

AGENDA: RULES, REGULATIONS, & PARKS COMMITTEE MEETING
425 Water Street, Lomira
September 10, 2025 6pm

The committee will meet to discuss the following:

- Selling equipment/vehicles/items on residential lots
- Parking on improved surfaces ordinance
- Weed and grass removal ordinance
- Cat licensing ordinance
- Schedule of fees
- Sex offender residency restrictions ordinance

A quorum of the Village Board trustees may be present at this committee meeting for the purpose of gathering information and possible discussion on items listed on this agenda. However, unless otherwise noted in this agenda, no official action by the Village Board will be taken at this meeting.

Agendas are posted in the following places: Lomira municipal building and website www.villageoflomira.gov at least 24 hours before meeting(s). Persons requiring additional services to participate in any public meeting should contact the Clerk-Treasurer's office at 920-269-4112 option 2 for assistance prior to the meeting.

Posted 9/5/25 3:30pm Lomira Municipal Building, www.villageoflomira.gov/agendas-minutes

Jenna Rhein, A/C/T

BE IT ORDAINED, BY THE VILLAGE BOARD OF THE VILLAGE OF LOMIRA, DODGE COUNTY, WISCONSIN AS FOLLOWS:

Section 4-6 of the Lomira Municipal Code is hereby amended to read as follows:

Sec. 4-6. DOG LICENSE TAX REQUIREMENT. Except as provided in ss174.075, Wisconsin Statutes the owner of a dog of more than 5 months of age on January 1 of any year or 5 months of age within the license year shall annually on or before the date that the dog becomes 5 months of age pay the dog license tax and obtain a license as herein provided. The owner of the animal in question must present current proof of rabies vaccination certification of the dog before the license will be issued.

(1) LICENSE YEAR. The license year commences on January 1 and ends on the following December 31.

(2) LICENSE FEE. Every person residing in the Village of Lomira that owns any dog or having same in his or her possession shall obtain a license for such dog to be kept or harbored in the village of Lomira by paying the Village of Lomira Clerk/Treasurer the dog license tax of \$15.00 per animal for an unneutered male or unsprayed female dog, or upon presentation of evidence that the dog is neutered or spayed the sum of \$10.00 per animal.

(3) ADDITIONAL TAX. The Village of Lomira Board may by resolution raise the minimum license tax on dogs and cats within its jurisdiction. If the Village of Lomira Board increases the minimum tax for unneutered male dogs and unsprayed female dogs is greater than the tax for neutered male dogs and spayed female dogs.

(4) LATE FEES. In accordance with ss174.05(5) Wisconsin State Statutes the Village of Lomira Clerk/Treasurer shall assess and collect a late fee from every owner of a dog that is 5 months of age or over, if the owner of the animal failed to obtain a license for that animal prior to April 1 of each calendar year, or within 30 days of acquiring ownership of a licensable dog or if the dog owner failed to obtain a license on or before the dog reached licensable age. All late fees received or collected shall be paid into the Village of Lomira Treasury as revenue of the Village of Lomira. The Village of Lomira Board may, when setting the amount of the dog license requirement tax, provide that any person purchasing a dog license for a dog over 5 months of age or over after April 1 of that calendar year shall pay an additional late fee.

Motion by Tr. _____, seconded by Tr. _____
to adopt Ordinance #376 as presented.

Roll call yielded the following results: Ayes: _____

Nays: _____ Absent: _____

Motion carried. Passed and adopted this _____ day of _____ 2025.

ATTEST: _____

Jenna S. Rhein, A/C/T

Donald Luedtke, President

ORDINANCE NO. 377

BE IT ORDAINED, BY THE VILLAGE BOARD OF THE VILLAGE OF LOMIRA, DODGE COUNTY, WISCONSIN AS FOLLOWS:

Section 4-5 of the Lomira Municipal Code shall read as follows:

Sec. 4-5. RABIES VACCINATION REQUIRED. It shall be unlawful for any person to own, keep, or have in their possession any dog, cat, or other animal that is kept as a pet that is susceptible to rabies (as determined by a veterinarian) without being properly vaccinated against the disease that is over 5 months of age referenced in Wisconsin State Statute 95.21(2). All dogs, cats, or other animals meeting this requirement must have a current rabies vaccination and maintain this proper rabies vaccination certification to meet with the requirements of this ordinance. The vaccinations shall be done by a licensed veterinarian. The owner or subject in possession of the animal shall be able to produce proof of current rabies vaccination. A rabies vaccination tag shall be attached to the collar of all licensed dogs at all times, except as provided in Wisconsin State Statute 95.21(2)(f). No dog license shall be issued by the Village of Lomira to any person without proof of the dog's current rabies vaccination.

