

City of Black River Falls
COMMON COUNCIL – AGENDA

Tuesday – September 2, 2025 – 6:00 PM
City Hall – 101 S. Second Street, Black River Falls, WI

Join Zoom Meeting:

<https://us02web.zoom.us/j/86241711746?pwd=3j1mdQUH6aHx285zbIkYh27Na3byaM.1>

Or Dial: 1-312-626-6799

Meeting ID: 862 4171 1746

Password: cityhall

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Reading of the Minutes of the August 5, 2025 Common Council Meeting – Action
5. Citizens in Attendance
6. Committee Reports:
 - a. Ad Hoc Branding Committee August 4, 2025
 - b. Business Improvement District (BID) Board August 14, 2025
 - c. Committee of the Whole August 20, 2025
 - d. Ad Hoc Branding Committee August 25, 2025
 - e. Utility Commission August 25, 2025
7. Open the public hearing for **ORDINANCE 897** related to sex offender residency
8. Close the public hearing – Action
9. **ORDINANCE 897** – An ordinance creating Chapter 21 of the Code of Ordinances for the City related to sex offender residency – Action
10. Together for Jackson County Kids proposal for changes to Section 1.07 of the Code of Ordinances related to smoking restrictions – Action
11. Application for a Temporary Alcohol Beverage (Picnic) License for Black River Youth Hockey for the veterans hockey game fundraiser October 18, 2025 at 388 Melrose Street (Milt Lunda Memorial Arena) – Action
12. Meetings: Committee of the Whole **Wednesday, September 17, 2025 6:00 PM**
13. Adjourn

Posted: August 28, 2025

The Common Council met at City Hall in the City of Black River Falls on August 5, 2025 at 6:00 P.M. Alderpersons Ammann, Peloquin, M. Rave, E. Rave, Busse, and Gearing-Lancaster were present. Alderperson Dougherty attended remotely via Zoom meetings. Alderperson Wussow was excused. Mayor J. Eddy presided.

It was moved by Alderperson Gearing-Lancaster, seconded by Alderperson Peloquin to dispense with the reading of the minutes of the July 16, 2025 Special Common Council meeting and approve as presented. Motion carried.

CITIZENS IN ATTENDANCE

There were no citizens in attendance.

COMMITTEE REPORTS

It was moved by Alderperson M. Rave, seconded by Alderperson Gearing-Lancaster to place on file the minutes of the July 16, 2025 Plan Commission meeting. Motion carried.

It was moved by Alderperson Dougherty, seconded by Alderperson E. Rave to place on file the minutes of the June 28, 2025 Utility Commission meeting. Motion carried.

There was discussion on **ORDINANCE 897**, and there was consensus to remove the language under Section 21.12 that states "The City shall provide the appropriate form." A public hearing for **ORDINANCE 897** - an ordinance creating Chapter 21 of the Code of Ordinances for the City related to sex offender residency will be scheduled on September 2, 2025 at 6:00 pm.

It was moved by Alderperson Ammann, seconded by Alderperson Busse to grant a variance/exception to Section 17.29 of the Code of Ordinances of the City to allow the Ed & Pat Davis Family Trust to install a vinyl mural on over 25% of window panes and install vinyl lettering and mural on the outside of the glass at 34 S. First Street. Motion carried.

It was moved by Alderperson Busse, seconded by Alderperson Gearing-Lancaster to approve the sale of the 2020 Dodge Grand Caravan by sealed bids. Motion carried.

It was moved by Alderperson Peloquin, seconded by Alderperson E. Rave to approve the Wal-Mart Real Estate Business Trust Settlement Agreement as presented. Motion carried.

There was lengthy discussion on the potential need for electric scooter and e-bike regulations. The City Administrator presented state regulations and samples of ordinances from other municipalities. The discussion included: using the Village of West Salem's ordinance as a starting point, removing the regulation of air space, adding hover boards, restricting use on sidewalks in the downtown area only, adding the language from Section 94-213 Riding on Sidewalks from Fort. Atkinson's ordinance, adding the language from Section 94-213 Riding on Paved Recreation Trails section from Fort Atkinson's ordinance, adding the language from Section 94-215 Parking from Fort Atkinson's ordinance, and inquiring with the City Attorney whether or not signs would need to be posted.

