

Building Committee: Committee will meet later this month to begin its annual building review. Approximately 95 percent of maintenance items identified during last year's review have been completed.

Door County Coastal Byways: Reetz reported next meeting is August 17, 2026.

Broadband: Committee is meeting Wednesday August 12, 2026.

County Board Representative: Hancock reported Matt DeCour has been appointed as new Highway Commissioner. County approved improvements to create museum and archive space in former Younkers building.

Clerk: Reetz reported public testing of the voting equipment was completed successfully and in person absentee voting activity has increased. She will attend WMCA annual conference later this month.

Treasurer: Cain-Bieri reported she has begun working on 2027 budget and anticipates meeting with Finance Committee soon. 2027 health insurance renewal rates have been received and will be presented to the Board. She is finalizing accounting for July 2 fireworks event and will provide a summary of expenses and donations. Five short-term rental properties remain unlicensed and enforcement efforts are underway.

Administrator: Thyssen reported maintenance staff continues to keep up with lawns, buildings, garbage collection and removal of fallen and hazardous trees. Work continues on Spruce Street project and preliminary budget preparation. He attended condominium association meetings to answer questions regarding Town projects, internet service, roads, and signage.

Chair: Chair Sohns noted he attended CIA meeting and CI Road and Facilities Review. Roads looked good before tornado. There is a TAC meeting in Stevens Point to review legislative items submitted by towns and develop plan for upcoming legislative session. He will address WTA Board regarding TAC membership and legislative action discussed by TAC.

Public Comment: Karl Stubenvoll addressed Board regarding boat trailer parking lot. Pat Quin commented that Cedar Street and Maple Street project was a significant improvement.

Consideration of VFC Special Event Request: Jack O' Lantern Days: October 30-November 1, 2026: Karlie Schultz presented request on behalf of Visit Fish Creek. *Motion (Birmingham/Selenica) to approve Jack O' Lantern Days on October 30-November 1, 2026. Carried.*

Consideration of DC Pedal Productions Special Event Request: Door County Century Ride: September 13, 2026: Brian Fitzgerald presented request on behalf of DC Pedal Productions. *Motion (Selenica/Hancock) to approve Door County Century Ride on September 13, 2026. Carried.*

Consideration of Special Event Request: Door County Fall 50: October 24, 2026: Brian Fitzgerald presented request. *Motion (Selenica/Hancock) to approve Door County Fall 50 on October 24, 2026. Carried.*

Consideration of Special Event Request: On Deck Year End Tent Sale: September 5, 2026: Mitch Larson present on behalf of On Deck. *Motion (Birmingham/Hancock) to approve year-end tent sale on September 5, 2026. Carried.*

Update from Cedar on Spruce Street area/storm water/infrastructure design: Mike Kaster presented 30% conceptual design for Spruce Street area, stormwater improvements and related infrastructure. Proposed plans remain conceptual and will continue to be refined through public and Board input. Supervisors asked questions and provided feedback regarding green space, pedestrian circulation, Clark Park, parking layout, marina parking requirements, east launch operations, Harbor Walk Park, stormwater infrastructure, utilities, proposed dry hydrant, lighting, and overall project phasing. Kaster documented comments and the requested revisions. Public

comments were received from Laurie Buske, Andrea Kinsey-Jauquet, Pat Quinn, and Barb McKesson. No action was taken.

Trackless repairs: Thyssen reviewed proposed repairs to trackless. Machine was taken to McQueen for a thorough inspection after approximately five or six years of use. Inspection identified minor and major repairs, including damage sustained after the machine caught a rock during winter operations. Funding for the repairs was discussed. *Motion (Merkel/Birmingham) to move forward with repairs. Carried.*

Consideration to explore sale of boom flail mower and joint use agreement with Village of Sister Bay: Chair Sohns advised he was contacted by Village of Sister Bay maintenance staff regarding its interest in purchasing Town's Trackless brusher attachment. Board discussed Town's limited use of attachment, potential future use and whether to enter into a joint use agreement. *Motion (Selenica/Merkel) to sell the Trackless brusher attachment to the Village of Sister Bay for \$20,000 without a joint use agreement.*

Right of first refusal Hangar A-4: *Motion (Birmingham/Hancock) to waive Town's right of first refusal for Hangar A-4. Carried.*

Sale of Hangar A-4 from Mary Houck to Fabian Waleffe: *Motion (Merkel/Selenica) to approve sale of Hangar A-4 from Mary Houck to Fabian Waleffe. Carried.*

Recommendation to enter into lease with Fabian Waleffe for Hangar A-4: *Motion (Birmingham/Merkel) to approve hangar lease agreement with Fabian Waleffe for Hangar A-4. Carried.*

Consideration of bids for crack filling/infrared heat patching: Thyssen reviewed bids received for crack filling and infrared heat patching. *Motion (Selenica/Birmingham) to award the bid for crack filling and infrared heat patching to Fahrner. Carried.*

Consideration of Gibraltar Fire Department funding request for Chambers Island: Chief Bertges presented a request for \$10,000 toward the purchase of an emergency siren system and water tender for Chambers Island. Bertges explained request would complete final phase of a long-term public safety project and discussed opportunity to acquire both items at a reduced cost. Board discussed ongoing maintenance, ownership of equipment and emergency communication on Island. *Motion (Birmingham/Hancock) to approve \$10,000 toward the purchase of the emergency siren system and water tender for Chambers Island. Carried.*

Consideration of Parks and Lands Committee recommendation for RFP for Fish Creek Park Trail (Knowles Nelson): Board reviewed proposed RFP for design services. Sohns requested scope of work be amended to specify that the plans accommodate multimodal access, including snowmobiles and grooming equipment. Gary Bogenschutz addressed Board regarding snowmobile use and applicable trail and bridge specifications. *Motion (Selenica/Merkel) to authorize staff to issue an RFP for Fish Creek Park Trail (Knowles Nelson) project with changes as discussed. Carried.*

Consideration of Fish Creek Park Bridge: Thyssen explained proposed trail alignment would replace two existing low-lying crossings with one bridge on higher ground. He advised a community member expressed interest in funding an enhanced covered bridge and Parks and Lands Committee supported concept. Board discussed bridge dimensions, durability, maintenance, and accommodating snowmobiles and equipment. Gary Bogenschutz addressed Board regarding snowmobile use and bridge specifications *Motion (Merkel/Selenica) to move forward with consideration of Fish Creek Park covered bridge. Carried.*

Consideration of installation of pedestrian railing along Highway 42 from Hide Side to Founders Square, design, funding options: Thyssen reported community members consulted supported installation of railing provided it matched existing railing. Board discussed railing

material, durability, timing, and inclusion with next phase of downtown project. Railing should match material, quality and specifications of existing railing by Noble House. *Motion (Selenica/Birmingham) to authorize staff to solicit prices for a railing matching the material and specifications of existing railing by Noble House and return proposals to Board for consideration. Carried.* Cedar will get a price and bring back to Board.

Consideration of authorization for staff to submit application for Wisconsin Elections Commission 2026 Election Security Subgrant: Reetz stated grant could be used to offset cost of recent security upgrades, provided it does not duplicate previously awarded grant funding. Additional security measures may be eligible under program. *Motion (Sohns/Birmingham) to authorize staff to submit application for the 2026 Wisconsin Elections Commission 2026 Election Security Subgrant. Carried.*

2026-2027 propane contract: Thyssen reviewed propane proposals received for 2026-2027 heating season.. *Motion (Birmingham/Merkel) to award the 2026-2027 propane contract to Milton. Carried.* Cain-Bieri advised we would need to buy tank at 4148 Main Street or swap out tank from cold storage

November meeting date: Request to reschedule November meeting date due to November 3rd election. Board discussed holding regular meeting on Wednesday, November 11, 2026, and combining it with 2027 budget hearing if feasible. Consensus to hold regular meeting on November 11, 2026.

Payment of Accounts: *Motion (Birmingham/Hancock) to approve payment of bills. Carried.*

Adjourn to closed session according to Wisconsin State Statutes 19.85(1)(c): *Motion (Birmingham/Selenica) to adjourn to closed session at 8:36 p.m. via roll call vote. Birmingham aye, Sohn's aye, Hancock aye, Merkel aye, Selenica aye. Carried.*

(d) Considering specific applications of probation, extended supervision or parole, or considering strategy for crime detection or prevention: municipal security.

Reconvene to open session pursuant to State Statute 19.85(2) to take any action(s) or adopt resolution(s) on issues discussed in closed session: *Motion (Birmingham/Selenica) to reconvene to open session at 9:00 p.m. Carried.*

Approve action(s) taken in closed session: *Motion (Selenica/Merkel) to go into contract with Door County It as discussed in closed session. Carried.*

Adjourn: *Motion (Birmingham/Hancock) to adjourn at 9:01 p.m. Carried.*

Respectfully submitted,

Laura Reetz, Clerk

Approved:

**TOWN OF GIBRALTAR
SPECIAL TOWN BOARD MEETING
MONDAY, AUGUST 17, 2026
GIBRALTAR TOWN CENTER
4097 MAIN STREET
FISH CREEK, WI 54212
5:30 P.m.**

Call to order: Chair Sohns called the special meeting to order at 5:34 p.m.

Roll call/quorum: Board members present: Chair Sohns, Supervisor Birmingham, Supervisor Selenica and Supervisor Merkel. Board members absent: Supervisor Hancock.
Also Present: Administrator Thyssen

Agenda/proper notice/adopt agenda: *Motion (Selenica, Merkel) to approve the agenda as presented. Carried.*

CMAQ grant acceptance and fiscal discussions: Thyssen gave a background of the grant and application and discussed applying for additional grants and fundraising to assist with the town's portion. Cain-Bieri discussed financing ideas to include borrowing and line of credit. *Motion (Sohns, Birmingham) to approve the CMAQ grant and allow the treasurer explore financing options for up to \$600k with additional fundraising efforts to support the project. Carried.*

Adjourn: *Motion: (Selenica, Merkel) to adjourn at 6:19. Carried*

Respectfully submitted,

Theresa Cain-Bieri, Deputy Clerk



NOTICE OF ENTRY IN THE NATIONAL REGISTER
AND/OR STATE REGISTER OF HISTORIC PLACES

Name of property: Jennibel Shipwreck (Schooner)
Location: In Lake Michigan, near the Town of Gibraltar, Door County
Date of Entry: August 10, 2026
Designation: ☒ State Register of Historic Places
☒ National Register of Historic Places

The property listed above has been entered in the National Register of Historic Places by the Secretary of the Interior, and listed in the State Register of Historic Places by the State Historic Preservation Office.

Accordingly, this property is entitled to the benefits and protections of the National Historic Preservation Act of 1966, as amended and under Chapter 44, Wisconsin Statutes. It will receive limited protection from encroachment by federal or state assisted or licensed projects or state facilities development projects, and may be eligible to apply for matching grants for research, restoration, acquisition, or stabilization. Certain tax incentives are available to depreciable properties listed in the State Register or National Register.

The State Register and National Register programs are administered by the State Historic Preservation Office of the Wisconsin Historical Society, Tricia Canaday, State Historic Preservation Officer. Questions about the State Register and National Register programs in Wisconsin should be addressed to:

State Historic Preservation Office
Wisconsin Historical Society
816 State Street
Madison, WI 53706
Telephone: 608-264-6501

To: Town Board
From: Town Staff

Request:

Approval of a Temporary Class "B" Beer License for the National MS Society for the MS Challenge Walk on September 25, 2026.

Background:

The Town Board approved the special event request for the 2026 MS Challenge Walk on April 1, 2026. The event request indicated that the National MS Society would be applying for a Temporary Class "B" Beer License in conjunction with the event.

Analysis:

The National MS Society has now submitted the application for a Temporary Class "B" Beer License to provide complimentary beer to participants following the event. A Temporary Class "B" Beer License was issued for the 2025 MS Challenge Walk, and beer was served following the event with no reported issues.

Recommendation:

Staff recommends approval of the Temporary Class "B" Beer License.

Fiscal Impact:

\$10 license fee revenue.

To: Town Board

From: Staff

Request:

Direction on options for the Main Street railing

Background:

At the August Board meeting staff were directed to refine the options for the railing on Main Street.

Cedar Co. requested bids and did analysis on durability as well as rust and corrosion resistance. Three options were presented aluminum, 304 stainless steel and 316 stainless steel all three would be power coated painted. Cedar set a fall install deadline.

Analysis:

Two firms responded with proposals one agrees with Cedar that aluminum would not hold up to the salt and snow as well as strength for snow load and recommended the powder coated stainless steel options. The 304 steel would meet any protections and durability expectations however 316 stainless steel is marine grade and would be the optimum material, optimum always comes with a higher price tag in this case 30-40% more.

The manufacturing company that created the Noble railing (Schuh) is interested in bidding but declined due to the timeline. If the railing was incorporated into the Spruce St project and had a spring install, they would submit a proposal.

Recommendation:

Given the install time is set currently for Nov after the busy season the board could decide to include this in the Spruce Project, allowing a better timeline and potentially more competitive bids.

Fiscal Impact:

The cost will need to be used as a capital expense.

To: Town Board

From: Broadband Committee

Request:

Allow the committee to continue discussing with vendors and looking at options for high-speed internet in the Town of Gibraltar.

Background:

The committee completed research over three years, including formulating a contract that ultimately was rescinded due to cause. The committee assisted in the “wait and see period” and recently met to investigate next steps.

Analysis:

The internet committee discussed and is asking for board support to continue new due diligence in seeking high speed internet for the Town of Gibraltar. This will include new interviews with firms, and a review of the Towns need -vs- cost.

Recommendation:

Dennis Stigenberger (committee chair) will discuss the committee’s recommendations at the meeting and will be present to answer questions.

Fiscal impact:

There is no fiscal impact on this request.

Approved:

**TOWN OF GIBRALTAR
BROADBAND AD-HOC COMMITTEE
GIBRALTAR TOWN CENTER
4097 HIGHWAY 42, FISH CREEK WI 54212
WEDNESDAY, AUGUST 12, 2026 , 2:00 p.m.**

Call to order: Chair Steigenberger called meeting to order at 2:00 p.m.

Roll call/quorum: Members present: Dennis Steigenberger, Rich Stultz, Tom Birmingham, Lynn Mercurio, Bob Grawien, Amy Wilde (arrived at 2:02 p.m.) and Karl Stubenvoll. Members absent: None. Also present: Travis Thyssen.

Agenda/proper notice/adopt agenda: Chair Steigenberger confirmed agenda had been properly noticed. *Motion (Stultz/Mercurio) to adopt agenda as presented. Carried.*

Previous minutes: *Motion (Grawien/Mercurio) to approve minutes from June 3, 2026 meeting as written. Carried.*

Public Comment: Tom Birmingham commented on Frontier's planned discontinuation of copper-based landline service.