Motion by Tr. _____, seconded by Tr. _____
to adopt Ordinance #377 as presented.

Roll call yielded the following results: Ayes: _____

Nays: _____ Absent: _____

Passed and adopted this _____ day of _____ 2025.

ATTEST: _____
Jenna S. Rhein
A/C/T

Donald P. Luedtke
President

ORDINANCE # 378

The Board of the Village of Lomira, Dodge County, Wisconsin hereby amends Sec. 14-70(d)(1) to read as follows:

Sec. 14-70(d)(1) *Notification of existence*. It shall be the duty of the weed commissioner to notify the owners or occupants of such land within the village to comply with subsection (b) of this section. Owners or occupants of such land will be provided with one notice in writing per year to adhere to village code.

Dated this _____ day of _____, 2025.

Motion by Tr. _____, seconded by Tr. _____ to adopt Ordinance # 378 as stated and be effective immediately.

Aye: _____

Nay: _____

Absent: _____

Signed: _____ Attest: _____
Donald Luedtke, President Jenna Rhein, Administrator-Clerk-Treasurer

ORDINANCE NO. 379

The Village Board of the Village of Lomira, Wisconsin, hereby amends Sec. 22-4(f)(3) to read as follows:

Sec.22-4(f)(3) Vehicles, trailers, equipment, and recreational vehicles of any kind being parked in a residential district are permitted to be parked on the owner's property and must be in the driveway or on an improved surface defined as gravel, concrete, or pavement. Vehicles, trailers, equipment, and recreational vehicles of any kind must not be more than 30 feet in length and must be clear of and set back behind the sidewalk. Entire widths of the sidewalk must be passable.

Moved by Tr. _____, seconded by Tr. _____,

to adopt Ordinance No. 379 as presented.

Roll call showed the following results: Ayes: _____

Nays: _____ Absent: _____

Motion carried.

Passed and adopted this _____ day of _____, 2025.

ATTEST:

Donald Luedtke
Village President

Jenna Rhein
Village Administrator-Clerk-Treasurer

ORDINANCE NO. 380

The Village Board of the Village of Lomira, Wisconsin, hereby ordains Sec. 16-5(h) be created to read as follows:

Sec.16-5(h) *Selling of vehicles and equipment in residential districts.* Any vehicle, equipment, recreational vehicle, trailer, or other associated equipment are permitted to be listed for sale or offered for sale within any residential property in adherence to the following:

- (1) Definition. For the purpose of this article, a “vehicle, equipment, recreational vehicle, trailer, or other associated equipment” includes tractors, lawnmowers, boats, motor homes, motor coaches, pop-up campers, camping trailers, travel trailers, fifth wheel trailers, large utility trailers, race cars, snowmobiles, jet skis, all-terrain vehicles, sports aircraft, canoes, kayaks, tent campers, folding camper, utility trailers, carnival equipment, cases or boxes used to transport recreational vehicles or equipment, and similar vehicles and equipment.
- (2) Limit of three items as listed above for sale or offered for sale per residential property per year
- (3) Maximum of 30 consecutive days per item listed for sale or offered for sale per property per year
- (4) Parking of items as listed above shall adhere to regulations set forth in Sec. 22-4(f)(3)

Moved by Tr. _____, seconded by Tr. _____,

to adopt Ordinance No. 380 as presented.

Roll call showed the following results: Ayes: _____

Nays: _____ Absent: _____

Motion carried.

Passed and adopted this _____ day of _____, 2025.