It was moved by Alderperson Ammann, seconded by Alderperson E. Rave to adjourn. Motion carried at 6:41pm.

A. Brad Chown, City Administrator

A meeting of the Ad Hoc Branding Committee was held at City Hall in the City of Black River Falls on August 4, 2025 at 2:00 P.M. In attendance were committee members Mayor Jay Eddy, City Administrator Brad Chown, and Al Chaney. Committee members Amanda Gunn and Nora Young were excused.

1. Mayor Eddy called the meeting to order at 2:00pm.
2. The Committee reviewed stylish, distinctive "B" logo options. Discussion included: trying the hiker at the top; trying the kayak at the top; adding a swirl and possible water droplet above the kayak in large black space; kayaker should be female with flowing hair; and choosing a font that portrays fun, good time, outdoors, freedom, action, alive, and welcoming. The selected logo will need to be converted and available as vector art.
3. Nora Young mentioned having the committee reach out to the community members that had offered their design talents for this project. The City Administrator will reach out to them and provide them with some of the material covered to date and get their feedback as far as what direction they feel this should be going. The committee was appreciative of Nora's efforts and look forward to her continued involvement on the committee.
4. When the new Executive Director for the Chamber of Commerce starts, the City Administrator will reach out to him to invite him to be a part of this group and this process. There was discussion on when and how the new logo would be rolled out and coordinating the release with the Chamber's visitor's guide would be ideal.
5. Mayor Eddy adjourned the meeting at 2:43pm

A. Brad Chown
City Administrator

A meeting of the Business Improvement District (BID) Board was held at City Hall on August 14, 2025 at 5:30 P.M. Board members Kylee Wussow, Duane Johnson, Mark Hanson, Andrea Hoffman, and Vincent Meyer were present. The City Administrator was also present. There were no citizens in attendance.

1. The City Administrator called the meeting to order at 5:30 pm.
2. It was moved by Kylee Wussow, seconded by Duane Johnson to approve the purchase of new holiday wreaths & roping for the decorative lamp posts from Falls Florist & Greenhouse at a cost of \$826.00. Motion carried.
3. It was moved by Andrea Hoffman, seconded by Mark Hanson to not renew the Connect Community Agreement between the Wisconsin Economic Development Corporation (WEDC) and the City of Black River Falls and not pay the FY26 participation fee of \$200.00. Motion carried (4-1) with Duane Johnson voting no.
4. It was moved by Kylee Wussow, seconded by Duane Johnson to approve the Signage Grant application from Ed Davis for property at 34 South First Street for a \$750.00. Motion carried.
5. It was moved by Mark Hanson, seconded by Andrea Hanson to adjourn. Motion carried at 5:57 pm.

A. Brad Chown
City Administrator

The Committee of the Whole met at City Hall in the City of Black River Falls on August 20, 2025 at 6:00 P.M. Alderpersons Peloquin, Dougherty, Busse, Gearing-Lancaster, and Wussow were present. Alderperson E. Rave attended remotely via Zoom meetings. Alderpersons Ammann and M. Rave were excused. Mayor Jay Eddy presided.