Update on current internet status: Steigenberger recapped discussion from previous meeting regarding Frontier's broadband grant application. Thyssen reported he spoke with Mike Nelson of Frontier, who confirmed Frontier submitted grant application. No information was available regarding an award or timeline for announcement

Review/select options for proceeding with broadband service(s): Steigenberger presented list of options for Committee to consider in developing recommendation to Board. Options were reviewed, discussed and refined. List of options considered by Committee is attached. Discussion included working with existing and potential providers. There was lengthy discussion regarding Starlink options. Steigenberger explained 10-4 voting process, in which each Committee member is allotted 10 points to distribute among options based on preference, with no more than four points assigned to any one option. Following discussion, Committee voted on the five options considered. Options 1, starting over, and 3, working with providers intending to provide service in Gibraltar, each received highest score with 21 points. Bill Wolff, Bill Weddig, Bruce Christianson and Pat Riordan addressed Committee.

Recommend selected option(s) to Town Board: Committee discussed combining Options 1 and 3 into a recommendation to Board. *Motion (Mercurio/Stubenvoll) to recommend to Board that Town continue with initiative of providing high-speed internet to Town, with first step being to identify and interview firms interested in providing service. Carried.*

Next meeting date: September 9, 2026 at 2:00 p.m.

Adjourn: *Motion (Birmingham/Mercurio) to adjourn at 3:32 p.m. Carried.*

Respectfully submitted,
Laura Reetz, Clerk

Internet/ Ad hoc options

1). Start over 21

a). This option would require the committee to start the process over interviewing each potential provider and choosing one to engage in the same manner as before fiber to all doorsteps.

b). This option will require acceptance of the Town Board for the financial contributions. Essentially a do over will still require substantial fiscal commitment from the Town and will become a debt service from borrowing that taxpayers will be charged.

2). Provide service where it has been identified as non or underserved. 11 am

a). there are approximately less than 100 locations in Gibraltar identified as served and underserved

b). providing additional assistance to these parcels would make everyone accessible to service but the cost to complete would be shared by all property owners. Depending on the commitment there could be costs in the hundreds of thousands.

3). Work with providers that intend on servicing Gibraltar in the future. 21

a). potential providers could be allowed town assistance through waiving of underground fees, or support letters for open grants

b). two firms have currently identified their intent to expand existing systems or update their current footprint with fiber. There will be little to no cost for this choice.

4). Do nothing 10

a). This choice will essentially let the chips fall where they may, not choosing to be involved with any provider on any level

b). there is no cost for this choice

5). Re start conversations with Bertram. 1

a). This option may come with trust issues and significant fiscal commitment.

options w/ resu lt of 8-12-26 vote

To: Town Board
From: Town Staff

Request

Adopt Ordinance 2026-02, Regarding Appointment of Alternate Members to the Board of Review, repealing and replacing Ordinances 2003-01 and 2021-02; and adopt Resolution 2026-02 appointing Alternate No. 1 and Alternate No. 2 to the Board of Review.

Background

The Town's existing Board of Review alternate procedure was established by Ordinance 2003-01 and subsequently amended by Ordinance 2021-02 to appoint the Town's current alternate members. One of the currently appointed alternates has resigned, requiring the Town Board to appoint a replacement. The existing ordinances name the individual alternate members within the ordinance itself. As a result, a change in an alternate requires an amendment to the ordinance.

Analysis

Ordinance 2026-02 repeals and replaces Ordinances 2003-01 and 2021-02 and establishes an updated procedure for the appointment of two Board of Review alternates. The ordinance provides that the Town Chair will nominate two electors to serve as alternate members, with each nomination subject to approval by resolution of the Town Board. The alternates will be designated Alternate No. 1 and Alternate No. 2 to establish the order in which they will be called upon to serve.

Separating the individual appointments from the ordinance allows future vacancies to be filled through the nomination and resolution process without requiring amendment of the underlying ordinance. Resolution 2026-02 approves the Chair's nominations and appoints the two Board of Review alternates as Alternate No. 1 and Alternate No. 2 pursuant to Ordinance 2026-02.

Recommendation

Staff recommends adoption of Ordinance 2026-02 and adoption of Resolution 2026-02 approving the Chair's nominations and appointing Alternate No. 1 and Alternate No. 2 to the Board of Review.

Fiscal Impact

None.

**TOWN OF GIBRALTAR
ORDINANCE 2026-02
REGARDING APPOINTMENT OF ALTERNATE MEMBERS TO THE BOARD OF REVIEW
(Repealing and Replacing Ordinances 2003-01 and 2021-02)**

This ordinance shall repeal and replace Ordinances 2003-01 and 2021-02 in their entirety and is adopted under a new ordinance number.

The Town Board of Gibraltar, County of Door, State of Wisconsin, does hereby ordain as follows:

SECTION 1. PURPOSE; AUTHORITY.

A. The purpose of this ordinance is to provide for the appointment of alternate members to the Town of Gibraltar Board of Review when a regular member is removed, recused, absent, or otherwise unable to serve.

B. This ordinance is adopted pursuant to Wis. Stats. §§ 70.46(1) and 70.47(6m)(c) as amended or renumbered from time to time.

SECTION 2. ALTERNATE MEMBERS, APPOINTMENT AND VACANCIES.

A. The Town Chair shall nominate two electors of the Town of Gibraltar to serve as alternate members of the Board of Review. Each nomination shall be subject to approval by resolution of the Town Board.

B. Alternate members shall be designated Alternate No. 1 and Alternate No. 2 to establish the order in which they will be called upon to serve.

C. Alternate members shall serve until they resign, their appointment is rescinded by the Town Board, or a successor is appointed.

D. In the event of a vacancy in an alternate position, the Town Chair shall nominate an elector of the Town of Gibraltar to fill the vacant position. The nomination shall be subject to approval by resolution of the Town Board.

E. The Town Board may change the designation or priority of alternate members by resolution.

SECTION 3. SERVICE ON THE BOARD OF REVIEW.

A. When a regular member of the Board of Review is removed, recused, absent, or otherwise unable to serve, an alternate member may be called upon to serve in accordance with applicable Wisconsin law.

B. Alternate members shall be called upon to serve in the order designated by the Town Board.

C. An alternate called upon to serve shall have the same authority and responsibilities as a regular member of the Board of Review for the matter or proceeding for which the alternate is serving and shall satisfy all applicable legal requirements before serving.

SECTION 4. SEVERABILITY; EFFECTIVE DATE; REPEALER.

A. **Severability.** If any provision of this ordinance is held invalid or unconstitutional, the remainder shall not be affected.

B. **Effective Date.** This ordinance takes effect upon passage and publication or posting as required by law.

C. **Repealer.** All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of the conflict.

Adopted by the Town Board of Gibraltar this ____ day of September, 2026.

Approved AYE_____ Nay_____

Steve Sohns Town Chairman _____

Jayson Merkel Supervisor _____

Tom Birmingham Supervisor _____

John Selenica Supervisor _____

Vinni Hancock Supervisor _____

Attested:

Laura Reetz Clerk _____

RESOLUTION NO. 2026-09

APPOINTING ALTERNATE MEMBERS TO THE BOARD OF REVIEW

WHEREAS, Ordinance 2026-02 provides for the appointment of two electors of the Town of Gibraltar to serve as alternate members of the Town of Gibraltar Board of Review; and

WHEREAS, Ordinance 2026-02 provides that the Town Chair shall nominate two electors to serve as alternate members, with each nomination subject to approval by resolution of the Town Board; and

WHEREAS, Town Chair Steve Sohns has nominated Sara Lancaster to serve as Alternate No. 1 and James Logerquist to serve as Alternate No. 2;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Gibraltar, Door County, Wisconsin, that the nominations are hereby approved and the following electors are appointed as alternate members of the Town of Gibraltar Board of Review:

Alternate No. 1: Sara Lancaster

Alternate No. 2: James Logerquist

The alternate members shall serve in accordance with Ordinance 2026-02 and applicable Wisconsin law.

Adopted this ____ day of September, 2026, by a majority of a quorum of the Gibraltar Town Board.

Steve Sohns, Chair

Vinni Hancock, Supervisor

Jayson Merkel, Supervisor

Tom Birmingham, Supervisor

John Selenica, Supervisor

Attested:

Laura M. Reetz, Clerk

To: Town Board
From: Plan Commission

Request

Amend Ordinance 2025-02, Architectural Design Standards, to establish a \$100 application fee for a Certificate of Compliance and address the existing special meeting fee when an applicant requests review outside of a regularly scheduled meeting.

Background

Ordinance 2025-02 establishes the Architectural Design Standards and review process for projects within the Fish Creek Design Standards District. An applicant files an application for a Certificate of Compliance and submits building plans and other required materials for review. The Plan Commission then holds a hearing to determine whether the proposed building plans comply with the Architectural Design Standards.

The ordinance was adopted without an application fee. Since its adoption, the Plan Commission has conducted its first hearing under the ordinance. Following that process, the Plan Commission discussed establishing an application fee to offset the administrative costs associated with processing and reviewing applications. At its August 24, 2026 meeting, the Plan Commission recommended establishing a \$100 application fee.

Analysis

The proposed amendment establishes a \$100 fee to be submitted with an application for a Certificate of Compliance. The Town already has an established special meeting fee. The amendment also clarifies that the applicable special meeting fee may be charged when an applicant requests consideration at a special Plan Commission meeting or, in the case of an appeal, at a special Town Board meeting.

Recommendation

Staff recommends approval of the proposed amendments to Ordinance 2025-02, Architectural Design Standards.

Fiscal Impact

\$100 application fee

**TOWN OF GIBRALTAR
ORDINANCE NO. 2025-02
ARCHITECTURAL DESIGN STANDARDS**

Ordinance 2025-02 shall repeal and replace any previous ordinance(s) in whole or part, or any other ordinances that contradict this new Ordinance.

The Town Board of Gibraltar, in the County of Door, State of Wisconsin, does hereby ordain as follows:

Purpose

To promote the orderly development and redevelopment of the built environment in a manner that preserves and enhances the historical, rural, and small-town character of the Town of Gibraltar and to protect the aesthetic integrity and cultural identity of the Town. The standards are intended to guide development in a way that balances individual expression with community values, ensuring that new construction, renovations, and additions are compatible with the Town's historic character.

State Statutes Adopted – Authority

The Board of Supervisors of the Town of Gibraltar is granted authority for adopting this Ordinance under its general powers under §60.10(2)(c) and 60.22(3), Wisconsin Statutes. The Town Board Adopts this Ordinance under its general village powers authority and §66.1014 of the Wisconsin Statutes, 2917 Act 59.

Background

In 2023, the Town of Gibraltar adopted its 2023-2043 Comprehensive Plan as obligated by State Statute (Wis. Stats. 66.1001). The long-range plan reflects the community's shared vision and priorities for the future of the Town and is meant to guide the Town's decision-making in shaping that vision. These Architectural Design Standards are meant to contribute to the fulfillment of the Town of Gibraltar's Comprehensive Plan, 2023-2043 - Goal 2.1: The historical character of the Town's small communities, Fish Creek, Juddville and Maple Grove and its outlying areas are preserved for its residents, visitors and future generations.

Intent

The architectural design standards are intended to protect and preserve the small-town historical character of Fish Creek that gives residents a sense of belonging, draws visitors back again and again, and keeps small businesses thriving in the heart of its downtown. These architectural design standards, along with your own creativity and/or that of your chosen designer, are meant to give your building, business or home, its own personality while complementing the overall historical character of the Town.

Note: Consultation with the local Gibraltar Historical Association is recommended for any building that may have historical value.

These standards are encouraged through the entire Town of Gibraltar. However, they are required in the following locations as depicted on the attached map (Attachment A):

Locations Where Standards are Required

- Both sides of Main Street from the intersection of Hwy 42, west to the water's edge at Sunset Park.
- Both sides of Highway 42 from and including 3970 Highway 42 west to and including 9405 Highway 42 and including Founders Square.
- Both sides of Cottage Row from Ula Street & Spruce Street to the intersection with Cottage Row Court.
- Both sides of Hill Street, Bluff Lane, Spruce Street, Maple Street, Cedar Street, Cedar Court, Ula Street, Evergreen Street, and Cottage Row Court.

Architectural Design Standards to Preserve the Character of Fish Creek

The following architectural design standards are meant to be used for new construction, rebuilds, and the remodeling or rehabilitation of commercial or residential buildings.

Size/Scale – Should be consistent with the buildings in attached Figure 1A.

Roof Style – Gabled, multi-gabled, or hip with or without dormers. False fronts along the roof edge should only be used for rebuilds or to replace an existing roof of the same style.

Roof Materials – Wood, asphalt, or standing seam. Additionally, metal is allowed as an accent or for hidden areas behind a false front.

Exterior Siding Materials – Wood, engineered wood, fiber cement products, or any material consistent with the historic or architectural aesthetic of the area. Materials must visually resemble clapboard. No vertical metal siding is permitted.

Exterior Masonry Materials – Natural local dolomite stone, granite, or stone-like products consistent with the historic or architectural aesthetic of the area.

Exterior Color – Exterior colors should be in neutral tones. Acceptable colors include white, light beige, taupe, gray, cream, and other muted or natural shades that complement the surrounding environment and are consistent with the historic or architectural aesthetic of the area. Black can be used for accents on trims or shutters. Matte finishes only. No patterns. Any change to an exterior building color other than the current color, original color, or white requires Gibraltar Plan Commission review and approval as outlined under the Minor Work Exemptions section.

Windows – Single or multiple panes. No more than 30% glass on the street side of the building. Shutters can be used as an accent.

Doors/Entryways – Should complement other architectural features. A roof over an entryway is encouraged. No sliding patio door or garage door entryways on the street side of the building unless for motorized vehicle garage usage.

Porches – If added, porches should be covered and consistent with the historic or architectural aesthetic of the area and complement other architectural features. “Other architectural features” refers to elements like the overall style, material choices, and design elements that are consistent with the historic or architectural aesthetic of the area. No uncovered decks allowed on the street-side of the building.

Balconies, Towers, or Cupolas – If added, should complement other architectural features. “Other architectural features” refers to elements like the overall style, material choices, and design elements that are consistent with the historic or architectural aesthetic of the area. Any glass will count toward the 30% glass on the street side of the building.

Stairways – No outside stairways to a second floor on the roadside of a building.

Exterior Lighting – Warm, low level, downcast, and controlled. Use of Dark Sky lighting standards are required. See attached Figure 2A.