ATTEST:

Donald Luedtke
Village President

Jenna Rhein
Village Administrator-Clerk-Treasurer

Description	Fee	
Interest Charges of Past Due Accounts	3%	of balance due
Returned Payment / NSF	\$35	per transaction
Credit Card Transaction Fee	2.75%	of total charge
ACH (E-check) Transaction Fee	75¢	per transaction
Copies: Black & White	25¢	per page/side, any size
Copies: Color	50¢	per page/side, 8.5x11 and 8.5x14
	\$1	per page/side, 11x17
Scan to Email	\$1	pages 1-4
	25¢	per page thereafter
Copy or Emailed Tax Bill	\$1	*first one free
Dog & Cat License - Fixed	\$10	per pet/calendar year
Dog & Cat License - Unaltered	\$15	per pet/calendar year
Dog & Cat License Late Fee	\$5	per pet after April 1
Operator Liquor License	\$25	per application
Provisional Operator License	\$15	per application
"Class A" Retailers License	\$250	Liquor
Class "A" Retailers License	\$150	Fermented Malt Beverage
"Class B" Retailers License	\$250	Liquor
Class "B" Retailers License	\$150	Fermented Malt Beverage
Class "B" Temporary Retailers License	\$10	per application/event
Alcohol License Publication Fee	Actual cost of publication	
Change of Agent Fee	\$25	per application
Change of Agent Publication Fee	Actual cost of publication	
Tobacco / Cigarette License	\$50	per application
Class "C" Liquor (wine only)	\$100	per application
Reserve "Class B" Retailer's License	\$10,000	initial issuance fee
Community Room Rental	\$150	per day
	\$100	security deposit
	\$25	civic organizations*
	\$75	Board members & employees*
		*clean up fee min. \$50/hr apply if needed
Sterr Park Pavilion Rental	\$50	per day
	\$100	security deposit
	\$25	civic organizations*
	\$25	Board members & employees*
		*clean up fee min. \$50/hr apply if needed
Building Permits	*Dependent on Project; see Building Permit Fee Schedule	
Municipal Building Permit	\$50	per project
Occupancy Bond	\$1,500	per Residential/Public Authority unit
Occupancy Bond	\$3,000	per Commercial/Industrial/Agriculture unit
Occupancy Bond	\$500	per unit Multi-family Residential unit
Sewer Impact Fee	\$1,200	per Residential/Public Authority unit
Sewer Impact Fee	\$1,200	per Commercial/Industrial/Agriculture unit
Sewer Impact Fee	\$1,200	per unit Multi-family Residential unit
Park Improvement Fee	\$200	per unit Multi-family Residential unit
Special Assessment Letter	\$50	per parcel
Open Records Request	25¢	per page - scan/copy
	*additional fees may apply per WI Stats. 19.35(3) and per open records request form	