1. There were no citizens in attendance.
2. Nick Goeman with Baker Tilly presented on the 2024 audit.
3. The Department Head monthly reports were reviewed. Department heads present were Mark Nordahl, Darryl Nelson, Jarod Meyer, Travis Brown, Cara Hart, and Brad Chown.
4. It was moved by Alderperson Dougherty, seconded by Alderperson Wussow to approve the Fire Chief's appointment of Tyler Rush to the position of 2nd Assistant Chief and Mathew Brauner to the position of 3rd Captain. Motion carried.
5. It was moved by Alderperson Busse, seconded by Alderperson Peloquin to approve the request from EMS to purchase two (2) Lucas compression devices from Stryker with Pro Care plan at a cost of \$41,240.60 using FAP funds. Motion carried.
6. It was moved by Alderperson Dougherty, seconded by Alderperson Peloquin to approve the request from EMS to order a Demers Model EX Type II ambulance with a Stryker Power Load Cot System for a total cost of \$229,588.00. Motion carried.
7. The Street Superintendent advised the recently purchased 2017 garbage truck is working great, and the older 2015 garbage truck will need work done to repair rust and paint after repairs are made.
8. It was moved by Alderperson Busse, seconded by Alderperson Wussow to award the bid for a 2026 Chevrolet Silverado crew cab truck for the Police Department to Gross Motors of Black River Falls at a cost of \$40,784.50. Motion carried.
9. It was moved by Alderperson Wussow, seconded by Alderperson Gearing-Lancaster to approve the vouchers for July 2025 Check #75782 - #75940 Totaling \$440,029.34. Motion carried.
10. It was moved by Alderperson Peloquin, seconded by Alderperson Gearing-Lancaster to approve the City Treasurer's Report for July 2025. Motion carried.
11. It was moved by Alderperson Wussow, seconded by Alderperson Dougherty to approve the Revenue & Expense Reports for July 2025. Motion carried.
12. It was moved by Alderperson Wussow, seconded by Alderperson Dougherty to adjourn. Motion carried at 6:41pm.

A. Brad Chown
City Administrator

A meeting of the Ad Hoc Branding Committee was held at City Hall in the City of Black River Falls on August 25, 2025 at 2:00 P.M. In attendance were committee members Al Chaney, Mike Stilling, Kerry Stilling, and Brad Chown. Committee members Amanda Gunn and Nora Young attended remotely via Zoom meetings. Mayor Jay Eddy was excused.

1. City Administrator Brad Chown called the meeting to order at 2:00pm.
2. This was Mike & Kerry Stilling's first meeting as new committee members, so introductions were done.
3. The Stillings shared their perspectives of the community and what drew them to the City which included the river, the Foundation Trail, the Lunda Community Center, and the Lunda Community Park. They also presented ideas and four concepts they had been working on for a branding campaign for the city which included options for elegant, historic and outdoors, simple and modern, and very historic. The committee liked the typography, some of the fonts presented, the use of a feather to represent Native American heritage and had open discussion on the various aspects and expressed the need to preserve the historic value of the community while also bringing our image in to the 21st century.
4. The Committee agreed to continue pursuing the distinctive "B" logo option. There was some concern as to how it would replicate in embroidery so everything could be identified. The Stillings will work on different variations of the logo and present images of how it would look on different applications such as shirts, letterhead, and billboards. There is a process for fine tuning the details of the larger logo when converting it to a smaller graphic for smaller applications while maintaining the integrity of the logo. The logo needs to appeal to young families moving in to the community, to former residents moving back in to the community, and to make current residents proud.
5. The Stillings will work on implementing the ideas discussed at today's meeting and present them at the next meeting.
6. Next meeting was set for Monday, September 15th at 2:00pm.
7. The meeting was adjourned at 2:49pm

A. Brad Chown
City Administrator

BLACK RIVER FALLS UTILITY COMMISSION MEETING MINUTES

August 25, 2025

Utility Commission President John Lund called a meeting of the Black River Falls Municipal Utility Commission to order on August 25, 2025 at 3:30 p.m. in the Utility Conference Room at 349 South McKinley Street. Commissioners in attendance were Justin Dougherty and Don Mathews. Commissioners Jeff Amo and Jay Eddy were excused. Also present were General Manager Casey Engebretson and Garrett Aleckson (Banner Journal).

A motion was made by Commissioner Mathews and seconded by Commissioner Dougherty to approve the minutes from the July 28, 2025 regular meeting.

Aye: Lund, Dougherty, and Mathews
Motion carried.

A motion was made by Commissioner Mathews and seconded by Commissioner Dougherty to approve the accounts payable vouchers; VC #43072; CK #43073 – 43146; EP #100942 – 100945 and #100947 - 100949 – Totaling \$625,141.72.

Aye: Lund, Dougherty, and Mathews
Motion Carried.

The Commission reviewed the July 2025 arrears.

