



Meeting: Village Board
Meeting Date: 2/13/12
Agenda Item: 7a

Mission Statement
Delivering quality services in a courteous, cost-effective and efficient manner.

VILLAGE BOARD MEETING STAFF REPORT

REPORT TO: Burt R. McIntyre, President and Village Board of Trustees

REPORT FROM: Paul Evert, Village Administrator

AGENDA ITEM: Review and take action on Ordinance 2012-03, amending Section 24-576(f) of the Village of Howard Municipal Code relating to the Sex Offender Residence Appeals Process

POLICY ISSUE

Does the Village Board wish to add an alternate member to the Sex Offender Residence Appeals Board?

RECOMMENDED ACTION

Village staff recommends the Village Board approve the addition of an alternate member to the Sex Offender Residence Appeals Board. If the board were in favor of that action, the following motion may be made:

“Motion to approve Ordinance 2012-03, amending Section 24-576(f) of the Howard Municipal Code relating to the sexual offender and sexual predator residence appeals process.”

POLICY ALTERNATIVE(S)

The Village Board could take the following action:

- Amend Ordinance 2012-03
- Deny the request
- Table the item and request additional information

BACKGROUND INFORMATION

Over the course of the last year, two vacancies occurred on the Sex Offender Residence Appeals Board. Appeals were received and the Board met with only three members. An extensive recruitment for new members was launched using the website, press releases, and e-notify. This effort was very effective, and the Village received a number of good applicants. Staff believes one current member may not seek to be reappointed in April. Since the new members will be undergoing training in the next couple of months, it is recommended that an alternate position be created to help ensure that a full board is available to hear appeals, and that the number of trained members available is increased with no additional costs.

ATTACHED INFORMATION

- I. Ordinance 2012-03

ORDINANCE NO. 2012-03

AN ORDINANCE AMENDING SECTION 24-576(f) OF THE HOWARD MUNICIPAL CODE RELATING TO THE SEXUAL OFFENDER AND SEXUAL PREDATOR RESIDENCE APPEALS PROCESS

THE VILLAGE BOARD OF THE VILLAGE OF HOWARD, BROWN COUNTY, WISCONSIN, DOES ORDAIN THAT SECTION 24-576(f) OF THE MUNICIPAL CODE OF THE VILLAGE OF HOWARD BE AMENDED AS FOLLOWS:

SECTION 1. Section 24-576(f) is hereby amended to read as follows:

Sec. 24-576. Sexual offender and sexual predator residence, prohibition, penalties, exceptions.

(f) *Appeal process.*

- (1) Sex Offender Residence Appeals Board. The above requirements may be waived upon approval of the Sex Offender Residence Appeals Board through appeal by the affected party. Such appeal shall be made to the Village Clerk's Office, which shall forward the request to the Sex Offender Residence Appeals Board, which shall receive reports from the Police Department on such appeal. The Board shall convene and consider the public interest as well as the affected party's presentation and concerns. After deliberation, the Board shall forward its decision in writing to the Village of Howard Police Department for their information and action. A written copy of the decision shall be provided to the affected party.
- (2) Membership. The Sex Offender Residence Appeals Board shall consist of five citizens, three of who shall constitute a quorum. **An alternate member may also be appointed. The alternate member shall act with full power whenever any of the five members are absent, refuse, recuse or are otherwise unable to hear an appeal.** The Village President shall annually, between the last Monday of April and the first Monday of May, appoint in writing to be filed with the secretary of the board, one member for a term of five years, subject to confirmation by the Village Board.
- (3) Limit on appeals. The appeal of any designated offender which has been denied by the sex offender residence board shall not be heard or acted upon again within six months of the date of the decision of the sex offender residence board.

SECTION 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect upon its adoption and publication.

Approved and adopted this 13th day of February 2012.

Burt R. McIntyre, Village President

ATTEST:

Christopher A. Haltom, Village Clerk

DATE OF PUBLICATION:
February 17, 2012

