



38 § 940.225(1) First Degree Sexual Assault;  
39 § 940.225(2) Second Degree Sexual Assault;  
40 § 940.225(3) Third Degree Sexual Assault;  
41 § 940.22(2) Sexual Exploitation by Therapist;  
42 §940.30 False Imprisonment where victim was a minor and not the offender's child;  
43 § 940.31 Kidnapping where victim was minor and not the offender's child;  
44 § 944.01 Rape (prior statute);  
45 § 944.06 Incest;  
46 § 944.10 Sexual Intercourse with a Child (prior statute);  
47 § 944.11 Indecent Behavior With a Child (prior statute);  
48 § 944.12 Enticing Child for Immoral Purposes (prior statute);  
49 § 948.02(1) First Degree Sexual Assault of a Child;  
50 § 948.02(2) Second Degree Sexual Assault of a Child;  
51 § 948.025 Engaging in Repeated Acts of Sexual Assault of the Same Child;  
52 § 948.05 Sexual Exploitation of a Child;  
53 § 948.055 Causing a Child to View or Listen to Sexual Activity;  
54 § 948.06 Incest with a Child;  
55 § 948.07 Child Enticement;  
56 § 948.075 Use of a Computer to Facilitate a Child Sex Crime;  
57 § 948.08 Soliciting a Child for Prostitution;  
58 § 948.085 Sexual Assault of a Child Placed in Substitute Care;  
59 § 948.09 Sexual Intercourse With a Child Age 16 or Older;  
60 § 948.095 Sexual Assault of a Student by School Instructional Staff;  
61 § 948.11(2)(a) or (am) Exposing Child to Harmful Material, felony sections;  
62 § 948.12 Possession of Child Pornography;  
63 § 948.13 Convicted Child Sex Offender Working with Children;  
64 § 948.30 Abduction of Another's Child;  
65 § 971.17 Not Guilty by Reason of Mental Disease, of an included offense;  
66 § 975.06 Sex Crimes Law Commitment.  
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68 *Child or children* means person(s) under the age of 18 years for purposes of this chapter.

69 *Designated offender* means a person who has been convicted of or has been found delinquent of  
70 or has been found not guilty by reason of disease or mental defect of a sexually violent offense  
71 and/or a crime against children.

72 *Minor* means a person under the age of 17 years.

73 *Permanent residence* means a place where the designated offender lodges or resides for 14 or  
74 more consecutive days.

75 *Sexually violent offense* shall have the meaning as set forth in Wis. Stat. § 980.01(6), as amended  
76 from time to time.

77 *Temporary residence* means either: (1) a place where the person abides, lodges or resides for a  
78 period of 14 or more days in the aggregate during any calendar year and which is not the person's  
79 permanent address; or (b) a place where the person routinely abides, lodges or resides for a

period of four or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence.

### 3. Prohibited location of residence for designated sex offenders

Residency restrictions. An offender shall not establish a residence in any location on a parcel of land which, in whole or in part, is within one thousand (1,000) feet of the real property comprising any of the following:

(a) A public school as defined in Wis. Stat. § 115.01(1), a private school as defined in Wis. Stat. § 115.001(3), a group home, as defined in Wis. Stat. § 48.02(7), a residential care center for children and youth as defined in Wis. Stat. § 48.02(15d), a shelter care facility as defined in Wis. Stat. § 48.02(17), a foster home as defined in Wis. Stat. § 48.02(6), a treatment foster home as defined in Wis. Stat. § 48.02(17q), a day-care center licensed under Wis. Stat. § 48.65, a day-care program established under Wis. Stat. § 120.13(14), a day-care provider certified under Wis. Stat. § 48.651, or a youth center as defined in Wis. Stat. § 961.01(22); and/or

(b) Any facility used for:

1. A public park, parkway, parkland, park facility;

2. A public swimming pool;

3. A public library;

4. A recreational trail;

5. A public playground;

6. A school for children;

7. Athletic fields used by children;

8. A day-care center;

9. Any specialized school for children, including, but not limited to, a gymnastics academy, dance academy or music school;

10. Aquatic facilities open to the public.

This section is not intended to limit any persons from exercising their right to assemble or engage in any other constitutionally protected activity. The chapter only applies to individuals with the requisite intent to induce or lure a child away from a child's location within a child safety zone.