Description		Fee	
Mobile Home Park License		\$312	per year
Right of Way Permit		\$25	
Conditional Use		\$400	per applicatin
Variance/Appeals		\$400	per application
Zoning		\$300	per application
Preliminary concept plan Staff review		\$50	applies to any preliminary plan
Site Plan review by Commission		\$200	per application/review
Preliminary plat review by Commission		\$200	per application/review
Final plat review by Commission		\$125	per review
Street Privilege Permit		\$50	per day
Peddler/Solicitor/Transcient Merchant License		\$100	per person per day
Peddler/Solicitor/Transcient Merchant			
background investigation fee		\$25	per application
Bicycle License & Registration		Free	
Snow Removal		\$200	per hour; 1 hour minimum
Weed/Grass Removal		\$200	per hour; 1 hour minimum
DPW Labor		\$200	per hour; 1 hour minimum
Bulk water		\$8.63	per 1,000 gallons
Bulk water loading fee		\$30.00	per load
Water Service Reconnection Fee		\$30.00	during normal business hours
Water Service Reconnection Fee		\$40.00	after normal business hours
Water Service 3/4" meter		\$36.00	per quarter
Water Service 1" meter		\$45.00	per quarter
Water Service 1 1/4" meter		\$54.00	per quarter
Water Service 1 1/2" meter		\$63.00	per quarter
Water Service 2" meter		\$87.00	per quarter
Water Service 3" meter		\$129.00	per quarter
Water Service 4" meter		\$189.00	per quarter
Water Service 6" meter		\$324.00	per quarter
Water Service 8" meter		\$459.00	per quarter
Water Service 10" meter		\$657.00	per quarter
Water Service 12" meter		\$855.00	per quarter
Water Volume Charges		\$8.63	per 1,000 gallons; first 20,000 gallons
		\$8.20	per 1,000 gallons; next 80,000 gallons
		\$7.20	per 1,000 gallons; next 400,000 gallons
		\$6.15	per 1,000 gallons; over 500,000 gallons
Additional Meter Charge (irrigation)			
3/4" meter		\$18.00	per quarter, plus volume charges
1" meter		\$22.50	per quarter, plus volume charges
1 1/4" meter		\$27.00	per quarter, plus volume charges
1 1/2" meter		\$31.50	per quarter, plus volume charges
2" meter		\$43.50	per quarter, plus volume charges
Public Fire Protection Fee			
3/4" meter		\$37.92	per quarter
1" meter		\$94.92	per quarter
1 1/4" meter		\$141.00	per quarter
1 1/2" meter		\$189.00	per quarter
2" meter		\$303.00	per quarter
3" meter		\$570.00	per quarter
4" meter		\$951.00	per quarter
6" meter		\$1,896.00	per quarter
8" meter		\$3,033.00	per quarter
10" meter		\$4,551.00	per quarter
12" meter		\$6,069.00	per quarter

Description	Fee	
Private Fire Protection Service		
2" or smaller connection	\$30.00	per quarter
3" connection	\$60.00	per quarter
4" connection	\$90.00	per quarter
6" connection	\$180.00	per quarter
8" connection	\$270.00	per quarter
10" connection	\$420.00	per quarter
12" connection	\$570.00	per quarter
14" connection	\$720.00	per quarter
16" connection	\$840.00	per quarter
Sewer Service	\$26.02	per quarter
Sewer Volume Charge	\$13.40	per 1,000 gallons
Bulk sewer loads (wastehauler)	\$33.25	per 1,000gallons, max 6,000g/day/vendor
Outstanding payments due to Village as of October 1st that will be added to tax roll	10%	of amount due

Ordinance #371, Sex Offender Regulations

The Board of the Village of Lomira, Dodge County, Wisconsin hereby amends Section 16-12 of the Municipal Code to read as follows:

Sec. 16-12 Sexual Offender Residency Restrictions, Findings and Intent.

(a) Recitals.

1. Whereas, after review of existing case law and sex offender restriction ordinances from other cities and maps of locations where children are known to congregate, the city adopted sex offender residency restrictions by ordinance on October 7, 2008.
2. Whereas, upon recent review of an order and published opinion in the case of Hoffman, et al. v. Village of Pleasant Prairie, Case No. 16-CF-697-JES from the United States District Court, Eastern District of Wisconsin, the city recommended review of the ordinance codified in this section in light of this most recent court decision and determined that additional revisions should be made to the ordinance.
3. Whereas, on December 19, 2017, the Sun Prairie Committee of the Whole held a meeting open to the public and reviewed and discussed the ordinance as well as the following written materials:
 - a. "Recidivism of Adult Sexual Offenders." U.S. Department of Justice, July 2015, SOMAPI (Sex Offender Management Assessment and Planning Initiative); and
 - b. "An Overview of Sex Offender Management." July 2002, U.S. Department of Justice, SCOM Center for Sex Offender Management; and
 - c. "There Goes the Neighborhood? Estimate of the Impact of Crime Risk on Property Values from Megan's Laws." May 2006, National Bureau of Economic Research; and
 - d. Order and Opinion of the Honorable J.P. Stadtmueller of the United States District Court, Eastern District of Wisconsin, Hoffman, et al. v. Village of Pleasant Prairie, Case No. 16-CF-697-JPS.
 - e. Official map showing prohibited locations as defined by this chapter.
4. Authority. The village board has authority under Wis. Stats. §61.34 to enact ordinances promoting the health, safety, and welfare of the public.
5. Residence and safety restrictions for designated offenders. The state statutes govern the punishment of individuals who commit sex crimes, and the village has no authority or intent to intervene in either area. The village recognizes statutory residency restrictions and the limited exemptions enumerated in Wis. Stats. §980.135 for sex offenders released pursuant to Wis Stats. §908.08. Nothing in this ordinance should be construed to apply to an offender currently in compliance with all court orders issued under Wis. Stats. §980 or to a person providing housing to the offender in compliance with those court orders.

