

RESOLUTION
Town of Grand Rapids
Wood County, Wisconsin

RESOLUTION NO: 2019-08
Re: Ordinance No. 71 – Bullying and Harassment

The Town Board of the Town of Grand Rapids, Wood County, Wisconsin,
RESOLVES as follows:

Ordinance 71 – Bullying and Harassment is hereby adopted as presented.

The Town Board of the Town of Grand Rapids, Wood County, Wisconsin, has the specific authority under Chapters 60 and 66 of Wisconsin Statutes, and specifically § 60.22, Wis. Stats. to amend this ordinance.

The Ordinance has been created to include the following:

71.1 PURPOSE.

The Town Board of Supervisors of the Town of Grand Rapids has determined that bullying and harassment disrupt the safe environment in the Town; interfere with one's ability to succeed or excel in a safe environment in the Town; and interfere with one's ability to participate in or benefit from programs, activities, worksites and opportunities offered to the community. The Town Board further finds that it is in the public interest to assure that every person is valued and respected regardless of perceived differences, and may live free from bullying, harassment and intimidation.

71.2 DEFINITIONS.

As used in this Ordinance, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

- A. **Bullying:** shall mean a form of harassment defined as an intentional course of conduct which is reasonably likely to intimidate, emotionally abuse, slander or threaten another person and which serves no legitimate purpose.
- B. **Course of Conduct:** shall mean a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose.
- C. **Harassment:** shall mean any conduct whether verbal, physical written, or by means of any mode of communication which:
 - 1. Is prohibited by Wis. Stat. Sec. 947.01, 947.012, 947.0125 or 947.013, or
 - 2. Is any intentional course of conduct which is likely to create an intimidating, hostile or offensive environment, and which serves no legitimate purpose.

71.3 BULLYING AND HARASSMENT PROHIBITED.

It shall be unlawful for any person to engage in any bullying or harassment of a person or induce another person to engage in such bullying or harassment.

71.4 RETALIATION PROHIBITED.

No person shall retaliate against any person who reports any conduct which is prohibited by this Ordinance.

71.5 CONSTITUTIONALLY PROTECTED ACTIVITY.

This Ordinance shall not be construed to apply to any constitutionally protected activity or speech.

71.6 PARENTAL RESPONSIBILITY.

It shall be unlawful for any custodial parent or guardian of any unemancipated person under eighteen (18) years of age to allow or permit such person to violate the provisions of Section 71.3 or 71.4 above. The fact that prior to the present offense a parent, guardian or custodian was informed in writing by a law enforcement officer of a separate violation of Section 71.3 or 71.4 by the same minor occurring within ninety (90) days prior to the present offense shall constitute a rebuttable presumption that such parent, guardian or custodian allowed or permitted the present violation.

71.7 VIOLATION AND PENALTIES

- A. Except where another penalty is prescribed, any person who violates any term or provision of this Ordinance shall, upon conviction, be subjected to forfeiture as provided in Ordinance 39 "Schedule of Fees and Forfeitures," together with the costs of prosecution.
- B. In addition to any other penalties provided in this Section, any person who shall cause physical damage to or destroy any public property shall be liable for the costs of replacing or repairing such damaged or destroyed property. The parent of any unemancipated minor child who violates this Section may also be held liable for the cost of repairing such damaged or destroyed property in accordance with Wis. Stat. 895.35.

This ordinance adopted by a majority of the town board with a quorum present and voting and proper notice having been given, adopts the attached **Ordinance 71 – Bullying and Harassment**.

Motion		For	Against	Abstain	Absent	ACTION TAKEN
<u>2</u>	Arne Nystrom	[✓]	[]	[]	[]	<input checked="" type="checkbox"/> Adopted as presented
	Bill Clendenning	[✓]	[]	[]	[]	<input type="checkbox"/> Adopted as amended
	Patty Lumby	[✓]	[]	[]	[]	<input type="checkbox"/> Rejected
<u>1</u>	Dan Paulsen	[✓]	[]	[]	[]	<input type="checkbox"/> Tabled until _____
	Andrew Simon	[✓]	[]	[]	[]	<input type="checkbox"/> Referred to _____

I, Lisa Dotter, Clerk for the Town of Grand Rapids, hereby certify that the above is a true and correct copy of a Resolution which was adopted on the 9th day of April, 2019 by the Town Board, Town of Grand Rapids, County of Wood.

Dated this 9th day of April, 2019.

Arne Nystrom

By: _____
Arne Nystrom, Town Chairman

By: *Lisa Dotter*

Lisa Dotter, Clerk