

Village OKs sex offender restrictions

Written by Mark Jaeger
Wednesday, 28 April 2010 15:59

Ordinances will bar registered felons from living within 500 feet of schools, loitering around parks

Village of Fredonia officials put the final touches last week on two ordinances that restrict where registered sex offenders are allowed to live and congregate.

The unanimous approval by the board on Thursday ended months of deliberation.

The primary ordinance makes it illegal for people on the state's registry of convicted sex offenders to live within 500 feet of places frequented by children, including schools, day-care centers and parks.

The registry includes individuals convicted of more than two dozen categories of "crimes against children."

Fines for violating the residency restrictions range from \$1,000 to \$2,500 a day.

The limitations do not apply to offenders already living in the village, but come into play if offenders want to move into the community or if resident offenders move elsewhere in the village.

The restrictions, which received considerable public input during lengthy discussions by the Public Safety Committee, met little resistance from trustees.

The wording was patterned after a similar ordinance adopted by the Village of Grafton last year.

The ordinance says officials weighed "the needs of sex offenders in seeking a successful rehabilitation and integration back into society against the safety and protection needs of the residents of the village."

Trustees did worry how keeping track of distances and a provision that would allow no more than one sex offender in a multifamily building could be enforced.

"Under this proposal, Village Hall will need to keep track when an offender establishes residency in the village so we can mark off that 500-foot radius," Trustee Don Dohrwardt said during an earlier discussion.

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“We’ll have to be vigilant to maintain a current map of residences.”

He said the ordinance puts greater expectations on landlords, who could be held legally responsible if they knowingly rent a property to a sex offender within the protected zones.

That will require landlords to conduct background checks of prospective tenant, Dohrwardt said.

“If I was a landlord of a property in a restricted area, I would want a sworn statement from a prospective tenant that I was not a convicted sex offender,” Trustee Chuck Lapicola said at an earlier discussion.

Village Marshal Mike Davel said the ordinance will be difficult to enforce when dealing with sex offenders convicted before the registry was created or for those moving to the area from other states.

“If they are not ‘on paper’ with the state Department of Corrections, we are not necessarily going to know when they moved into the village,” Davel said.

“We could stumble across them, such as if we make a traffic stop and their record pops up on the computer.”

Trustee Scott Ehaney, chairman of the Public Safety Committee, said the ordinance may not be perfect but it sets a tone.

“It says, ‘If you are on the Wisconsin registry, this applies to you,’” Ehaney said.

Trustees also approved some minor revisions to an ordinance that restricts registered sex offenders from loitering in parks and other places where children gather.

“There can be perfectly good reasons for sex offenders to be in these areas, and I know the officers in this department will be reasonable in determining when the ordinance should be enforced,” Davel said.

In conjunction with the loitering law, Village President Joe Short said the village will contact school officials to determine if there are “designated walking routes” to schools where sex offenders would also be prohibited.

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