(b) Findings and Intent.

1. Repeat sexual offenders, sexual offenders who use physical violence, and sexual offenders who prey on children are sexual predators who present an extreme threat to public safety. Sexual offenders are extremely likely to use physical violence and to repeat their offenses; and most sexual offenders commit many offenses, have many more victims than are ever reported, and are prosecuted for only a fraction of their crimes. This makes the cost of sexual offender victimization to society at large, while incalculable, clearly exorbitant.
2. This chapter is a regulatory measure aimed at protecting the health and safety of children in the village from the risk that convicted sex offenders may reoffend in locations close to their residences. The village finds and declares that repeat sexual offenders who use physical violence and sexual offenders who prey on children, are sexual offenders who present an extreme threat to the public safety and the health of children. Sexual offenders are extremely likely to use physical violence and to repeat

their offenses; and most sexual offenders commit many offenses, have many more victims than are ever reported, and are prosecuted for only a fraction of their crimes. This makes the cost of sexual offender victimization to society at large and the community where they reside, while incalculable, clearly exorbitant. It is further believed that such persons present an alarmingly high risk of re-offending once released. As such, the village hereby establishes regulations which restrict certain offenders from residing or congregating in areas that are at or near where there is a high concentration of children in order to provide better protection for children in the city by minimizing immediate access and proximity to children and thereby reducing opportunity and temptation for recidivism.

3. It is not the intent of the village board to punish sex offenders, but rather to serve the village's compelling interest to promote, protect and improve the health, safety and welfare of the citizens of the village by creating areas around locations where children regularly congregate in concentrated numbers, wherein, certain sexual offenders are prohibited from establishing temporary or permanent residence. Due to the high rate of recidivism for sexual offenders, and because reducing both opportunity and temptation would help minimize the risk of re-offense, there is a compelling need to protect children where they congregate or play in public places.

(c) Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

"Child" or "children" means a person under the age of eighteen (18) for purposes of this chapter.

"Designated offender" means any person who is required to register under Section 301.45, Wisconsin Statutes. This definition does not include a person who is released under Section 980.08, Wisconsin Statutes, so long as the person is subject to supervised release under Chapter 980, Wisconsin Statutes, the person is residing where he or she is ordered to reside under Section 980.08, Wisconsin Statutes, and the individual is in compliance with all court orders issued under Chapter 980, Wisconsin Statutes.

"Loitering" means, whether in a group, crowd, or as an individual, to stand idly about, loaf, prowl, congregate, wander, stand, linger aimlessly, proceed slowly or with many stops, to delay or dawdle.

"Minor" means a person under the age of seventeen (17).

"Permanent residence" means a place where the person abides, lodges, or resides for fourteen (14) or more consecutive days.

"Protected location" means any athletic fields, day care center, library, park, private places, playground, recreational trail, school property, and swimming pool, or any other place designated in the map adopted by the village under this section as a place where children are known to congregate. The defined terms included in the definition of protected location are:

1. "Athletic fields" means fields used by children for organized sporting activities. This definition includes all public athletic fields and private athletic fields if they are open to the public.
2. "Day care center" means a facility that has been licensed under Section 48.65, Wisconsin Statutes, to provide care and supervision of children and includes "before- and after-school daycare," which has the meaning as defined by Section 120.125(1), Wisconsin Statutes.
3. "Library" means any library that is held open for use by the public where such library includes a collection of material specifically intended for use by children.
4. "Park" means any area held open for use by the public for active or passive leisure purposes, including, but not limited to, any park, recreation area or beach. "Park" shall also mean any privately owned neighborhood parks and open spaces where children congregate such as those owned by a homeowners association of a subdivision.
5. "Playground" means any public outdoor area set aside for recreation and play and includes any area with playground equipment including, but not limited to, swings, slides, sandboxes, and seesaws.
6. "Private places" means a property owned by a private person or entity but open to the public to provide a service and where children regularly congregate, whether supervised or unsupervised. For example, and to show the intent of this definition: the facility named St. Mary's Church playground.
7. "School property" means any public school as defined by Section 115.01(1), Wisconsin Statutes; a private school as defined by Section 115.001(3), Wisconsin Statutes; a charter school as defined by