Design Review Process

1. Approval of Compliance Application

Before beginning any type of exterior construction, alteration, or demolition work within the Fish Creek design standards district, an application for a certificate of compliance must be submitted and approved by the Town of Gibraltar Planning Commission. This includes changes in exterior building color if the proposed new color differs from the existing color, original color, or white. Failure to gain such approval or commencing work before approval can result in enforcement action. **A \$100 application fee shall accompany each Certificate of Compliance application.**

*A certificate of compliance document is a document certifying that a project within the identified Fish Creek Design Standards district meets the standards outlined in Town of Gibraltar ordinances of design standards. Building permits will not be issued within the district without Gibraltar Planning Commission review and approval.

2. Review and Meeting Process

- a. Upon receiving an application for a certificate of compliance (GPC) Gibraltar Planning Commission will review the application materials to ensure that:
 - *Adequate information has been submitted to evaluate the proposal
 - *It complies with all Town ordinances and codes
 - *It is consistent with the Design Standards outlined in this document.
 - *It meets the requirements in the attached Design Standards Compliance Checklist (Attachment B.)
- b. Once the application is completed and the necessary materials are provided, the Gibraltar Planning Commission will hold a review hearing at the next regularly scheduled monthly meeting.
- c. **If an applicant requests review at a special Plan Commission meeting outside the regularly scheduled monthly Plan Commission meeting, an additional special meeting fee may apply.**

Minor Work Exemptions

Ordinary maintenance and repair will be exempt from design standards application and review if the maintenance or repair is identified as one or more of the exemptions listed.

* Repainting the same color, original color or white. Repainting using the existing color, original color, or white is considered a minor work exemption and does not require review. However, any proposed change to an exterior building color other than the current color, original color, or white shall be subject to review and approval by the Gibraltar Plan Commission. The proposed color must comply with the Exterior Color standards outlined in this Ordinance and be approved as part of the Design Standards compliance process.

* Replacement of window glass

* Installation of temporary mechanical equipment (such as a window air condition unit).

* Minor landscape, including vegetable and flower gardens, shrubbery, and tree planting

* Pruning of trees and shrubbery

* Removal of shrubbery

* Repairs to walks, patios, fences and driveways if replacement materials match the existing materials

* Replacement of small amounts of missing or deteriorated trim, siding, roof shingles, porch flooring, steps if replacement materials match the existing.

* Repainting or other masonry repairs if the replacement materials match the existing materials.

* Installation of storm windows and doors if no trim or molding is removed.

* Installation or replacement of gutters and downspouts if no trim or molding is removed.

* New roof coverings as long as the material and color match the existing roof

Major Work

1. In general, these are items which involve a substantial change in the appearance of a building and will require an application and a review process.
 - Demolition and rebuilding
 - Complete remodel
 - New construction
 - Any change to the exterior building color that differs from the current, original, or white color and is therefore subject to Plan Commission review under the Design Standards

2. Completed certificate of Compliance (COC) applications and all supporting materials must be submitted to Town of Gibraltar Planning Commission via Town offices and staff 15 business days prior to the next GPC full commission meeting.
 - a. Staff will review the applications to ensure they are complete and provide notification of the public hearing to all property owners within 300 feet of the proposed site.
 - b. The applicant will appear before the Commission at the assigned monthly meeting.
 - c. The GPC may approve, deny, or suggest modifications to an application to make it acceptable. Hearings may be continued at another meeting if information is required to make a determination. Work may not proceed until the owner has an approved (COC)

How Applications are Evaluated

1. State and local laws give the Town of Gibraltar clear direction on how projects are to be evaluated. Under Town of Gibraltar Town Board Direction, the GPC is charged with developing specific policies dealing with issues related to projects within the Fish Creek Design Standards District. The Town Board appoints full time resident members of the Gibraltar Planning Commission (GPC) who serve 3-year terms.
2. In evaluating a project proposal, the GPC refers to the adopted design standards in this document and utilizes the attached Design Standards Compliance Checklist (Attachment B).
3. The standards in this Ordinance are designed to address the more common issues that come before the Commission. The GPC also recognizes that each property in the Fish Creek design standards district has unique qualities and there are sometimes circumstances that warrant exceptions to the adopted standards and policies. It is the responsibility of a property owner to demonstrate to the Commission that an exemption is justified.
4. In order for the Commission to deny an application for a COC the Commission must find that the proposed project violates one or more of the design standards.

Appeals Process

1. An aggrieved party may appeal the GPC decision to the Gibraltar Town Board within 30 days after the GPC decision. The responsibility of the Gibraltar Town Board is to hear and decide appeals from any order, decision, requirement, or interpretation made by the GPC. Once the appeal is filed it is the responsibility of the GPC and Town staff to forward all papers related to the action to the Gibraltar Town Board. The Town Board will hold a hearing based on the evidence presented at the GPC. **No new evidence may be presented.** If an appellant requests review at a special Town Board meeting outside the regularly scheduled monthly Town Board meeting, an additional special meeting fee may apply.
2. The Gibraltar Town Board will affirm the Planning Commission Decision, deny or remand it back for further review of the GPC.

Enforcement/Fines

1. **Failure to Comply**

The Town of Gibraltar reserves the right to charge penalties for failing to obtain a certificate, starting before, or without approval of any Major work projects located in the Design Standards District. Any work to be completed must be presented to the GPC and become approved before any work commences. This includes failure to obtain a Certificate of Compliance for any exterior building color change that differs from the current, original, or white color. Such color changes are subject to review and approval by the GPC. Performing this type of work without prior approval constitutes a violation of this Ordinance and will be subject to the same enforcement measures and penalties as other unauthorized major work.

Any person, partnership, corporation, limited liability company, or other legal entity that fails to comply with the provisions of this Ordinance, upon conviction will pay a forfeiture of not less than \$100.00 and not more than \$500.00 to be set by the Town Board and recorded on the Town of Gibraltar fee and forfeiture schedule. Together with the costs of prosecution and in rueful default of payment of such forfeiture and cost of prosecution, shall be imprisoned in the County jail until said forfeiture is paid, but not exceeding 60 days. Continued noncompliance will result in continued fines daily until remedies have been met.

Penalties set forth in this section shall be in addition to all other remedies of injunction, abatement, or costs, whether existing under this Ordinance or otherwise.

Any violations of any of the sub-sections of this Ordinance may stipulate guilt or no contest and may pay the Town Clerk. Such payment will make it unnecessary for the subject charged to appear in court and will act as a basis for the court to enter a judgment and order forfeiture of the bond. Forfeitures, penalty assessments, costs and fees shall be disbursed as provided in Wisconsin Statutes, Section 66.12

2. **Permit and fee schedule.** The fines and forfeitures established by the Town of Gibraltar Board of Supervisors shall correlate with the administrative and related costs involved in the compliance monitoring. A schedule of fees is available for review on the Town website.

3. **Enforcement**

- a. The Town of Gibraltar Police Department, or designee shall be the established enforcement structure for issuance of any warnings, notifications or forfeitures.
- b. The Town of Gibraltar has an established Planning Commission that reviews complaints, notifications, and forfeitures that have been issued against an owner. The Planning Commission is granted authority to review and notify any owner of any decision against the owner. The GPC will report all activities and actions to the Gibraltar Town Board.
- c. An applicant may request an appeal of a GPC decision; however, such appeals will be heard at the sole discretion of the Town Board.
*The goal is to incentivize compliance with the appropriate fees and fines but not be unduly burdensome or so that it prevents users from participating in the enforcement and

regulatory process. Additionally, it is not the intent of the Town Board or the Gibraltar Planning Commission to be overburdensome to the owners inside the district but work with them to become compliant.

Severability

If any portion of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such a decision shall not affect the validity of any other provisions in this Ordinance.

Originally adopted by the Town Board of Gibraltar on May 14, 2025.

Amended by the Town Board of Gibraltar on July 9, 2025.

Amended this ____ day of September, 2026.

Steven Sohns Town Chairman _____

Jayson Merkel Supervisor _____

Tom Birmingham Supervisor _____

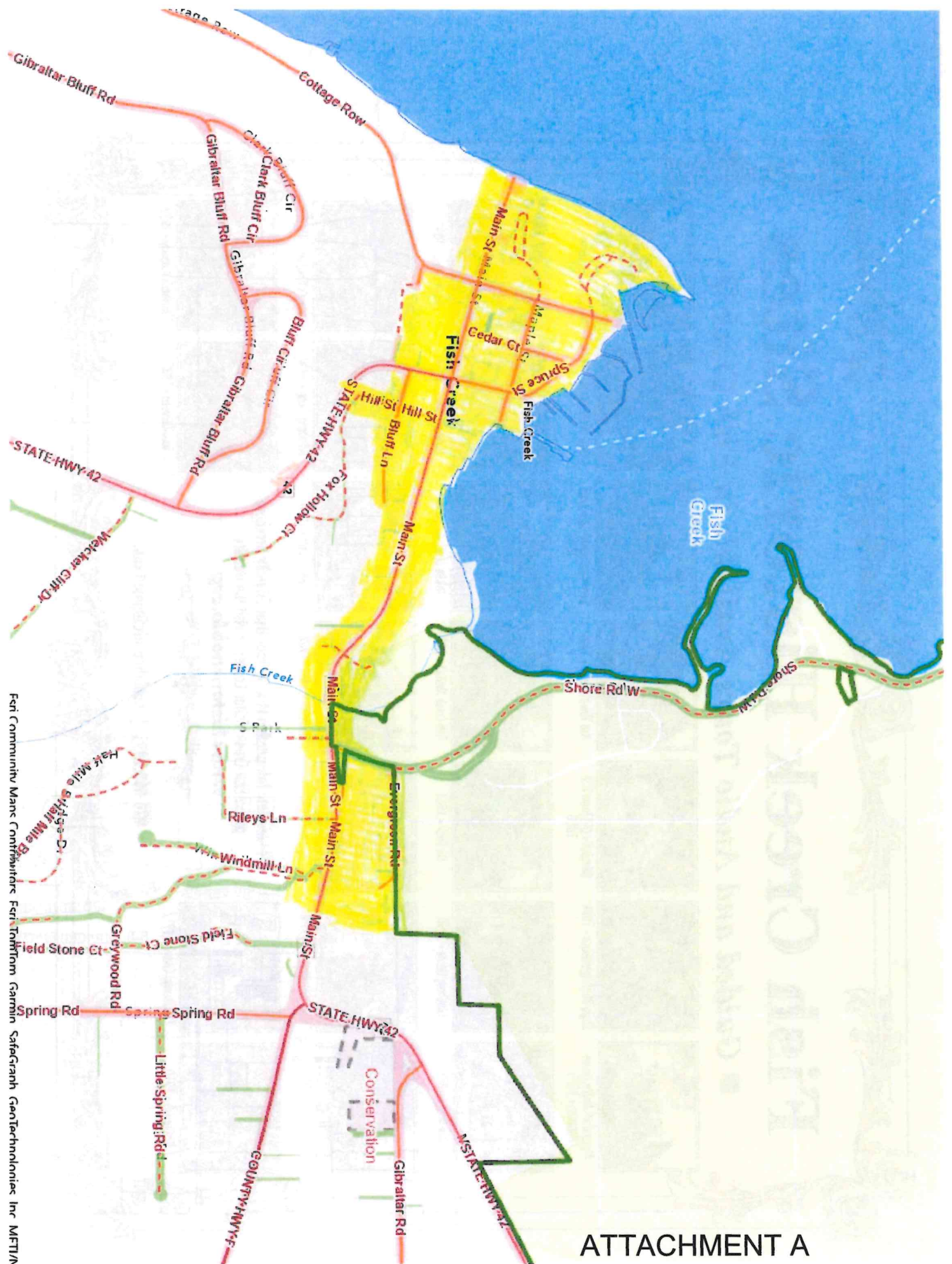
John Selenica Supervisor _____

Vinni Hancock Supervisor _____

Approved: AYE _____ NAY _____

Attested:

Laura Reetz
Town of Gibraltar Clerk _____



Fish Creek Historic Sites

❖ Guided and Audio Tours Available in Fish Creek ❖



Alexander's Noble House
Museum • 1875



Eagle Bluff Lighthouse • 1868



Gibraltar's Old Town Hall
1880



Asa Thorp's Cabin • 1849



Chambers Island Lighthouse
1868



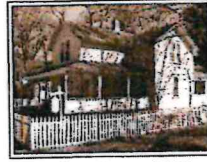
Church of Atonement • 1876



Sunshine & Company • 1850



True North • 1892



Lundberg Home • 1890



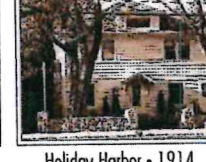
On Deck • 1881



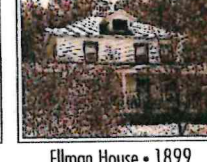
Fish Creek Market • 1890



White Gull Inn • 1896



Holiday Harbor • 1914



Ellman House • 1899



Fred & Co. • 1900



Hide Side Boutique • 1900



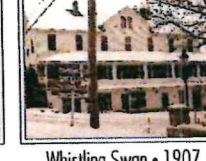
Spruce • 1900



Thorp House Inn • 1902



Sailor Sam's • 1900



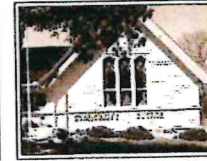
Whistling Swan • 1907



Juniper's Gin Joint • 1900's



Barringer's • 1910



Community Church • 1917

For Complete Information Pick Up Your User Friendly Brochure
at the Fish Creek Visitor Center or visit the website
www.historicnoble.org

920.868.2091 | noblehousefc@gmail.com



Taco Cerveza • 1932



Schreiber's Property • 1932

FIGURE 1A



Goals

1. *To improve safety by reducing glare*
2. *To save energy by reducing consumption*
3. *To ensure privacy by reducing light trespass*
4. *To preserve the night sky by reducing sky glow*



Town of Gibraltar

PO Box 850
Fish Creek, WI 54212
www.townofgibraltar.com

▶ Best Lighting Practices



Tel: (920) 868-1714

FIGURE 2A



Best Lighting Practices

To accomplish these goals all outdoor lighting both public and private would ideally:

1. be fully shielded so that all light emitted by the fixture would be projected below the horizontal plane for the purpose of reducing glare, light trespass and sky glow.
2. Use energy efficient lamps such as metal halide (MH), high & low pressure sodium (HPS)(LPS) and use the lowest wattage possible for the purpose intended for the purpose of reducing energy consumption
3. Be downcast for the purpose of reducing glare, light trespass and sky glow
4. Be designed, located, installed and directed to maximize the efficiency of the lighting while reducing glare, light trespass and sky glow

Other Recommendations

Sign Lighting: Refer to the Town of Gibraltar Sign Ordinance

Decorative Lighting: Lights should not flash, blink, chase or otherwise be in motion

Canopy Lighting: Lamps and diffusers would be recessed and not extended below the surface of the canopy

Flag Lighting: Ideally flags would be retired at sunset. If you choose to fly your flag after dark, the following methods would meet the goals list above:

1. Downcast lighting fixtures mounted on top of the pole
2. A light fixture on the ground directly below the flagpole or on the pole some distance up with the cone of the light being confined to the circumference of the flag.
3. Lowest wattage light that adequately illuminates the flag would be the best choice to save energy.

