

**ORDINANCE NO. 71****AN ORDINANCE PROHIBITING BULLYING AND HARASSMENT  
The Town of Grand Rapids**

The Town Board of the Town of Grand Rapids, Wisconsin, does ordain as follows with regard to its Town Ordinances:

**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 shall take effect from and after the date of its passage and publication as provided by law.**

**HISTORY**

<b>Declaration/Ordinance/Resolution No</b>	<b>Dated</b>
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**RESOLUTION NO:**

2019-08

9-April-2019