



**TWO
RIVERS**
WISCONSIN

POLICE DEPARTMENT

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April 15, 2022

To: Gregory E. Buckley, City Manager
From: Brian W. Kohlmeier, Chief of Police
Ref: Sex Offender Ordinance Amendments

Two Rivers Municipal Ordinance 9-9: **Sexual Offender Residency Restrictions** was adopted on December 7th, 2015. This ordinance was modified on August 16, 2021, and on April 4, 2022. creating and expanding various provisions. City Council discussion at the April 4 meeting recognized the need to further define what is considered a permanent residence. The following recommendation addresses that issue.

The following items are suggested to be included in an ordinance amendment:

- 9-9-2 (D) – Definitions, Section D. “**Permanent Residence**” - Amend the definition to read: “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.”
- 9-9-2 (G)(1) – Temporary Residence – Amend to: **Temporarily Reside** and amend to read: “A **condition** where the person sleeps, abides, lodges or resides for a period of **not more than 14** days in the aggregate during any calendar year, and which may include more than one location, and may be mobile or transitory.”
- 9-9-3 (A) – “**Domicile Restrictions**” - Amend to read: “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 (5) years and that such residency has not lapsed for 10 or more years.

- 9-9-3 (B) – “**Exemptions**” - Add a subsection (5) to read:
“(5) Temporarily reside as defined by this section.”
- 9-9-3 (C) – “**Domicile Restrictions**” - Amend to read:
“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 temporary or permanent residence by any offender prohibited from establishing residency in the City under the provisions of this ordinance. 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 web-site.

The aforementioned recommendations have been added to a draft revised ordinance for presentation to the City Council.