Exceptions to these best practices :

- Navigational lighting
- State & County highway lighting
- Communications towers



Town of Gibraltar

PO Box 850
Fish Creek, WI 54212
(920)868-1714

Email: clerk@townofgibraltar.us
www.townofgibraltar.com

Design Standards Compliance checklist

Size / Scale

Is the proposed building consistent with other Town of Gibraltar historical buildings or consistent with the downtown vision? Yes _____ No _____

Is the proposed building conforming to all setbacks, zoning, and consistent with the Towns Comprehensive Plan identified on the submitted site plan Yes _____ No _____

Roof Style

Is the proposed roof design compliant with the design standards Yes _____ No _____

Roof Materials

Are the proposed materials compliant with the design standards Yes _____ No _____

Is the proposed color consistent with the design standards Yes _____ NO _____

Exterior Siding Materials

Are the proposed siding materials compliant with design standards Yes _____ No _____

Is the proposed color(s) compliant with design standards Yes _____ No _____

Exterior Masonry Materials

Are proposed Masonry products compliant with design standards Yes _____ No _____

Are the proposed color compliant with the design standards Yes _____ No _____

Windows

Does the proposed plan meet 30% glass requirements Yes _____ No _____

Doors / Entryway

Do entry doors on road face meet design standards Yes _____ No _____

Do the Garage door(s) comply in color and style with design standards Yes _____ No _____

Porches

Are proposed porches compliant with design standards Yes _____ No _____

Balconies, Towers, Cupolas

If applicable are proposed balconies, towers, or cupolas compliment the downtown district, and consistent with glass requirements Yes _____ No _____

Stairways

Is there a proposed outside stairway? Yes ____ No ____ if yes is the proposed stairway not on the road face and designed to fit design standards compliance Yes ____ No ____

Exterior Lighting

Is the submitted exterior lighting plan compliant with dark sky standards Yes ____ No ____

note Exterior lighting will be inspected during the final Building inspection, occupancy will not be granted until this is completed, the inspection will include a night inspection.

Provide explanation for any questions answered no

Additional Comments:

Proposed plan Approved ____ Denied ____

To: Town Board
From: Town Staff

Request

Amend Ordinance 2026-01, Regarding Issuance of Alcohol Beverage Licenses, to provide for provisional retail alcohol beverage licenses pursuant to Wis. Stat. § 125.185.

Background

Wis. Stat. § 125.185 *requires* municipalities that issue retail alcohol beverage licenses to provide for provisional retail licenses and requires certain provisions to be established by ordinance. Ordinance 2026-01 references provisional retail licenses but does not currently contain all of the provisions required by statute. The proposed amendment is intended to bring Ordinance 2026-01 into compliance with the statutory requirements for provisional retail licenses.

Analysis

The proposed amendment adds the statutorily required procedure for provisional retail licenses to Ordinance 2026-01. Specifically, the amendment:

- Adds provisional retail licenses to the license types identified in the ordinance;
- Designates the municipal official authorized to issue provisional retail licenses, as required by Wis. Stat. § 125.185;
- Establishes the provisional retail license fee at \$15, the maximum permitted by statute;
- Provides that a provisional retail license expires 60 days after issuance or upon issuance of the regular retail license, whichever occurs first.

A provisional retail license provides temporary authority while an applicant's regular retail alcohol beverage license application is pending. **The procedure is required by Wis. Stat. § 125.185 for municipalities that issue retail alcohol beverage licenses.**

Fiscal Impact

Minimal. The amendment establishes a \$15 provisional retail license fee as authorized by statute.

Recommendation

Staff recommends amending Ordinance 2026-01 to be compliant with Statutory requirements

**TOWN OF GIBRALTAR
ORDINANCE 2026-01
REGARDING ISSUANCE OF ALCOHOL BEVERAGE LICENSES
(Repealing and Replacing 2014-05)**

This ordinance shall repeal and replace Ordinance 2014-05 in its entirety and is adopted under a new ordinance number.

The Town Board of Gibraltar, County of Door, State of Wisconsin, does hereby ordain as follows:

SECTION 1. PURPOSE; AUTHORITY; ADOPTION BY REFERENCE.

A. Purpose. The purpose of this ordinance is to provide clear, uniform, and comprehensive local procedures and requirements for alcohol beverage licensing in the Town of Gibraltar to protect public health, safety, and welfare.

B. Authority. This ordinance is adopted pursuant to Wis. Stats. §§ 60.10(2)(c), 60.22(3), 125.02–125.69, and the Town’s general village powers under § 60.22(3) and § 125.10(1).

C. State Law Adopted by Reference. Except as modified herein and where not inconsistent with this ordinance, the provisions of Wis. Stats. ch. 125 and related administrative rules are adopted by reference.

SECTION 2. DEFINITIONS.

A. Statutory Terms. Terms used but not defined in this ordinance have the meanings given in Wis. Stats. §125.02. For convenience, the following key terms are listed:

- **Alcohol beverages** (Wis. Stats. § 125.02(1)) — includes fermented malt beverages (beer) and intoxicating liquor.
- **Fermented malt beverages** (Beer) (Wis. Stats. § 125.02(6)) — beverages produced by alcoholic fermentation of malt and hops containing 0.5% or more alcohol by volume.
- **Intoxicating liquor** (Wis. Stats. § 125.02(8)) — all spirituous, distilled, or vinous liquors containing 0.5% or more alcohol by volume, except beer.
- **Wine** (Wis. Stats. § 125.02(22)) — the product of fermentation of grapes or other agricultural products with an alcohol content of 0.5% to 21%.
- **Premises** (Wis. Stats. § 125.02(14m)) — the area described in a license or permit where alcohol beverages may be stored, sold, or consumed.
- **Operator’s (Bartender’s) license** (Wis. Stats. § 125.17) — authorizes an individual to serve/sell alcohol beverages on a licensed premises.
- **Class “A” Beer** (Wis. Stats. § 125.25) — retail beer license for off-premises sales.
- **Class “B” Beer** (Wis. Stats. § 125.26) — retail beer license for on-premises consumption and authorized off-premises carryout.
- **“Class A” Liquor** (Wis. Stats. § 125.51(2)) — retail liquor license for off-premises sales (includes wine).
- **“Class B” Liquor** (Wis. Stats. § 125.51(3)) — retail liquor license for on-premises consumption (with limited off-premises privileges as allowed by law).
- **Reserve “Class B” Liquor** (Wis. Stats. § 125.51(4)) — a “Class B” liquor license subject to quota/reserve rules with a one-time initial issuance fee set by the Town Fee Schedule subject to Statutory minimums.

- **Above-Quota “Class B” Liquor** (§ 125.51(4)(br)) — a “Class B” liquor license issued under the statutory above-quota exception for qualifying establishments such as restaurants in historic inns or other premises meeting Wis. Stats. § 125.51(4)(br).
- **“Class C” Wine** (Wis. Stats. § 125.51(3m)) — retail wine license for on-premises consumption.
- **Temporary Class “B” (Beer)** (Wis. Stats. § 125.26(6)) — temporary retail beer license for qualified organizations.
- **Temporary “Class B” (Wine)** (Wis. Stats. § 125.51(10)) — temporary retail wine license for qualified organizations. Pursuant to Wis. Stats. § 125.51(10), no organization may be issued more than two Temporary “Class B” (wine) licenses in any twelve-month period.
- **Qualified Organization**—a bona fide club, church, lodge, society, veteran’s organization, fair association, chamber of commerce, or similar civic group organized under Wis. Stats. ch. 181 or ch. 188, as authorized under Wis. Stats. §§ 125.26(6) and 125.51(10) to hold Temporary Class “B” (beer) and Temporary “Class B” (wine) licenses.
- **Provisional retail license** (Wis. Stats. § 125.185) — short-term authorization pending regular issuance of a retail license as provided by statute. **The fee for a provisional retail license shall be \$15.00.**
- **License Year**—means July 1 through June 30.
- **Applicant and Agent**—Applicant means the person or entity applying for a license. Corporations and LLCs must appoint an agent who meets statutory qualifications and has authority over the premises (§ 125.04; § 125.17). An Agent is a natural person appointed by a corporation or limited liability company who meets statutory qualifications and has authority over the licensed premises.
- **Active Operation** (100-Day Requirement)—the licensed premises conducts regular business on at least one hundred (100) days during each license year. This requirement applies to “Class B” licenses only. Failure to satisfy this requirement may be grounds for written warning, nonrenewal, suspension, or revocation under Sections 9 and 10 and Wis. Stats. ch. 125.
- **Background Check** — a review of criminal, financial, and compliance history conducted by the Town or its designee under Wis. Stats. §§ 125.04(5) and 19.35(1)(a) to determine eligibility for licensing.

SECTION 3. LICENSE TYPES.

The following licenses are authorized by Wisconsin Statutes and issued by the Town Board.

A. Retail Beer Licenses.

1. **Class “A” Beer** (§ 125.25). Authorizes the retail sale of beer in its original sealed containers for consumption off the premises only. No on-premises consumption is allowed.
2. **Class “B” Beer** (§ 125.26). Authorizes the retail sale of beer for on-premises consumption. It also allows limited carryout sales for off-premises consumption as permitted by state law.

B. Retail Liquor Licenses.

1. **“Class A” Liquor** (§ 125.51(2)). Authorizes retail sale of intoxicating liquor (including wine and cider) in its original sealed containers for off-premises consumption only.
2. **“Class B” Liquor** (§ 125.51(3)). Authorizes retail sale of intoxicating liquor for on-premises consumption. Also authorizes limited carryout of wine and other privileges as allowed by statute. The Town may by resolution permit additional off-premises privileges as authorized by law.

3. **Reserve “Class B” Liquor** (§ 125.51(4)). A “Class B” liquor license subject to statutory quotas based on municipal population. The Town’s quota of regular and reserve licenses is established by state law. A reserve license requires a one-time initial issuance fee as set forth in the Town Fee Schedule, and not less than \$10,000, in addition to the annual license fee. Once issued, a license designated as “reserve” remains classified as reserve if later surrendered and reissued (a “transferred reserve”).
4. **Above-Quota “Class B” Liquor** (§ 125.51(4)(br)). A “Class B” liquor license that may be issued above the municipal quota to qualifying establishments as authorized by Wis. Stats. § 125.51(4)(br). An above-quota license does not count against the Town’s regular or reserve quota and is subject to the application and issuance procedures set forth in Section 4 of this ordinance and Wis. Stats. § 125.51(4)(v).
5. **“Class C” Wine** (§ 125.51(3m)). Authorizes the retail sale of wine by the glass or in an opened original container for on-premises consumption. Also allows a customer to remove a single partially consumed bottle of wine if it has been resealed and was sold with a meal, as permitted by statute.

C. Temporary Licenses

1. **Temporary Class “B” Beer** (§ 125.26(6)). May be issued only to bona fide clubs, churches, lodges, societies, veteran’s organizations, fair associations, chambers of commerce, or similar civic groups organized under Wis. Stats. ch. 181 or ch. 188, for limited-duration events such as picnics, fairs, or festivals.
2. **Temporary “Class B” Wine** (§ 125.51(10)). May be issued only to bona fide clubs, churches, lodges, societies, veteran’s organizations, fair associations, chambers of commerce, or similar civic groups organized under Wis. Stats. ch. 181 or ch. 188, for limited-duration events such as picnics, fairs, or festivals. No organization may be issued more than two Temporary “Class B” (wine) licenses in any twelve-month period. When issued together with a Temporary Class “B” Beer license for the same event, no separate additional wine fee is charged.
3. **When a Temporary License Is Required; Statutory Sale.** A Temporary Class “B” (beer) license under Wis. Stats. §125.26(6) or a Temporary “Class B” (wine) license under Wis. Stats. §125.51(10) is required whenever alcohol beverages are furnished at an event in exchange for *any* form of consideration. Under Wis. Stats. §125.02(20), a “sale” includes any transfer of alcohol beverages with consideration, and also includes any transfer without consideration if knowingly made to evade the requirements of Wis. Stat. ch. 125. Transactions constituting a sale include, but are not limited to, furnishing alcohol beverages in connection with: an admission, cover charge, ticket price, or entry fee; b. a required or expected donation; c. a fee for cups, wristbands, or similar items used to obtain alcohol beverages; or d. a charge for non-alcohol items or services where alcohol beverages are furnished as part of the event.

D. Provisional Retail Licenses.

1. **Provisional Retail License (§ 125.185).** A provisional retail license may be issued to a person who has applied for a Class “A”, Class “B”, “Class A”, “Class B”, or “Class C” license and authorizes only those activities authorized by the type of retail license for which the applicant has applied. Provisional retail licenses shall be issued and administered in accordance with Section 4(G) below and Wis. Stat. § 125.185, as amended or renumbered from time to time.

E. Operator Licenses

1. **Operator's (Bartender's) License** (§ 125.17). Required for any person who serves or sells alcohol beverages in a retail establishment. Ensures trained, qualified individuals are supervising service of alcohol. Operator licenses are renewed annually and the license year shall mean July 1 through June 30.
2. **Temporary Operator License** (§ 125.17(4)). May be issued for use at specific events, typically for a short duration, to help organizations staff their events legally.
3. **Provisional Operator License** (§ 125.17(5)). May be issued to an applicant for an operator's license while their regular application is pending. Valid only for the time period allowed by law.

SECTION 4. APPLICATION AND ISSUANCE; DEADLINES; PUBLICATION; INVESTIGATIONS.

A. Filing. Applications must be filed with the Town Clerk on state and Town-prescribed forms, signed by the applicant and agent where required (§ 125.04).

B. Filing Deadline. The Town Board considers annual alcohol beverage license applications at its regular June meeting. To comply with the statutory fifteen (15) day notice requirement (§ 125.04(3)(f)), completed applications must be received by the Clerk at least fifteen (15) days prior to that meeting. The Clerk will distribute renewal packets in advance of the meeting; however, it is the responsibility of each license holder to ensure that a timely and complete application is filed. Applications received late may still be considered but may require a special meeting, in which case the special meeting fee described in Section 5(C) will apply.

C. Publication. The Clerk shall publish notice of retail license applications as required by law (§ 125.04(3)(g)). A publication fee, established by the Town of Gibraltar Fee Schedule, shall be assessed for each application.