Section 115.001(1), Wisconsin Statutes; a specialty school, including, but not limited to, a Montessori school, a gymnastics academy, dance academy, or music school.

8. "Swimming pool" means where children swim or wade in a pool or other aquatic facility held open for use by the public or where no lifeguard is on duty and children are known to congregate.
9. "Recreational trail" means a trail where children regularly walk, ride bicycles, or ride horses, and that is dedicated to the public for recreational purposes.

"Temporary residence" means a place where the person abides, lodges, or resides for a period of fourteen (14) or more days in the aggregate during any calendar year and which is not the person's permanent address or 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.

(d) Sexual Offender and Sexual Predator Residency, Loitering and Other Activities, Prohibitions; Penalties; Exceptions.

1. Prohibited Location of Residence. It is unlawful for any designated offender to establish a permanent residence or temporary residence within **three hundred fifty (350) feet** of any protected location.

- a. **Property owners prohibited from renting real property to sexual offenders. It is unlawful to let or rent any place, structure or part thereof, manufactured home, trailer, or other conveyance, with the knowledge that it will be used as a permanent residence or temporary residence by any person prohibited from establishing such permanent residence or temporary residence pursuant to the terms of this chapter, if such place, structure or part thereof, manufactured home, trailer, or other conveyance, is located 350 feet of any prohibited locations, which is not currently rented to a designated offender. Federal and State laws supersede this section.**

- b. **A property owner's failure to comply with provisions of this Section shall constitute a violation of this Section, and shall subject the property owner to the code enforcement provisions as provided in this Chapter.**

2. Prohibited Activity.

- a. Loitering. It is unlawful for any designated offender to loiter within three hundred fifty (350) feet of any protected location.
 - b. Holiday Parties. It is unlawful for any designated offender to participate in a holiday event involving children under eighteen (18) years of age, such as but not limited to distributing candy or other items to children on Halloween, wearing a Santa Claus costume or wearing an Easter Bunny costume or any costume resembling a character known to be popular among children. Holiday events in which the offender is the parent or guardian of the children involved, and no non-familial children are present, are exempt from this paragraph. Participation is to be defined as actively taking part in the event.

3. Measurement of Distance.

- a. For purposes of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outer property line of the permanent residence or temporary residence to nearest outer property line of a protected location.
 - b. The village clerk shall maintain an official map showing prohibited locations as defined by this chapter. The clerk shall update the map at least annually to reflect any changes in the location of prohibited zones. These shall be designated on the map as child safety zones.

4. Penalties. A person who violates this section shall be punished by a forfeiture not exceeding five hundred dollars (\$500.00) together with the costs of prosecution. Each day a person violates this chapter constitutes a separate violation. The village may also seek equitable relief. The village may also bring an action to permanently enjoin such residency as a public nuisance.

5. Exceptions. A designated offender residing within a prohibited area as described in subsection (c)(1). does not commit a violation of this section if any of the following applies:

- a. The person established the permanent residence and reported and registered the residence pursuant to Section 301.45, Wisconsin Statutes, before the effective date of this chapter.
 - b. The person is a minor and is not required to register under Section 301.45 or 301.46, Wisconsin

Statutes.

- c. The protected location within **three hundred fifty (350) feet** of the person's permanent residence was opened after the person established the permanent residence and reported and registered the residence pursuant to Section 301.45, Wisconsin Statutes.
- d. The residence is also the primary residence of the person's spouse or domestic partner provided that such spouse or domestic partner established the residence at least one year before the designated offender established residence at the location.

