

## ORDINANCE

**AN ORDINANCE** to amend Municipal Code Section 9-9-2 entitled "Definitions"; and 9-9-3 entitled "Domicile Restrictions".

The Council of the City of Two Rivers ordains as follows:

**SECTION 1.** That Section 9-9-2 of the Municipal Code shall hereby be amended as follows:

### PERMANENT RESIDENCE

~~The place where a person sleeps, abides, lodges or resides for 14 or more consecutive days or which qualifies as a residence under the laws of the State of Wisconsin, and may be mobile or transitory. The place where the person's habitation is fixed, without any present intent to move, and to which, when absent, the person intends to return. A permanent residence does not include lodging or other locations where the intended purpose is to temporarily stay. No person gains a residence in the City regardless of length of stay while there for temporary purposes only.~~

### ~~TEMPORARY RESIDENCE~~ TEMPORARILY RESIDE

- A. ~~A condition place~~ where the person sleeps, abides, lodges or resides for a period of not more than 14 or more days in the aggregate during any calendar year, and which ~~is not that person's permanent residence as defined in this section;~~
- B. ~~A place where the person routinely sleeps, abides, lodges or resides for a period of four or more consecutive or nonconsecutive days in any month, and which is not that person's permanent residence as defined in this section; or~~
- C. ~~A place where a person sleeps, or which qualifies as a temporary residence under the holdings of the Wisconsin Supreme Court, and which may include more than one location, and may be mobile or transitory.~~

**SECTION 2.** That Section 9-9-3 of the Municipal Code shall hereby be amended as follows:

- A. Residency prohibited. No offender shall be permitted to reside in the City, and no supervised release of such offender shall be established in the City, for more than 14 days in the aggregate during any calendar year unless the offender was domiciled as a permanent resident in the City at the time of an offense resulting in such conviction or the person previously resided in the City for a continuous period of at least five years and that such residency has not lapsed for 10 or more years.
- B. Exemptions. An offender does not commit a violation of this chapter if any of the following apply:
  - (5) Temporarily reside as defined in this section.
- C. It is unlawful for a property owner to let, rent, or lease any place, structure, or part thereof, trailer, other conveyance, to any person other than to allow such person to temporarily reside in the City as defined in this section, if the property owner knows or

should have known that it will be used as a permanent or temporary residence by any offender prohibited from establishing residency in the City under the provisions of this chapter. Factors in considering whether a property owner knows or should have known an offender's status is the presence of the offender's name listed on the State of Wisconsin's Sex Offender Registry which is readily available to public inspection on the state's website.

**SECTION 3.** This ordinance shall take effect and be in force from and after its date of passage and publication of same.

Dated this 2nd day of May, 2022.

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Adam Wachoski  
President, City Council

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Gregory E. Buckley  
City Manager

Attest:

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Jamie Jackson  
City Clerk

Approved as to form and legality:

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John M. Bruce  
City Attorney