D. Investigations. A background check shall be completed with each license application, including original, renewal, transfer, reserve, provisional, and operator license applications. Filing an application authorizes the Town to conduct criminal, financial, compliance, and premises investigations as permitted under Wis. Stats. §§ 125.04(5) and 19.35(1)(a). Background and premises investigations shall include verification of statutory qualifications, compliance with Wis. Stats. § 125.04(5), and the Town's Debt Ordinance 2023-01. The Town may request additional documentation reasonably related to statutory qualifications and local standards. A background check fee, established by the Town of Gibraltar Fee Schedule, shall be assessed for each application, including operator license applications.

E. Reserve License Reissuance. When a Reserve "Class B" Liquor license is surrendered to the Town, it retains its reserve classification. Upon reissuance to a new applicant, no additional one-time reserve issuance fee may be required; only the annual license fee applies. The Clerk may maintain a separate ledger of all regular, reserve, and above-quota "Class B" licenses to ensure compliance with statutory quota limits. Issuance, surrender, and reissuance of reserve licenses must comply with Wis. Stats. § 125.51(4)(a) and (b).

F. Above-Quota License Applications. If the Town's quota of "Class B" Liquor licenses is fully used, an applicant may apply for an above-quota "Class B" Liquor license under the exceptions in Wis. Stats. § 125.51(4)(v). The application must include documentation demonstrating eligibility, including proof of qualifying characteristics required by statute. The Clerk may review the application for completeness and refer it to the Town Board for action. The Town Board may approve or deny the application consistent with statutory criteria. Each above-quota license issued must be recorded as "Above-Quota 'Class B' Liquor" in Town records. An above-quota license is tied to the qualifying premises and may not be transferred except as provided by law.

G. Provisional Retail Licenses. Pursuant to Wis. Stat. § 125.185, the Town Clerk or a duly appointed Deputy Clerk is designated as the municipal official authorized to issue provisional retail licenses. A provisional retail license shall be valid for a period not to exceed 60 days. The fee for a provisional retail license shall be \$15.00. Provisional retail licenses shall be issued and administered in accordance with Wis. Stat. § 125.185, as amended or renumbered from time to time.

H. Review and Approval; Issuance. Except as otherwise provided in this Ordinance, all alcohol beverage license applications shall be reviewed and acted upon by the Town Board at a regular monthly meeting of the Board, unless a special meeting is required due to application timing or statutory notice requirements. Upon approval of an application by the Town Board, the Town Clerk is authorized to issue the license or permit upon receipt of all required fees, forms, and documentation. No retail alcohol beverage license shall be issued without Town Board approval, **except for provisional retail licenses issued pursuant to Section 4(G) of this ordinance**. Notwithstanding the foregoing, pursuant to Wis. Stat. § 125.17(1), the Town Clerk or a duly appointed Deputy Clerk, as a designated municipal official, is authorized to review, approve, and issue operator's licenses action at any time upon receipt of a complete application, payment of the applicable fee established by the Town Fee Schedule, completion of any background investigation required under Section 4(D), and proof of completion of responsible beverage server training as required by Wis. Stat. § 125.17 and Section 6(G) of this ordinance.

SECTION 5. FEES; PRORATION; SPECIAL MEETING COSTS.

A. License and Administrative Fees. Alcohol beverage licensing fees and administrative fees are established by the Town of Gibraltar Fee Schedule, as adopted and amended from time to time by the Town Board. All such fees are subject to the statutory maximums and maximums set forth in Wis. Stats. ch. 125, including but not limited to §§ 125.25, 125.26, and 125.51. The fee for a Reserve "Class B" intoxicating liquor license shall be no less than the minimum amount required under Wis. Stat. § 125.51(3)(b) and may be set at a higher amount by the Town Board through the Town Fee Schedule. **The fee for a provisional retail license issued pursuant to Wis. Stat. § 125.185 shall be \$15.00.**

B. Proration. Licenses issued after July 1 are prorated by the number of months remaining in the license year ending June 30 (§§ 125.25(4), 125.26(4), 125.51(9)).

C. Special Meeting Costs (Late Applications). If a complete application is not filed in time for a regular Board meeting and the applicant requests Board action at a special meeting, the applicant shall pay the full cost of the special meeting (including Board per-diems, staff time, and required postings/publications), in addition to the license and publication fees.

SECTION 6. QUALIFICATIONS; CONDITIONS; PREMISES.

A. Statutory Qualifications. Applicants must satisfy all qualifications in ch. 125, including: at least 21 years of age; completion of responsible beverage server training where required; residency/agent requirements; and no disqualifying criminal convictions or delinquent taxes, assessments, or forfeitures (§ 125.04(5)).

B. Delinquent Taxes, Assessments, and Claims. No license shall be issued, renewed, or transferred if the applicant or licensee is delinquent in payment of any state or local taxes, assessments, special charges, or claims owed to the Town consistent with the Town's Debt Ordinance, Ordinance 2023-01.

C. Health and Sanitation. Licensed premises shall be maintained in a safe, clean, and sanitary condition and comply with all applicable public health regulations, including those of the Wisconsin Department of Health Services and the Door County Sanitarian.

D. Premises Description. Each license shall particularly describe the licensed premises. Any area where alcohol beverages are stored, served, or consumed under the license must be included (§ 125.04; § 125.02(14m)). Each initial application shall include a scaled map or drawing showing the boundaries of the licensed premises, including any outdoor service areas, storage areas, or patios. Renewal applications shall include an updated map only if there has been a change in any area where alcohol beverages are stored or served.

E. Posting. Licenses must be conspicuously posted on the licensed premises.

F. Conduct on Premises; Compliance. Licensees shall comply with ch. 125, applicable administrative rules, this ordinance, and other Town ordinances, including noise, nuisances, and signage. The Board may impose reasonable conditions related to public health, safety, and welfare.

G. Responsible Beverage Server Training. Proof of completion must be provided where required by statute (§ 125.04(5)(a)5.; § 125.17).

H. Active Operation Requirement. As a continuing condition of “Class B” licenses, the licensed premises must be actively operated for regular business on at least one hundred (100) days during each license year (July 1–June 30). For purposes of compliance with this section, the burden of demonstrating eligibility, qualification, and continued conformity with Wis. Stats. ch. 125 and this ordinance rests with the license holder.

1. **Definition of Active Operation.** “Active operation” means that the premises is staffed and providing the goods and services authorized under the license.
2. **Seasonal Businesses.** Licensees that operate seasonally may meet this requirement if they are open at least one hundred (100) days during their normal operating season within the license year.
3. **Compliance Review.** The Clerk or Town Board may require proof of operation (such as business records, utility bills, or sworn statements) to verify compliance.
4. **Consequences of Noncompliance.** Failure to meet the Active Operation requirement constitutes grounds for written warning, nonrenewal, suspension, or revocation under Sections 9 and 10 of this ordinance and Wis. Stats. ch. 125. Prior to adverse action, the Clerk shall issue a written warning and allow thirty (30) days to cure the noncompliance or submit a written explanation for the noncompliance, unless immediate action is necessary to protect public health or safety.
5. **Timing Limitation; Plan for Cure.** If a failure to meet the Active Operation (100-day) requirement is identified at a time when fewer than one hundred (100) operating days remain in the applicable license year or, for seasonal businesses, within the licensee’s normal operating season, compliance with the full requirement may be impracticable or impossible. In such cases, the license holder may submit a written plan proposing how the noncompliance will be cured. Upon approval of a plan for cure, the Town Board may, in its discretion, waive or modify the one hundred (100) day operating requirement to the extent necessary to allow completion of the approved plan. Approval of a plan for cure shall not constitute a waiver of enforcement authority, and failure to comply with an approved plan shall constitute a continuing violation.

I. Licensed Operator Required. No alcohol beverages may be sold or served upon the licensed premises unless a duly appointed agent or other person who holds a valid operator’s license issued pursuant to Wis.

Stat. § 125.17 is present on the premises and responsible for the supervision of the sale and service of alcohol beverages at all times when alcohol beverages are sold or served.

SECTION 7. TRANSFERS; CHANGES; SURRENDER.

A. Agent Changes. Corporations and LLCs shall appoint an agent who meets statutory qualifications. A new agent shall be appointed within a reasonable time after a vacancy and is subject to Board approval (§ 125.04).

B. Premises Transfer. A retail license may be transferred to a different premises within the Town during the license year only upon Town Board approval and payment of any fee established by the Fee Schedule (§ 125.04(12)). The license remains non-transferable to another person, except as otherwise provided by law for corporate/LLC ownership changes.

C. Surrender and Reissuance. Where permitted by law (including transfers contingent on sale of a business), the Town may accept the surrender of a license and consider issuance to a new applicant in accordance with statutory quota and procedures (§ 125.51(4)). Reserve “Class B” liquor licenses, once issued, remain classified as reserve if later surrendered and reissued, consistent with Wis. Stats. § 125.51(4). These are commonly referred to as transferred reserves.

D. Ownership Changes. Changes in ownership or control of a licensed entity shall be reported promptly to the Clerk. The Town may review whether continuation of the license is appropriate under ch. 125.

E. Inter-Municipal Transfer of Reserve Licenses (§ 125.51(4)(e)). When an applicant submits an application for a “Class B” liquor license and the Town has no available licenses under its quota, the Town Board may request the transfer of a Reserve “Class B” license from a neighboring municipality. This process is triggered by the applicant’s filing of a complete Class B application with the Clerk. The applicant shall be responsible for payment of the transfer fee required by the neighboring municipality, which shall be not less than \$10,000 as required by statute. The Town does not purchase the license nor profit from the transfer; the applicant bears all costs. Upon approval by the neighboring municipality, the transferred license becomes part of the Town’s quota, remains classified as a Reserve license, and may be issued to the applicant consistent with this ordinance and ch. 125.

SECTION 8. DENIAL OF INITIAL LICENSE APPLICATIONS.

If the Town Board denies a new license application, the Board shall state the reasons for denial on the record at the meeting (§ 125.12). No license may be issued in violation of ch. 125; any license so issued is void (§ 125.04(2)).

SECTION 9. NONRENEWAL – NOTICE AND HEARING (§ 125.12(3)).

A. Notice of Intent Not to Renew. If the Town intends not to renew a license, the Clerk shall provide the licensee written notice of intent not to renew, stating the reasons for the proposed nonrenewal, which may include, but are not limited to, violations of any condition or requirement of this ordinance or Wis. Stat. ch. 125, including compliance with the Active Operation requirement under Section 6(H). Notice shall be served as required by Wis. Stat. § 125.12(3)(b), including publication or posting when applicable.

B. Hearing. The Board shall conduct a quasi-judicial hearing at which the licensee may appear with counsel, present evidence and witnesses, and cross-examine opposing witnesses. The Town Board shall set the hearing date, and the Clerk shall give and post all notices as required by Wis. Stats. § 125.12(3)(b). The Board may issue subpoenas and set reasonable procedures. The hearing shall be recorded.

D. Decision; Reasons. After the hearing, the Board shall issue its decision and mail written reasons to the licensee. Judicial review is available as provided by law.

SECTION 10. SUSPENSION OR REVOCATION – COMPLAINT; SUMMONS; HEARING (§ 125.12(2)).

A. Complaint. A sworn complaint alleging a licensee has violated ch. 125, this ordinance, or that other good cause for suspension or revocation exists may be filed with the Clerk by a resident or initiated by the Town.

B. Summons and Hearing Scheduling. Upon filing, the Board (or its chair) shall issue a summons setting a hearing date as provided by statute. The Clerk shall prepare, issue, and serve the summons and complaint on the licensee in compliance with all statutory posting and service requirements.

C. Hearing. The Board shall conduct a quasi-judicial evidentiary hearing. Formal rules of evidence do not apply; relevant, non-repetitious evidence shall be received. The complainant bears the burden to establish grounds. The licensee may be represented by counsel, present evidence, and cross-examine witnesses. The hearing shall be recorded.

D. Findings; Order. Following the hearing, the Board shall issue written findings and an order dismissing the complaint, suspending the license for a stated period, or revoking the license. The Clerk shall mail the decision to the licensee. Judicial review is available as provided by law.

E. Effect of Revocation. A person whose license is revoked may not apply for a new license for one year (or as otherwise provided by law) (§ 125.12(2)(d)).

F. Active Operation – Written Warning and Right to Cure. If the alleged ground includes failure to meet the Active Operation (100-day) requirement, the Clerk shall first issue a written warning specifying the deficiency and allow thirty (30) days to cure or submit a written explanation for the noncompliance, consistent with the provisions of Section 6(H)(5), unless immediate action is necessary to protect public health and safety. Failure to cure may be considered by the Board as grounds for suspension or revocation in addition to any other grounds permitted by law.

SECTION 11. ENFORCEMENT; PENALTIES; REPORTING.

A. Enforcement. Violations of this ordinance may be enforced by citation and as otherwise provided by law. Each day of violation is a separate offense.

B. Penalties. The Town may impose forfeitures as permitted by law and may seek suspension or revocation where appropriate.

C. State Reporting. The Clerk shall report suspensions, revocations, or penalties as required by statute.

SECTION 12. UNDERAGE AND INTOXICATED PERSONS; ENFORCEMENT.

A. Adoption of State Law. The prohibitions, provisions, exceptions, and penalties relating to underage and intoxicated persons, proof of age, restrictions on alcohol beverages, and prohibitions on alcohol beverages on or near schools, as set forth in Wis. Stats. ch. 125 (including but not limited to § 125.07 and § 125.085), together with any future amendments, are hereby adopted and made part of this ordinance by reference.

B. Local Enforcement. Violations of these provisions shall be enforceable by citation in municipal court or referral to circuit court as provided by law.

C. Penalties. Penalties for violations shall be as provided in Wis. Stats. ch. 125 and other applicable provisions of Wisconsin law.

SECTION 13. ADMINISTRATION; FORMS; FEE SCHEDULE.

A. The Town Clerk is authorized to develop administrative forms and checklists to implement this ordinance.

B. The Town Board shall adopt and may amend by resolution a Town Fee Schedule that sets specific local fee amounts consistent with Section 5, including publication fees, investigation fees and special-meeting cost recovery.

SECTION 14. SEVERABILITY; EFFECTIVE DATE; REPEALER.

A. Severability. If any provision of this ordinance is held invalid or unconstitutional, the remainder shall not be affected.

B. Effective Date. This ordinance takes effect upon passage and publication.

C. Repealer. All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of the conflict.

Adopted by the Town Board of Gibraltar this 7th day of January, 2026.

Amended by the Town Board of Gibraltar this ____ day of September, 2026.

Approved AYE_____ Nay_____

Steve Sohns Town Chairman _____

Jayson Merkel Supervisor _____

Tom Birmingham Supervisor _____

John Selenica Supervisor _____

Vinni Hancock Supervisor _____

Attested:

Laura Reetz Clerk _____

Town of Gibraltar

2026 Fee and Forfeiture Schedule

The following fees for satisfying record requests under s. 19.35, Wisconsin Statutes, are as established.