- e. In such cases involving a juvenile placed in accordance with this exception, when the juvenile turns eighteen (18) years of age, the juvenile would be allowed to continue to reside at the already established residence.
 - f. The person is a designated offender that has been adjudicated a sexually violent person pursuant to Chapter 980, Wisconsin Statutes, if the designated offender is subject to supervised release under Chapter 980, Wisconsin Statutes, the designated offender is residing where he or she is ordered to reside under Section 980.08, Wisconsin Statutes, and the sex offender is in compliance with all court orders issued under Chapter 980, Wisconsin Statutes.
- (e). Property Owners Prohibited from Renting Real Property to Certain Sexual Offenders and Sexual Predators; Penalties.
- 1. It is unlawful to let or rent any place, structure, or part thereof, trailer or other conveyance, with the knowledge that it will be used as a permanent residence or temporary residence by any person prohibited from establishing such permanent residence or temporary residence pursuant to this chapter, if such place, structure, or part thereof, trailer or other conveyance, is within **three hundred fifty (350) feet** of any protected location.
 - 2. A property owner's failure to comply with provision of this section shall constitute a violation of this section and shall subject the property owner to the penalties provided in subsection (d)(4).
- (f). Appeal.
- 1. A designated offender may seek an exemption from this Chapter 16-12 by appealing to the village board.
 - 2. The board shall approve of an official appeal form. An offender shall complete this official form and submit it to the village clerk, who shall forward it to the village board. Notice in the form of an agenda shall be posted and/or published as required by law and provided to the board, the property owner if not the applicant, and published on the village's website at least seven days prior to the hearing date.
 - 3. The village board shall hold a hearing on each appeal to conduct an individual risk assessment in each case, during which the board may review any pertinent information and may accept oral and written statements from any person. The board shall consider the public interest as well as the applicant's presentation and concerns, giving the applicant a reasonable opportunity to be heard. The board shall also consider any oral, emailed, and written statements from any person at the hearing or received in advance of the hearing. The board shall consider the specific facts and circumstances of each applicant and determine whether the applicant presents a threat to public safety if he or she resides at that proposed location. The board shall consider factors which may include, but are not limited to, the following:
 - a. Circumstances surrounding the offense.
 - b. Relationship of offender and victim.
 - c. Presence or use of force.
 - d. Presence of enticement.
 - e. Need to protect victim or similarly situated individuals.
 - f. Current dangerousness of the offender.
 - g. Proximity in time from original offense.
 - h. Any criminal offenses or rule violations committed since original offense.
 - i. Time out of incarceration.
 - j. Current supervision status by the department of corrections.
 - k. Counseling and treatment history.
 - l. Credibility of offender.
 - m. Remorse.
 - n. Proximity of proposed residence to a child safety zone.
 - o. Support network of offender near proposed residence.
 - p. Alternative options for housing.

4. The board shall decide by majority vote whether to grant or deny an exemption. An exemption may be unconditional or be conditional to a certain address or period of time. In the case of an approval or denial, the board shall provide a written copy of the decision containing the reasons therein for its decision to the Dodge County Sheriff's Office and Village Clerk and to the applicant. The decision of the board may be appealed to the Dodge County Circuit Court by any aggrieved party within 30 days of receipt of the final decision. The review shall be a review by certiorari and the circuit court may affirm or reverse the final decision, or remand to the decision maker for further proceedings consistent with the court's decision.
- (g). Severability. The provisions of this chapter shall be deemed severable and it is expressly declared that the village board would have passed the other provisions of this chapter irrespective of whether or not one or more provisions may be declared invalid. If any provisions of this chapter or the application to any person or circumstance is held invalid, the remainder of the chapter or the application of such other provisions to other persons or circumstances shall not be affected.
- (h) Map. The map displaying areas of the Village in which offenders may reside is available for examination at the Clerk's office. <https://diamondMaps.com/map.ashx?key=6770250403142127890>

Motion by Tr. _____, seconded by Tr. _____
To adopt Ordinance #371 this _____ day of _____, 2025.

Ayes: _____

Nay: _____ Absent: _____

Signed: _____
Donald Luedtke, President

Attest: _____
Jenna Rhein, A-C-T