The Commission reviewed the draft electric, water, and sewer budgets. Casey Engebretson stated that the Consumer Price Index (CPI) for contracts effective 1/1/2026 is 2.64%. Other notable items built into the budget were substation/relay testing, engineering, well rehab, UV tank maintenance, and aeration tank cleaning.

Casey Engebretson stated that he had a meeting with SEH regarding constructing a well versus a tower. Casey requested a memo from SEH outlining the pros and cons of each and included the memo in the packet. With Commissioners Amo and Eddy being absent from the meeting, Casey suggested this item be tabled so the discussion could take place at a later meeting with all Commissioners present.

Casey Engebretson stated that the WWTP has experienced periodic issues with the standby generator at the plant since it was installed in 2007. An electrical contractor has seen a number of issues with this brand of switchgear and believes changing out the switchgear and reprogramming may fix the issues. A number pieces of equipment have failed over the years due to the generator issue. Casey has asked WWTP staff to get pricing on replacing the switchgear.

Casey Engebretson informed the Commission that new batteries and charger were installed at German Hill substation. The line crew has completed the installation of grounding wires and cable trays. Staff is waiting on delivery of the insulators. Once the insulators are received, staff will install the insulators, bussing, and cabling from the regulators to the subhouse.

Casey Engebretson informed the Commission that the power transformers for the Lincoln substation upgrade will likely not be available until Spring of 2026. Staff is working with the engineer to design and construct a storage pad adjacent to Lincoln substation, which will prevent the need to pay for additional crane when the substation project proceeds.

Casey Engebretson informed the Commission that the rubber roof on Hydro 3 became detached. An insurance claim has been filed. The insurance company sent an engineer to inspect the roof and are waiting to receive the report.

BRFMU IS AN EQUAL OPPORTUNITY PROVIDER

Casey Engebretson presented a contribution request from the BRF Rotary Club to the Commission.

A motion was made by Commissioner Mathews and seconded by Commissioner Dougherty to contribute \$500 sponsorship to the BRF Rotary Club for their annual BBQ Cook Off fundraiser.

Aye: Lund, Dougherty, and Mathews
Motion Carried.

Next Meeting: September 29, 2025 @ 3:30 p.m.

A motion was made by Commissioner Mathews and seconded by Commissioner Dougherty to adjourn the meeting at 3:53 p.m.

Aye: Lund, Dougherty, and Mathews
Motion Carried.

Casey Engebretson, General Manager
comm.mtg.minutes.8.25.2025

CITY OF BLACK RIVER FALLS ORDINANCE NO. 897

AN ORDINANCE CREATING CHAPTER 21 OF THE CODE OF ORDINANCES FOR THE CITY OF BLACK RIVER FALLS, JACKSON COUNTY, WISCONSIN RELATING TO SEX OFFENDER RESIDENCY

The Common Council of the City of Black River Falls, Jackson County, Wisconsin do ordain as follows:

Section 1. **CHAPTER 21** in the Code of Ordinances of the City of Black River Falls is hereby created to read as follows:

CHAPTER 21

21.01 Title.

21.02 Recitals.

21.03 Purpose.

21.04 Definitions.

21.05 Residency restriction.

21.06 Residency restriction exceptions.

21.07 Safety zones.

21.08 Safety zone exceptions.

21.09 Original residency restriction.

21.10 Sale or rental of property for use by sex offenders.

21.11 Enforcement.

21.12 Petition for exemption and appeals.

21.01 Title.

This Ordinance shall be entitled the "Sex Offender Residency Ordinance."

21.02 Recitals.

The Wisconsin Statutes, including Chapters 940, 944, and 948 thereof, govern the punishment of individuals who commit sex crimes. The Wisconsin Statutes also govern the release into the community of such individuals. The city is responsible to maintain the public health, safety, and welfare and finds that sex offenders have high recidivism rates that threaten the public health, safety, and welfare, especially that of children.