General fees:

a. Cost of transcription and reproduction	\$.35 per page
b. Cost of locating a record file	Clerk's loaded wage
c. Cost of shipping or mailing requests	Actual costs
d. Special meeting fee	\$350.00
e. Town services requested for special event	\$ 50.00 per department
f. Credit card fee --based on the actual charges assessed to the Town not to exceed 4%	
g. (NSF) returned check fee	\$50.00

The following fees are established for the referenced Town of Gibraltar ordinances:

Emergency services:

Fire rescue medical assistance calls	\$0
False alarms	1 st free 1 per year 2 nd and consecutive \$50.00

Chapter 10-Orderly Conduct:

10.01 - State Traffic laws adopted.	based on state forfeiture schedule
10.125 – Town speed limits adopted	based on state forfeiture schedule
10.02 - Discharging firearms within Harbor Limits	Municipal Forfeiture \$175.30*
10.03 - Throwing or Shooting arrows, stones, and other missiles.	Municipal Forfeiture \$200.00
10.04 - Sale and discharge of fireworks restricted.	Municipal Forfeiture \$200.00
10.05 - Obstructing streets and sidewalks prohibited.	Municipal Forfeiture \$200.00
10.06 - Disorderly conduct prohibited.	Municipal Forfeiture \$235.00
10.07 - Disorderly Conduct with a motor vehicle.	Municipal Forfeiture \$235.00
10.08 - Urinating or defecating on property.	Municipal Forfeiture \$235.00
10.09 - Unreasonable, excessive, and unnecessary noise	Municipal Forfeiture \$235.00
10.10 - Obedience to officers.	Municipal Forfeiture \$235.00
10.11 - Firearms in public buildings	Municipal Forfeiture \$235.00
10.12 - Reserved	
10.13 - Loitering Prohibited.	Municipal Forfeiture \$200.00
10.14 - Destruction of private property.	Municipal Forfeiture \$235.00
10.15 - Alcohol beverage possession/ consumption In public places prohibited	Municipal Forfeiture \$200.00

10.16 - Littering prohibited.	Municipal Forfeiture \$200.00
10.17 - Possession of Marijuana.	Municipal Forfeiture \$300.00
10.18 - Permitted parking lots	Municipal Forfeiture \$50.00/\$100.00 handicapped
10.19 - Parking prohibited	Municipal Forfeiture \$50.00/\$100.00 handicapped
10.20 - Illegal dumping	Municipal Forfeiture \$300.00
10.21 - Use of municipal docks.	Municipal Forfeiture \$200.00
10.22 - Petty theft.	Municipal Forfeiture \$235.00
10.23 - Trespass to land, buildings or other premises.	Municipal Forfeiture \$235.00
10.24 - Possession of drug paraphernalia.	Municipal Forfeiture \$275.00
10.25 - Purchase or possession of tobacco products prohibited	Municipal Forfeiture \$200.00
10.26 - Restrictions sale, gift, of cigarette or tobacco products	Municipal Forfeiture \$200.00
10.27 - Possession of tobacco, vapor products by minors	See Juvenile bond schedule 10.40
10.28 - Smoking, tobacco use where prohibited	Municipal Forfeiture \$200.00
10.29 - Sign, flag display when/where restricted	Municipal Forfeiture \$200.00 ^{1st} violation \$500.00 ^{2nd} + violation
10.30 – Truancy	See Juvenile bond schedule 10.40
10.31 – Animals	Municipal Forfeiture \$200.00 Municipal Forfeiture \$500.00 Death of animal
10.32 – Adopting other State Statutes	As listed in state bond schedule
10.33 – Peddlers	Municipal Forfeiture \$100.00*
Ordinance 2024-03 Regulation of Fire/Burn Permits	Municipal Forfeiture \$50.00 violation w/burn permit Municipal Forfeiture \$150.00 violation without burn permit
Ord 2023-03- Reg the Application of Coal Tar Sealant Prod	Municipal Forfeiture \$250 Individual Municipal Forfeiture \$1000 Contractor
Ord 2024-04- Waterfowl Feeding Prohibited	Municipal Forfeiture \$50
Ord 2024-06-Outdoor Display of Merchandise	Municipal Forfeiture \$50

The Town of Gibraltar will operate a fee schedule designated for individuals under the age of 17, who are in violation of any town ordinances listed in the code of ordinances. Forfeitures under the Juvenile Bond category are as follows.

<u>Juveniles ages 12-14</u>	<u>Juveniles 14-16</u>	<u>Juveniles 16-17</u>
1 st offence \$25.00	1 st offence \$50.00	1 st offence \$75.00
2 nd offence \$50.00	2 nd offence \$75.00	2 nd offence \$100.00
3 rd offence \$100.00	3 rd offence \$100.00	3 rd offence \$125.00

Building Permits – Chapter

Driveway permits	\$60.00
Building permits --subject to Inspection Specialists' Fee Schedule	
Administrative Compliance fee	\$75.00
Erosion control	\$75.00
Fire Impact fees	TBD
Demolition	\$150.00
Tower Permits- New	\$1000.00
Tower Permits-Modification to existing	\$500.00
Architectural Design Standards Certificate of Compliance application fee*	\$100

Underground Right-Of-Way Access

Permit Application Fee	\$50.00
Additional Inspection / Review Fee	\$50.00
Underground Access Parallel ROW (2 Inspections)	\$150.00
Opening or Boring of a Paved Roadway	\$650.00
Penalty for Starting Work Without a Permit	\$1,000.0

Town Cemetery Fees:

Blossomberg plat purchase	\$750.00 resident	\$1500.00 non-resident (Family)
Blossomberg cremation burial plat Purchase	\$150.00	\$300.00 Non-resident (Family)
Cremation Burials	\$300.00	
Burial Fees	\$600.00	
Administrative fee for burial buybacks	\$50.00	

Licenses:

Dog License	\$5.00 spayed/neutered	\$10.00 unaltered
-------------	------------------------	-------------------

Operators Licenses fee)	\$25.00 includes provisional (includes background check fee)
Picnic Liquor License (special event)	\$10.00
Firework permit special event	\$50.00
Business License	\$50.00 / \$25.00 late penalty fee (in addition to licensing fee after February 1)
Business License (2 nd noncompliance notification)	\$500.00 (in addition to the \$25.00 penalty fee and \$50.00 licensing fee)
STR License	\$125.00 / \$100.00 late penalty fee (in addition to licensing fee after February 1)
STR License (2 nd noncompliance notification)	\$500.00 (in addition to the \$100 first penalty and \$125 licensing fee)
Liquor Licenses:	
Class A Beer	\$100.00 (\$100 max per statute)
Class A Liquor	\$ \$300.00 (\$500 max per statute)
Class B Beer	\$100.00 (\$100 max per statute)
Class B Liquor	\$500.00 (\$500 max per statute)
Reserve Class B	\$25,000 (\$10,000 min per statute) One-time fee
Class B Combination	\$600.00 (\$500 max on liquor per statute)
Class C Wine	\$100.00 (\$100 max per statute)
Provisional Retail License	\$15.00 (set by statute)
Publication/Background check Fee	\$50.00
Cigarette License	\$ 25.00

Facility Rentals:

Fire Station/Town Hall/Parks	\$100 taxpayer, \$200 deposit required
	\$200.00 non taxpayer, \$200 deposit required
	\$ 25.00/8 hours for non-profit and local groups

Parking:

Seasonal Launch Trailer parking permit	\$60/season (only short-term parking permitted)
Harbor parking lot permit	Included in facilities use fee for slip and mooring holders only
Gibraltar Road Offsite Trailer Parking	\$100.00/season

*Indicates fee set specifically by ordinance

To: Town Board

From: Staff

Request:

2026 Fireworks Summary

Background/Summary:

The Town decided to coordinate the 250th Fireworks celebration, which was previously organized by a private party.

Analysis/Recommendation:

With the assistance of advertisements and qr codes, staff developed a fundraising campaign for the event. The breakdown is as follows:

Private donations: \$22,975.00

Visit Fish Creek contribution: \$10,000.00

DC Tourism Zone 250th event contribution: \$13,424.51

Total: \$46,399.51

Expenses including fireworks, band, stage, tent, port-a-potties, and security: \$34,174.85

Remaining funds: \$12,224.66

The Town Board can determine whether it wants to retain the event and continue fundraising efforts for 2027.

Fiscal Impact:

There was no fiscal impact with the 2026 event, only staff time. The donation income and expenditure should be added to the 2027 budget should the town want to continue with the event.

To: Town Board

From: Staff

Request:

Direct staff on disposition of removed streetlamps from the downtown project.

Background:

The Town recently completed the Cedar Court and Main Street project including the replacement of the old streetlights with new downcast LED lights. The removed lights (12) have been moved to the Town shop.

Analysis:

Maintenance has investigated the new poles compared to the old and there is no interoperability and would not be able to keep parts, the new poles are completely different, and the electronics operate from node and not timers now.

Maintenance has them placed in the back of the cold storage building but would like to have direction so a destination for them can be made.

The posts and lights are a combination of steel and aluminum so if they were to be disposed there could be some recycling.

Some of the previous lights from other projects were sold to local business owners and this option could be available again through the newsletter and working with the VFC.

Recommendation:

Staff recommend if the board decides we do not need to keep the lamps and posts to advertise for a few weeks to local businesses, after a designated time those that don't sell can be put on auction at the Wisconsin Surplus Online Auction. In the event they did not sell there for them to be recycled.

Fiscal Impact:

There would be no fiscal impact to the Town to sell or recycle the posts and lights.

From:

Subject:

Date:

Attachments:

Door County Tourism Zone Bylaws
Sunday, August 9, 2026 9:54:08 PM
[image.png](#)
[Muni Memo-Bylaws.pdf](#)
[Muni Memo-Bylaws.pdf](#)
[DCTZC Bylaws 06182026 V1.docx](#)

Good Evening,

The Door County Tourism Zone is seeking to make two adjustments to its existing bylaws. The first is to revise attendance, and the second is to place term-limits on executive committee positions. This is a periodic adjustment which requires the approval of 2/3 of our municipal partners through a formal board vote. I have attached a memo along with a redlined copy of the proposed bylaw changes for your use and inclusion in your next meeting packet. If you have any questions about the content, timing, or approval requirement, please let me know.

Sincerely,



Juliana Holly

Executive Director

Phone (920)854-6200 Ext. 103

Mailing Address PO Box 55, Sister Bay, WI 54234

Office Hours Monday-Friday: 8a.m. to 4p.m. -Please call or email for an appointment

www.doorcountytourismzone.com

DOOR COUNTY TOURISM ZONE COMMISSION

PO BOX 55, SISTER BAY WI 54234

920.854.6200, Fax: 920-854-9019



Website: www.doorcountytourismzone.com

Email: [REDACTED]

Date: August 6th, 2026
To: Door County Municipal Partners
From: Juliana Holly-Executive Director
Re: Request for Approval of Commission Bylaw Amendments

The Commission has completed a review of its bylaws and is recommending all Door County municipalities approve of its changes. As with any governing document, the bylaws are reviewed and adjusted periodically to reflect the Commission's evolving operational needs, improve clarity, and ensure they continue to support the Commission's work effectively.

These proposed amendments are administrative in nature and are intended to keep the bylaws current with the Commission's practices and responsibilities. Periodic updates such as these are a normal part of maintaining effective governance. Two amendment subjects have been proposed and approved for recommendation by the Full Commission: term-limits for Executive Committee member positions and actions to be taken in regard to attendance.

In accordance with the Commission's bylaws, any amendments must be approved by the participating municipalities before they can take effect. We respectfully request that you place this item on your municipality's next meeting agenda for consideration and action.

For your convenience, the following motion language may be used:

Suggested Motion:

"I move to approve the amendments to the Commission Bylaws as recommended by the Commission and authorize their adoption in accordance with the bylaws' amendment process."

A copy of the proposed amended bylaws is enclosed for your review. If you have any questions or would like additional information before your meeting, please contact Juliana Holly, at [REDACTED]

Thank you for your continued partnership and consideration of these proposed amendments.

Sincerely,

A handwritten signature in cursive script that reads "Juliana Holly".

Juliana Holly, Executive Director

DOOR COUNTY TOURISM ZONE COMMISSION

COMMISSION BYLAWS

ARTICLE I

PURPOSE AND POWER

The **DOOR COUNTY TOURISM ZONE COMMISSION** (the “Commission”) is created as a commission under the provisions of Section 66.0615 of the Wisconsin Statutes, pursuant to which the Legislature of the State of Wisconsin has determined that such commission serves a public purpose by coordinating tourism promotion and development that are significantly used by transient tourists and reasonably likely to generate paid overnight stays at more than one establishment owned by different persons within the tourism zone, by using marketing projects, including advertising media buys, creation and distribution of printed or electronic promotional tourist materials, or efforts to recruit conventions, sporting events, or motor coach groups, transient tourists informational services and tangible municipal developments, including a convention center within Door County, Wisconsin. The jurisdiction of the Commission shall be the area comprised of the boundaries of those municipalities within Door County, Wisconsin who have, through their governmental bodies, agreed to be a participating member of the Commission (the “Tourism Zone”). The Commission is a local governmental unit, corporate and politic, that is separate, distinct and independent from the State of Wisconsin, Door County and all local units of government with jurisdictional boundaries lying within the Tourism Zone. The Commission shall have all powers, authorities; duties and responsibilities set forth in Section 66.0615 of the Wisconsin Statutes and shall be subject to all provisions thereof applicable to tourism zone commissions as provided therein. As a governmental body, the Commission shall comply with all applicable provisions of the Wisconsin Statutes and regulations promulgated thereunder, including without limitation, the provisions of Chapter of the Wisconsin Statutes, as they may relate to the Commission, its commissioners, officers and employees.

ARTICLE 2

OFFICES

Section 2.1 Offices. The principal office for the Commission shall be located at such place within the Tourism Zone within Door County, Wisconsin, as shall be determined by the Commission.

ARTICLE 3

MEMBERSHIP

Section 3.1 Establishment.

- (a) Any municipality in the County of Door is eligible to become a member of the Commission.
- (b) Membership on the Commission shall be as prescribed and established under the provisions of Sec.66.0615(1m), of the Wisconsin Statutes.

(c) To achieve membership on this Commission the applying municipality must:

1. Adopt and pass the ORDINANCE FOR THE COLLECTION OF TAX ON OVERNIGHT LODGING used by the founding municipalities, including any amendments therewith (Exhibit A).
2. Adopt the Door County Tourism Zone Commission Agreement, including any amendments there with, in its entirety by signature of the principal elected official in the applying municipality and shall be confirmed by a majority vote of the members of the municipality's governing body who are present when the vote is taken (Exhibit B).
3. Accept the bylaws and all agreements, contracts, policies and procedures in effect at the time membership is granted.