### 4. Exceptions

A person does not commit a violation of Section 3 if any of the following apply:

(1) The property supporting an enumerated use under Section 3 also supports a church, synagogue, mosque, temple, or other house of religious worship, subject to the following conditions:

a. Entrance and presence upon the property occurs only during hours of worship or other religious program/services as posted to the public; and

b. Written advance notice is made from the person to an individual in charge of the property and approval from an individual in charge of the property as designated by the property is made in return, of the attendance by the person; and

c. The person shall not participate in any religious education programs which include individuals under the age of 18.

(2) The property supporting an enumerated use under Section 3 also supports a use lawfully attended by a person's natural or adopted child(ren), which child's use reasonably requires the attendance of the person as the child's parent upon the property, subject to the following conditions:

a. Entrance and presence upon the property occurs only during hours of activity related to the use as posted to the public; and

b. Written advance notice is made from the person to an individual in charge of the use upon the property, and approval from an individual in charge of the use upon the property as designated by the owner of the use upon the property is made in return, of the attendance by the person; and

(3) The property surrounding an enumerated use under Section 3 also supports a polling location in a local, state or federal election, subject to the following conditions:

a. The person is eligible to vote;

b. The designated polling place for the person is an enumerated use; and

c. The person enters the polling place property, proceeds to cast a ballot with whatever usual and customary assistance is provided to any member of the electorate, and the designated sex offender vacates the property immediately after voting; and

(4) The attendance is authorized by the designated sex offender's conditions of supervision, if on parole.

The Village Clerk shall maintain an official map showing locations identified in subsection 3 of this section. The village clerk shall cause such map to be updated at least annually to reflect any changes in the location of prohibited zones. These shall be designated on the map as "child safety zones." The map is to be kept in the office of the Village Clerk. In the event of a conflict, the written terms of this chapter shall control.

145 5. Penalties

146 (a) Any violation of this section shall be subject to a forfeiture not exceeding \$1,000.00. Each  
147 day of each violation shall constitute a separate offense.

148 (b) Violation of this chapter shall constitute a public nuisance, which, in addition to monetary  
149 forfeitures shall be subject to action by the village to abate and enjoin such nuisance.

150 6. Injunctive relief

151 If a person violates any provision of this section listed above, without any exception(s) as also  
152 set forth above, the village attorney, upon referral from the chief of police and the written  
153 determination by the chief of police that upon all of the facts and circumstances and the purpose  
154 of this section, such residence occupancy presents an activity or use of property that interferes  
155 substantially with the comfortable enjoyment of life, health, safety of another or others, shall  
156 bring an action in the name of the village in the Circuit Court for Waukesha County to  
157 permanently enjoin such residence as a public nuisance.

158 7. Property owners prohibited from renting real property to sexual offenders

159 It is unlawful to let or rent any place, structure or part thereof, manufactured home, trailer, or  
160 other conveyance, with the knowledge that it will be used as a permanent residence or temporary  
161 residence by any person prohibited from establishing such permanent residence or temporary  
162 residence by any person prohibited from establishing such permanent residence or temporary  
163 residence pursuant to the terms of this chapter, if such place, structure or part thereof,  
164 manufactured home, trailer, or other conveyance, is located within 1,000 feet of any prohibited  
165 locations, which is not currently rented to a designated offender.

166 8. Notification

167 Consistent with state requirements, the state agency working with the sex offender must notify  
168 the Village of Lannon Police Chief a minimum of 28 days prior to establishing either a  
169 permanent residence or temporary residence within the Village of Lannon.

170  
171 **SECTION 2:** If any section, sentence, clause, phrase or portion of this ordinance is for any  
172 reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall  
173 be deemed a separate, distinct and independent provision, and such holding shall not affect the  
174 validity of the remainder of such ordinance.

179 **SECTION 3:** This ordinance shall take effect and be in full force from and after its passage and  
180 publication.

181 Passed and approved this 12th day of January, 2016.

182

183 VILLAGE OF LANNON

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185 By: \_\_\_\_\_

186 David Nagler, Village President

187 ATTEST:

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189 Brenda Klemmer, Village Clerk/Treasurer

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