The city council has reviewed findings in several studies related to recidivism and risk related to individuals who have committed sex crimes. Those studies include the following:

- Center for Sex Offender Management Fact Sheet: What You Need to Know About Sex Offenders. This fact sheet provided information about sex offender recidivism, including that it is estimated that one in every five girls and one in every seven boys are sexually abused by the time they reach adulthood; that one in six adult women and one in 33 adult men experience an attempted or completed sexual assault; that approximately 67 percent of all victims of reported

sexual assaults are under age 18 and more than half are under age 12; and that about 12 to 24 percent of sex offenders will re-offend.

- U.S. Department of Justice, Bureau of Justice Statistics—Recidivism of Sex Offenders Released from Prison in 1994. This study found that compared to non-sex offenders released from state prisons, released sex offenders were four times more likely to be re-arrested for a sex crime.

- Correctional Service Canada—Forum on Corrections Research. This study of 178 sex offenders released from a maximum-security psychiatric facility found that after an average follow-up of 59 months, 27.5 percent of sex offenders in the study sexually recidivated and 40.4 percent of the sex offenders were arrested, convicted, or returned to a psychiatric facility for a violent offence.

- California Research Bureau—The Impact of Residency Restrictions on Sex Offenders and Correctional Management: A Literature Review. This study found that at the time it was written 22 states had enacted some form of residency restriction that prohibits sex offenders from living within a certain distance of schools, daycare centers, or places where children congregate. The least restrictive among them was 500 feet, but distances from 1,000 to 2,500 feet were common.

- National Bureau of Economic Research—There Goes the Neighborhood? Estimates of the Impact of Crime Risk on Property Values from Megan's Laws. This study found that the majority of both violent and non-violent offenses take place less than one mile from victims' homes. It also found that prices of homes near sex offenders declined considerably following an offender's arrival in the neighborhood.

- An Evaluation of Sex Offender Residency Restrictions in Michigan and Missouri. This study found that while in Michigan, residency restrictions led to a slight increase in recidivism, in Missouri, the reconviction rate declined.

- Whereas the Common Council acknowledges that literature on sex offender recidivism, sex offender desistance, and sex offender residency restrictions contains studies which report varying effectiveness of certain strategies. The Common Council intends to use these strategies and studies to best create a regulatory framework which protects the children of the City of Black River Falls yet allows for a constructive and safe assimilation of designated sex offenders into the community.

- The Common Council finds that the risk of recidivism decreases over time from the date of the last conviction, especially in circumstances where offenders have community connections, goals, and employment. The Common Council is also aware that absent a domicile clause, the city would have open doors for nonresident sex offender residency when other communities have closed doors, inviting a substantial increase in child sex offender placements, thereby increasing potential negative impacts on the health, safety, welfare, and additional cost to the city and its residents. Studies show increased recidivism rates for offenders who frequently move or do not have established community networks. These studies support maintaining a domicile clause thereby limiting designated offenders with no ties to the community and increasing the likelihood that a designated offender implements appropriate and existing community support while allowing the community to remain intelligently attentive, aware, and provide adequate and appropriate intervention if needed.

- The Common Council further acknowledges difficulties and risks associated with designated offenders who are left homeless if reasonable efforts and considerations are not made to enable said individuals to secure proper housing, as long as the need to protect the health, safety and welfare of the public is prioritized.

• Accordingly, the Common Council has created this regulatory measure designed to protect the health and safety of the children in the city against the threat posed by certain designated sex offenders. Sex offenders who prey on children represent a substantial danger to victims, target a particularly vulnerable group within the community who are less able to articulate or report abuse, and create a significant impact on law enforcement time and community resources to investigate abuses and mitigate risks. This chapter is also intended to demonstrate the city's resolute goal of protecting children in areas of potential vulnerability and impart the community's confidence by demonstrating safe, productive, and law-abiding behavior while residing within the city. It is the intent of the Common Council that this regulatory scheme is civil and nonpunitive to serve the city's compelling interest to promote, protect, and improve the health, safety, and welfare of all citizens of the city.

Based on the above studies and other information presented to the Common Council, the Council determines that the restrictions set forth in this section serve the purpose of protecting the public health, safety, and welfare from the risk of recidivism of sex offenders. The Council further determines that the intent and effect of this article is not to banish sex offenders from residing within the city, and careful attention has been given to ensure that there are ample locations for sex offenders to reside within the city in compliance with the requirements of this article.