Section 3.2 Members. The Commission shall constitute the membership.

ARTICLE 4

COMMISSIONERS

Section 4.1 General Powers. The business affairs of the Commission shall be overseen by the commissioners.

Section 4.2 Number of Commissioners.

- (a) The number of commissioners comprising the Commission shall be as prescribed under the provisions of Section 66.0615(1m) (c) 2, of the Wisconsin Statutes.
- (b) The municipal members of the commission shall be appointed by the principal elected official in the member municipality subject to confirmation by majority vote of the members of that municipality's governing body who are present when such vote is taken.
- (c) Two (2) additional ("At Large") members, who represent the hotel and motel industry, shall be appointed to the commission by the chairperson of the commission and shall be confirmed by a majority vote of the commissioners who are present when the vote is taken.
- (d) While membership on the Commission is provided for each municipality in the zone agreement, all membership positions need not be filled if a municipality does not see a need. A member municipality that does not appoint a representative shall not count towards the determination of a quorum.
- (e) The Commission by vote of 2/3 of members present at a duly noticed meeting may establish an executive committee. The membership of the executive committee shall include at least one at large member. The powers of the executive committee shall include the authority to approve payments and to take such other actions as is granted by the Commission.

Section 4.3 Terms of Office.

- (a) The terms of office of the municipal commissioners shall be one (1) year commencing in June of each year. Commissioners shall serve at the pleasure of the appointing official and may be reappointed for an unlimited number of terms.
- (b) The terms of office for the two (2) at large commissioners shall be one (1) year commencing in June of each year. The at large commissioners shall serve at the pleasure of the chairperson of the commission and may

be reappointed for an unlimited number of terms.

Section 4.4 Vacancies. Vacancies on the Commission shall be filled by the appointing authority who appointed the person whose office is vacant. A person appointed to fill a vacancy shall serve for the remainder of the unexpired term to which they were appointed.

Section 4.5 Compensation. Commissioners shall receive no salaries for their services, but shall be entitled to reimbursement for their actual and necessary expenses incurred in the performance of their duties. Reimbursement for mileage shall be at the then current Standard Mileage Rate for Business established by the Internal Revenue Service.

Section 4.6 Confidentiality.

The Commission shall provide by resolution for the confidentiality of information obtained under Section 66.0615(2). All Room Tax returns, schedules, exhibits, writings or audit reports relating to such returns, on file with the Commission and the Municipalities are deemed confidential, except the Commission or the Municipalities may divulge their contents to the following, and no others:

- (a) The person or his/her legal representative who filed the return;
- (b) Officers, employees or agents of the municipal treasurer and the Commission;
- (c) Other persons for the use in the discharge of duties imposed by law, or in the discharge of the duties of their office (unless otherwise prohibited by law), or by order of a court.

The Commission may provide for the publishing of statistics classified so as not to disclose the identity of particular returns. The commission shall provide that persons violating the resolution enacted under this subsection may be required to forfeit not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00).

ARTICLE 5

COMMISSION MEETINGS

Section 5.1 Meeting Locations. All meetings of the Commission, annual, regular and special shall be held within the municipalities which comprise the Tourism Zone.

Section 5.2 Annual Meeting. The Annual Meeting of the Commission shall be held on a date during the month of ~~May~~ June of each year, at such place and time, as shall be determined by the Chairperson or by resolution of the Commission.

Section 5.3 Regular Meetings. Regular meetings of the Commission shall be held at such dates, times and places as shall be fixed by the Chairperson upon no less than forty-eight (48) hours prior notice.

Section 5.4 Special Meetings. Special meetings of the Commission may be called by the Commission Chairperson or by the Vice-Chairperson, in the absence of the Chairperson. Special meetings of the Commission may also be called upon a written request signed by three (3) Commissioners stating the purpose or purposes of such Special Meeting request. The person or persons authorized to call special meetings of the Commission may fix the date, time and place of such meeting upon no less than 48 hours prior notice. If no place of the meeting has been specified, the place of the meeting shall be the Commission's principal office in the Tourism Zone.

Section 5.5 Electronic Participation in Meetings. To the extent provided by these Bylaws, the Commission, or any committee of the Commission, may, in addition to conducting meetings in which each commissioner participates

Door County Tourism Zone Commission Bylaws

06/18/2026

in person, and notwithstanding any place set forth in the notice of the meeting by these Bylaws, conduct any annual, regular or special meeting by the use of any electronic means of communication, provided (1) all participating commissioners may simultaneously hear each other during the meeting, and/or (2) all communication during the meeting is immediately transmitted to each participating commissioner, and each participating commissioner is able to immediately send messages to all other participating commissioners; and (3) all requirements of the Open Meetings Law are met. A commissioner participating in a meeting by any means pursuant to this Section 5.5 shall be deemed to be present in person at the meeting.

Section 5.6 Meeting Notice.

- (a) Notice of any regular or special meeting shall be given by written notice, delivered personally, by mail, express courier, facsimile transmission or e-mail to each commissioner at his or her business address, facsimile number, e-mail address or at such other address or number as such commissioner shall have designated in writing and filed at the Commission's principal office. Such notice shall normally be given at least three (3) calendar days prior to a regular meeting and, in no case, less than twenty-four (24) hours prior to a meeting. In the case of an emergency, notice to commissioners shall be given at least two (2) hours before a meeting.
- (b) Notice of any regular or special meeting shall be given by written notice, delivered personally, by mail, express courier, facsimile transmission or e-mail to each member municipality at its business address, facsimile number, e-mail address or such other address or number as such municipality shall have designated in writing and filed at the Commission's principal office. It shall be the responsibility of said noticed municipality to post the notice as set forth in Chapter 19 of the Wisconsin Statutes. Such notice shall normally be given at least three (3) calendar days prior to a regular meeting and, in no case, less than twenty-four (24) hours prior to a meeting. In the case of an emergency, notice to member municipalities shall be given at least two (2) hours before a meeting.
- (c) Public notice of all meetings shall be given if and as required and provided in Chapter 19 of the Wisconsin Statutes. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail so addressed, with postage thereon prepaid. If notice is given by electronic mail, such notice shall be deemed to be delivered when the sender transmits the message. If notice is given by facsimile transmission, such notice shall be deemed to be delivered when the sender receives in-hand a confirmation sheet indicating that the transmission is complete. Whenever any notice is required to be given to any commissioner under the provisions of these Bylaws, or under the provisions of any statute, a waiver thereof, in writing, signed at anytime, whether before or after the time of the meeting, by the commissioner entitled to such notice, shall be deemed equivalent to the given of such notice. The attendance of a commissioner at a meeting shall constitute a waiver of notice of such meeting, except where a commissioner attends a meeting and objects because the meeting is not lawfully called or convened.
- (d) Consistent with the requirements of Section 19.84 of the Wisconsin Statutes a Commission meeting shall be considered properly noticed, if the notice required above is provided to the Door County Advocate, the Peninsula Pulse and the member municipalities within the required time periods. The failure of any member municipality to post the meeting notice consistent with its requirements shall not invalidate the Commission's meeting notice and posting.

Section 5.7 Agenda Packet. An agenda and a copy of all materials to be presented or acted upon at a meeting of the commission shall be given in written form, delivered personally, by mail or express courier to each commissioner at his or her business address or at such other address as such commissioner shall have designated in writing and filed at the commission's principal office. This agenda packet shall normally be provided at least three (3) calendar days prior to an annual or regular meeting; however, supporting documentation of an agenda item that may not have been available at the time the packet was sent out shall be presented at the meeting as if it were included in the packet. Notwithstanding, any other informational material that was not timely received to be

Door County Tourism Zone Commission Bylaws

06/18/2026

included in the agenda packet, which the commissioners have not had ample time to review may be presented at the meeting. This information may be discussed at the meeting at the pleasure of the chairperson but under no circumstance shall any action be taken except to table or have it brought forth at a future meeting at which time it shall be properly noticed and timely received.

Section 5.8 Quorum. A majority of the number of commissioners then in office shall constitute a quorum for the transaction of business at any meeting of the Commission.

Section 5.9 Manner of Acting. Except as otherwise specified by law or these Bylaws, the affirmative vote or approval of a majority of the commissioners present at a meeting at which a quorum is present, shall be the act of the Commission, [or a committee of the Commission in the case of a committee meeting]. The voting on all matters presented for a vote shall be by voice vote, unless a commissioner requests a roll call, or if roll call vote is required by law, in which case the Yeas and Nays shall be entered upon the minutes of the meeting. All resolutions or votes of the Commission shall be entered in full in the minutes of the meeting or otherwise reduced to writing.

Section 5.10 Presumption of Assent. A commissioner, who is present at a meeting of the Commission or a committee thereof at which action on any Commission matter is taken, shall be presumed to have assented the action taken unless the commissioner's dissent shall be entered in the minutes of the meeting. The right of dissent or abstention is not available to a commissioner who votes in favor of the action taken.

Section 5.11 Conduct of Meetings. The Chairperson, and in his or her absence the Vice-Chairperson, and in their absence, any commissioner chosen by the commissioners then present, shall call meetings of the Commission to order and shall act as chairperson of the meeting. The Secretary shall act as secretary of all meetings of the Commission, but in the absence of the Secretary, the presiding officer may appoint any commissioner or other person to act as secretary of the meeting. Except as otherwise provided or contemplated herein, at the request of the Chairperson, or any two (2) commissioners present, a meeting shall generally be conducted by Robert's Rules of Order as revised from time to time or in an orderly manner as determined by the Chairperson.

Section 5.12 Meeting Attendance. Commissioners are expected to make every effort to attend all Full Commission meetings and meetings for committees to which they are appointed. Commissioners may occasionally miss meetings due to factors outside their control such as illness, travel schedules, jury duty, or holidays. These will generally be considered "excused" absences. In all cases, commissioners are expected to notify staff or the chair of any meetings they will be unable to attend. Commissioners may be removed from their committee or officer appointments by a majority vote of the Commission if more than two absences without notification occur during their term.

ARTICLE 6

REPORTS AND AUDIT

Section 6.1 Reports. The Commission shall submit the following reports to all member municipalities:

(a) A monthly report that includes:

1. A list of all lodging properties in the municipality, the total amount of room tax paid and any properties that are delinquent.
2. A payment to the municipality for thirty percent (30%) of the amount collected.
3. This report and payment should be sent by the twenty-fourth (24th) of the month following the month in which the tax was collected.

(b) A quarterly report that includes:

Door County Tourism Zone Commission Bylaws

06/18/2026

1. A detailed report of all administrative expenses of the commission for the past quarter.
2. A detailed report from the Tourism Entity itemizing all expenses incurred in the past quarter that have been or should have been paid by the Commission.
3. This report should be delivered within sixty (60) days after the end of the quarter.

(c) The annual report that includes:

1. A summary of the activity of the past year.
2. A list of all room tax collected by each member municipality in the zone for each month of the year.
3. A detailed report of all administrative expenses of the commission for the past year.
4. A detailed report from the Tourism Entity itemizing all expenses incurred in the past year that have been or should have been paid by the Commission.
5. A balance sheet of the commissions finances.
6. An annual report from the Tourism Entity showing:
 - i. A summary of the activity of the past year.
 - ii. A report showing the return on investment, i.e., how well the established goals and objectives for the year have been met.
 - iii. The mutually agreed upon goals and objectives for the new year.
7. These reports should be submitted to all member municipalities and all participating lodging properties no less than ten (10) days before the annual meeting of the Commission but no later than the 15th day of May of the year following the year being audited.
8. An annual meeting of the Door County Tourism Zone Commission including all member municipalities, all members of the Door County Visitor Bureau which are located in the Tourism Zone and all lodging properties participating in the collection of the room tax should take place each year in the month of May, after the annual report has been received and before the new summer tourist season begins. At this meeting, questions, concerns, future goals and objectives will be addressed.

Section 6.2 Annual Audit. An annual audit of the Door County Tourism Zone Commission's financial records shall be conducted by a licensed accounting firm chosen by a majority vote of the commissioners present at the meeting when the vote is taken. This audit shall be conducted as soon as practicable after January 1 and shall be completed and received by the commission no later than the 5th day of May the year after the year being audited.

ARTICLE 7

OFFICERS

Section 7.1 Designation. The principal officers of the Commission shall be a Chairperson, a Vice Chairperson, a Secretary and/or a Treasurer. The Commission shall select such officers from its members. Such other officers and assistant officers as may be deemed necessary by action of the Commission may be elected or appointed by the Commission.

Section 7.2 Terms of Office. Except as otherwise provided in this Section, officers shall serve two-year terms. Each officer shall hold office for a term of one (1) year, commencing on the day of his or her election, or until his or her successor shall have been duly elected and shall have qualified, or until his or her death or resignation or until he or she shall have been removed from office in the manner hereinafter provided. Commissioners may serve no more than two consecutive terms as an officer, excluding any partial term when a member is appointed to fulfill an unexpired term. A year is defined as concurrent with the Commission's annual meeting schedule – i.e., June annual meeting to June annual meeting. If the election of such officers shall not be held at such meeting, such election shall be held as soon thereafter as it may be convenient.

Door County Tourism Zone Commission Bylaws

06/18/2026

After serving two consecutive two-year terms, Commission members are eligible for reelection as an officer after a one-year absence from the executive committee. Each officer shall serve until the expiration of his or her term and until a successor is chosen. Officers shall be elected by and from the members of the Commission. The Immediate Past Chairperson shall serve a one-year term on the executive committee after serving his or her term as Chairperson, except if the Chairperson is not reappointed to the Commission the year following their chairmanship. The vice-chair automatically succeeds to the office of Chairperson regardless of whether they have served a previous two-year term in another position. The treasurer and secretary shall be elected on odd years and the vice-chair and chair shall be elected on even years. The Chairperson, Vice Chairperson, Secretary and/or Treasurer (the "Elected Officers") shall be elected by the commissioners at the June meeting of the Commission or at such other time as determined by the Commission. Should an officer not be reappointed during the second year of their term, a replacement will be selected by majority vote of the Full Commission.

Section 7.3 Removal. All officers who engage in the Door County lodging industry must remain in good standing with the Tourism Zone for the duration of their term. Additionally, all officers must maintain good attendance throughout their term in order to remain in their position. Although the Commission is unable to "enforce" participation, it is essential that we ensure we are able to reach quorums in order to maintain functionality. Any officer or agent elected or appointed by the Commission may be removed by the Commission whenever, in its judgment, the Commission's best interests will be served thereby.

Section 7.4 Vacancies. A vacancy in any principal office because of death, resignation, removal, disqualification or otherwise, shall be filled by the Commission for the unexpired portion of the term.

