TOWN OF MARSHFIELD
FOND DU LAC COUNTY, WISCONSIN

ORDINANCE AMENDING SEX OFFENDER RESIDENCY ORDINANCE

The Town Board of the Town of Marshfield, Fond du Lac County, Wisconsin, upon proper notice and with quorum present and voting, hereby ordains the following amendments to the Town's Sex Offender Residency Ordinance:

Section 10 is hereby created to read:

SECTION 10: Petition for Exemption.

(a) A Sex Offender may seek an exemption from this Ordinance by petitioning to the Sex Offender Residence Board ("Residence Board").

(b) The Residence Board shall consist of three citizens residing in the Town. Members shall be selected by the Town Chairperson subject to the approval of the Town Board. Members shall serve for a term of five years and shall serve no more than two consecutive terms. The terms for the initial members of the Residence Board shall be staggered with one member serving one year, a second member serving three years, and a third member serving five years.

(c) The Residence Board shall approve an official petition form. The Sex Offender seeking an exemption must complete the petition and submit it to the Town Clerk, who shall forward it to the Residence Board. The Residence Board shall hold a hearing on each petition, during which the Residence Board may review any pertinent information and accept oral or written statements from any person. The Residence Board shall base its decision on factors related to the Town's interest in promoting, protecting, and improving the health, safety, and welfare of the community. Applicable factors for the Residence Board to consider include, but are not limited to:

(1) Nature of the offense that resulted in designated offender status.

(2) Date of offense.

(3) Age at time of the offense.

(4) Recommendation of probation or parole officer.

(5) Recommendation of the Police Department.

(6) Recommendation of any treating practitioner.

(7) Counseling, treatment, and rehabilitation status of the Sex Offender.

(8) Remorse of Sex Offender.

(9) Duration of time since Sex Offender's incarceration.

(10) Support network of Sex Offender

(11) Relationship of offender and victim(s).

(12) Presence or use of force in offense(s).

(13) Adherence to terms of probation or parole.

(14) Proposals for safety assurances of Sex Offender.

(15) Conditions to be placed on the exemption.

(d) The Residence Board shall decide by majority vote whether to grant or deny an exemption. An exemption may be unconditional or limited to a certain address, time, or subject to other reasonable conditions. The Residence Board's decision shall be final for purposes of any appeal. A written copy of the decision shall be provided to the Sex Offender.

The Town Clerk and Town Attorney are hereby authorized and directed to take all action necessary to incorporate this amendment into the Town's Sex Offender Residency Ordinance.

This Ordinance shall be published or posted as required by law.

Dated this 12th day of August, 2019.

TOWN OF MARSHFIELD

By: John Bord
John Bord, Town Chairperson

Attest:

Marlene J. Sippel
Marlene J. Sippel, Town Clerk