Section 7.5 Chairperson. The Chairperson shall be the Commission's principal executive officer and, subject to the control of the Commission, shall, in general, supervise all of the business and affairs of the Commission. The Chairperson shall, when present, preside at all meetings of the Commission. The Chairperson shall have the authority, either alone, with another officer or through his designee, to sign, execute and acknowledge, on behalf of the Commission, all deeds, mortgages, bonds, contracts and other documents or instruments which are necessary or proper in the regular course of the Commission's business or which may be authorized by the Commission, except in cases where the signing and execution thereof shall be expressly delegated by the Commission or by the Bylaws to some other officer or agent of the Commission, or shall be required by law to be otherwise signed or executed. The Chairperson shall in general perform all duties incidental to the office of the Chairperson and such other duties as may be prescribed by the Commission from time to time. The Chairperson shall be an ex-officio member of all of the Commission's committees. In the absence of actual knowledge by third parties to the contrary, the execution of an instrument of the Commission by the Chairperson shall be conclusive evidence, as to such third parties, of his or her authority to execute the instrument on behalf of the Tourism Zone.

Section 7.6 Vice-Chairperson. In the absence of the Chairperson, or in the event of the Chairperson's death or inability or refusal to act as directed by the Commission, the Vice-Chairperson shall perform duties of the Chairperson; and when so acting, shall have all the powers of and be subject to all the restrictions upon the Chairperson. The Vice-Chairperson may sign, with the Secretary, bonds or notes of the Commission and shall perform all other duties as from time to time may be assigned by the Chairperson and/or the Commission. In the absence of actual knowledge by third parties to the contrary, the execution of any instrument of the Commission by the Vice-Chairperson shall be conclusive evidence, as to such third parties, of his or her authority to act in the stead of the Chairperson.

Section 7.7 Secretary. The Secretary shall:

- (a) Keep or appoint someone to keep the minutes of the meetings of the Commission in one or more books provided for that purpose.

Door County Tourism Zone Commission Bylaws

06/18/2026

- (b) See that all notices are duly given in accordance with the provisions of these Bylaws or as required by law.
- (c) Act as the custodian or designate an individual to act as custodian of the Commission's records and see that books, reports, statements, certificates and all other documents and records required by law are properly kept and filed.
- (d) Keep a register of the post office address of each Commissioner and each officer, which shall be furnished to the Secretary by each such person.
- (e) Sign with the Chairperson and/or Vice-Chairperson, all bonds, notes, agreements, deeds, instruments, certificates and other documents of the Commission which shall have been authorized by resolution of the Commission.
- (f) In general, perform all duties incidental to the office of the Secretary and such other duties as from time to time may be assigned to him or her by the Chairperson and/or the Commission.

Section 7.8 Treasurer. The Treasurer, or his or her designee, shall:

- (a) Have charge and custody of and be responsible for all of the Commission's funds and securities.
- (b) Receive and give receipts for money due and payable to the Commission from any source whatsoever, and deposit all funds of the Commission in such banks, trust companies or other depositories as shall be selected in accordance with the provisions of these Bylaws.
- (c) In general perform all of the duties incidental to the office of the Treasurer and such other duties as from time to time may be assigned to him or her by the Chairperson and/or the Commission.

Section 7.9 Bonds Required. As required by the Door County Tourism Zone Commission Agreement and the Commission, the Officers and Administrative employees shall give a bond for the faithful discharge of their duties in such sum and with such surety or sureties as the Commission shall determine.

Section 7.10 Assistant Secretaries and Assistant Treasurers. The Commission may authorize one or more Assistant Secretaries and/or Assistant Treasurers from time to time. Any such Assistant Secretary may sign with the Chairperson, or Vice-Chairperson, debt securities of the Tourism Zone, the issuance of which shall have been authorized by a resolution of the Commission. The Assistant Secretaries and/or Treasurers, as required by the Door County Tourism Zone Commission Agreement and the Commission, shall give bonds for the faithful discharge of their duties in such sums and with such sureties as the Commission shall determine. The Assistant Secretaries and Assistant Treasurers, in general, shall perform such duties as shall be assigned to them by the Secretary or the Treasurer, respectively, or by the Chairperson or the Commission.

Section 7.11 Other Personnel. The Commission may, from time to time, appoint, hire and employ such other personnel as it shall deem necessary to exercise and carry out the powers, Duties and functions of the Commission. The qualifications, duties and numbers of such personnel shall be consistent with the policies determined by the Commission.

Section 7.12 Salaries. Officers shall receive no salaries for their services, but they shall be entitled to reimbursement for their actual and necessary expenses incurred in the performance of their duties. Reimbursement for mileage shall be at the then current Standard Mileage Rate for Business established by the Internal Revenue Service.

Article 8

Executive Committee

Section 8.1 Designation. The executive committee shall consist of all Commission officers and two members from the Commission at-large. The Commission shall select such officers from its members.

Section 8.2 Terms of Office. Except as otherwise provided in this Section, members of the executive committee shall serve two-year terms. Commissioners may serve no more than two consecutive terms on the executive committee, excluding any partial term when a member is appointed to fulfill an unexpired term. A year is defined as concurrent with the Commission's annual meeting schedule – i.e., June annual meeting to June annual meeting. If the election of such executive committee members shall not be held at such meeting, such election shall be held as soon thereafter as it may be convenient. After serving two consecutive two-year terms, Commission members are eligible for reelection to the executive committee after a one-year absence from the committee. Each committee member shall serve until the expiration of his or her term and until a successor is chosen. The members of the executive committee shall be elected by and from the members of the Commission. The treasurer, secretary and two at-large positions shall be elected on odd years and the vice-chair and chair positions will be elected on even years. Should an executive committee member not be reappointed during the second year of their term, a replacement will be selected by majority vote of the Full Commission.

Section 8.3 Removal. All executive committee members who engage in the Door County lodging industry must remain in good standing with the Tourism Zone for the duration of their term. Additionally, all executive committee members must maintain good attendance throughout their term in order to remain on the committee. Although the Commission is unable to “enforce” participation, it is essential that we ensure we are able to reach quorums in order to maintain functionality. Any committee member elected or appointed by the Commission may be removed by the Commission whenever, in its judgment, the Commission's best interests will be served thereby.

Section 8.4 Vacancies. A vacancy in any principal office because of death, resignation, removal, disqualification or otherwise, shall be filled by the Commission for the unexpired portion of the term. If no eligible Commission member volunteers to serve on the Executive Committee for a position, a Commission member who has previously served on the executive committee for two terms and has not completed the one year absence can be elected to an officer or at-large executive committee position.

Section 8.5 Executive committee members shall receive no salaries for their services, but they shall be entitled to reimbursement for their actual and necessary expenses incurred in the performance of their duties. Reimbursement for mileage shall be at the then current Standard Mileage Rate for Business established by the Internal Revenue Service.

ARTICLE 98

CONTRACTS AND FINANCIAL TRANSACTIONS

Section 98.1 Contracts. The Commission may authorize any officer or officers and/or employees, to enter into any contract, or to execute and deliver any instrument in the name of and on behalf of the Commission, and such authorization may be general or confined to specific instances. The Chairperson shall have the authority to enter into any contract or to deliver any instrument in the name and on behalf of the Commission with respect to any approved budgetary item or as may be granted by the Commission for other specific items from time to time.

Section 98.2 Deposits. All funds collected or otherwise received by the Commission not otherwise employed shall be deposited from time to time to the credit and under the name of the Commission in such banks, trust companies,

or other depositories as may be selected by or under the authority of the Commission.

Section 98.3 Checks. All checks, drafts or other orders for the payment of money, notes or other evidence of indebtedness issued in the name of the Commission, shall be signed by such officer or officers, agent or agents, of the Commission, and in such manner as shall, from time to time, be determined by or under the authority of a resolution of the Commission.

Section 98.4 Loans. No loans shall be contracted on behalf of the Commission and no evidence of indebtedness shall be issued in its name unless authorized by or under the authority of a resolution of the Commission. Such authorization may be general or confined to specific instances.

Section 98.5 Financial Regulations. The Commission shall have the power and authority to enact such rules and regulations, consistent with the provisions of applicable Wisconsin Statutes, as it may deem necessary concerning the issue, transfer, registration and verification of the Commission's financial transactions.

ARTICLE 109

INDEMNIFICATION

Section 109.1 Mandatory Indemnification.

- (a) Successful on the Merits. The Commission shall indemnify a commissioner, officer or employee of the Commission to the extent he or she has been successful on the merits or otherwise in the defense of a proceeding, for all reasonable expenses incurred in the proceeding, if the commissioner or officer was a party because he or she is or was at the time of the events upon which the proceeding was based, a commissioner or officer of the Commission. A commissioner or officer shall exercise his or her right to indemnification under this Section 9.1 by delivering a written demand for indemnification to the Commission's Treasurer or the Chairperson if the party seeking indemnification is the Treasurer.
- (b) Good Faith. In all cases not included in Section 9.1(a), the Tourism Zone shall indemnify a commissioner or officer against liability incurred by the commissioner or officer in a proceeding to which the commissioner or officer was a party because he or she is or was, at the time of the events upon which the proceeding was based, a commissioner or officer of the Commission; provided that there is a determination that the commissioner or officer acted in good faith and in a manner he or she reasonably believed to be in or not opposed to the best interests of the Commission, and provided that such act or omission by the commissioner does not constitute a violation of criminal law, unless a commissioner or officer had reasonable cause to believe that his or her conduct was lawful or had no reasonable cause to believe his or her conduct was unlawful. Whether or not a commissioner shall be entitled to indemnification under this Section 9.1(b) shall be determined in accordance with the procedures established in Section 9.2.
- (c) No Presumption. The termination of a proceeding by judgment, order, settlement or conviction, or upon a plea of no contest or an equivalent plea, does not, by itself, create a presumption that indemnification of the commissioner or officer is not required under this subsection.

Section 109.2 Determination of Right to Indemnification. A commissioner or officer seeking indemnification under Article 9 shall first make a written request to the Commission's Treasurer or the Commission's Chairperson if the person seeking indemnification is the Treasurer, for such indemnification. Determination of whether indemnification is required shall be made by one of the following means:

- (a) By a majority vote of a quorum of the Commission consisting of commissioners who are not at the time

Door County Tourism Zone Commission Bylaws

06/18/2026

parties to the same or related proceedings with respect to which the indemnification claim has been made. If such quorum of disinterested commissioners cannot be obtained, by a majority vote of a committee duly appointed by the Commission and consisting solely of three (3) or more commissioners who are not at the time parties to the same or related proceedings. Commissioners who are parties to the same or related proceedings may participate in the designation of members of the committee.

- (b) By independent legal counsel selected by a majority vote of a quorum of the Commission or its committee consisting of commissioners who are not at the time parties to the same or related proceedings; or, if such a quorum cannot be obtained, by a majority vote of the full Commission, including commissioners who are parties to the same or related proceedings.
- (c) By a panel of three (3) arbitrators consisting of one (1) arbitrator selected by those commissioners entitled under subsection (b) above to select independent legal counsel, one (1) arbitrator selected by the commissioner or officer seeking indemnification, and one (1) arbitrator selected by the other two (2) arbitrators.
- (d) By a court of competent jurisdiction upon application by the commissioner or officer for an initial determination of entitlement to indemnification or for review by the court of an adverse determination. Indemnification shall be ordered if the court determines that the commissioner or officer is entitled to indemnification under Section 9.1 or that the commissioner or officer is fairly and reasonably entitled to indemnification by order of the court, in addition to indemnification against all other expenses and liability, the commissioner or officer shall be reimbursed for expenses reasonably incurred in pursuing his or her request for indemnification.
- (e) The commissioner or officer of the Commission seeking indemnification shall designate in his or her request for indemnification the method of making the indemnification determination.

Section 10.3 Advance of Expenses as Incurred. The Commission may, upon written request by the commissioner or officer, pay for or reimburse the reasonable expenses incurred by a commissioner or officer who is a party to the proceedings, as those expenses are incurred, if the commissioner or officer furnishes the Commission with a written affirmation.

Section 10.4 Insurance. The Commission shall purchase or provide insurance on behalf of its commissioners and officers, or to reimburse itself, against liability asserted or incurred and expenses incurred by the commissioner or officer in connection with a proceeding brought against the commissioner or officer in his or her capacity as commissioner or officer or arising from his or her status as a commissioner or officer, regardless of whether the Commission is required or authorized to indemnify the individual against the same liability pursuant to the provisions hereof.

Section 10.5 Severability. To the extent any court of competent jurisdiction shall determine that the indemnification provided under this Article 9 shall be invalid as applied to a particular claim, issue or matter, the provisions hereof shall be deemed amended to allow and require indemnification to the maximum extent permitted by law.

ARTICLE 11

RATIFICATION AND AMENDMENTS

Section 11.1 Ratification. Ratification of these Bylaws and any proposed alterations, amendments or deletions to the provisions thereto shall be by two-thirds (2/3) assenting vote of all member municipalities.

Section 11.2 Action on Proposed Modifications. The Commission or any member municipality may, from time to time, propose amendments, alterations or revocation of any and all provisions of these Bylaws. These

Door County Tourism Zone Commission Bylaws

06/18/2026

proposed modifications to the Bylaws shall be presented to the Bylaws Committee for review and recommendation. The Bylaws Committee shall review said proposed modifications and present them to the commission at its next regular or special meeting, as an agenda item, with a recommendation and request for action. In no case will the Bylaws Committee have less than thirty (30) days to review any proposed modifications. The Commission shall debate the modifications and the recommendation and upon a two-thirds (2/3) assenting vote authorize the Commission to proceed to the member municipalities for ratification. Under no circumstance shall any action be taken by the Commission or the Municipalities until the Bylaws Committee has had time to review the proposed modifications and make its recommendation and the Commission has cast an assenting vote to proceed.

Section 19.3 Implied Amendments. Any action taken or authorized by the Commission, which would be inconsistent with the Bylaws then in effect but which is taken or authorized by affirmative vote of not less than the number of commissioners required to amend the Bylaws so that the Bylaws would be consistent with such action, shall be given the same effect as though the Bylaws had been temporarily amended or suspended as far, but only as far, as is necessary to permit the specific action so taken or authorized.

DOOR COUNTY TOURISM ZONE COMMISSION COMMISSION BYLAWS

The Door County Tourism Zone Commission Bylaws dated this 18th day of June, 2026 are hereby

APPROVED ☐

REJECTED ☐

By the Board of the Village/Town of _____

By President/Chairperson _____

Attested by Secretary/Clerk _____

Date _____

DOOR COUNTY TOURISM ZONE COMMISSION COMMISSION BYLAWS

The Door County Tourism Zone Commission Bylaws dated this 18th day of June, 2026 are hereby

APPROVED ☐

REJECTED ☐

By the Board of the Village/Town of _____

By President/Chairperson _____

Attested by Secretary/Clerk _____

Date _____