The Council further determines that the opportunity for individualized consideration of the risks and benefits of residency restrictions on a case-by-case basis is the best approach to achieve the purposes of this article and, to that end, this article establishes an "exemption" process by which a sex offender may seek an exemption from its residency restrictions by petition, which is further covered by an appeals process.

21.03 Purpose.

The purpose of this article is to protect the public health, safety, and welfare in the City by regulating the residency of sex offenders.

21.04 Definitions.

(a) Sex offender. A person who has been convicted of, has been found delinquent of, or has been found not guilty of by reason of disease or mental defect of a sexually violent offense or a crime against children.

(b) Sexually violent offense. Shall have the meaning set forth in Wis. Stat. § 980.01(6).

(c) Crime against children. Shall mean any of the following offenses set forth in the Wisconsin Statutes, as amended, or in the laws of this or any other state or the federal government having like elements necessary for conviction, respectively:

Wis. Stat. § 940.225(1) First Degree Sexual Assault.

Wis. Stat. § 940.225(2) Second Degree Sexual Assault.

Wis. Stat. § 940.225(3) Third Degree Sexual Assault.

Wis. Stat. § 940.22(2) Sexual Exploitation by Therapist.

Wis. Stat. § 940.30 False Imprisonment — Victim was Minor and Not Offender's Child.

Wis. Stat. § 940.31 Kidnapping — Victim was Minor and Not Offender's Child.

Wis. Stat. § 944.02 Rape (prior statute, now Wis. Stat. § 940.225).

Wis. Stat. § 944.06 Incest.

Wis. Stat. § 944.10 Sexual Intercourse with a Child (prior statute, now Wis. Stat. § 948.02).

Wis. Stat. § 944.11 Indecent Behavior with a Child (prior statute, now Wis. Stat. § 948.02).

Wis. Stat. § 944.12 Enticing Child for Immoral Purposes (prior statute, now Wis. Stat. § 948.07).

Wis. Stat. § 948.02(1) First Degree Sexual Assault of a Child.

Wis. Stat. § 948.02(2) Second Degree Sexual Assault of a Child.

Wis. Stat. § 948.025 Engaging in Repeated Acts of Sexual Assault of the Same Child.

Wis. Stat. § 948.05 Sexual Exploitation of a Child.

Wis. Stat. § 948.055 Causing a Child to View or Listen to Sexual Activity.

Wis. Stat. § 948.06 Incest with a Child.

Wis. Stat. § 948.07 Child Enticement.

Wis. Stat. § 948.075 Use of a Computer to Facilitate a Child Sex Crime.

Wis. Stat. § 948.08 Soliciting a Child for Prostitution.

Wis. Stat. § 948.095 Sexual Assault of a Student by School Instruction Staff.

Wis. Stat. § 948.11(2)(a) or (am) Exposing a Child to Harmful Material.

Wis. Stat. § 948.12 Possession of Child Pornography.

Wis. Stat. § 948.13 Convicted Child Sex Offender Working with Children.

Wis. Stat. § 948.30 Abduction of Another's Child.

Wis. Stat. § 971.17 Not Guilty by Reason of Mental Disease or an Included Offense.

Wis. Stat. § 975.06 Sex Crime Law Enforcement.

(d) Residence. A place where a person sleeps, abides, lodges, or resides on a permanent or regular basis. For purposes of this definition, a permanent basis means 14 or more consecutive days and a regular basis means 14 or more aggregate days during any calendar year and four or more days in any month. A person may have more than one residence.

(e) City. Means the City of Black River Falls, located in Jackson County, Wisconsin.

21.05 Residency restriction.

(a) Except as otherwise provided in this Ordinance, a Sex Offender may not reside within 750 feet of any real property upon which there exists any of the following uses:

- (1) A school for children.
- (2) A public park, park facility, or pathway.
- (3) A daycare licensed by the State of Wisconsin.
- (4) A public library.
- (5) A public playground.

- (6) A public athletic field used by children.
- (7) A residential care center for children.
- (8) A public swimming pool.
- (9) A public community center
- (10) Designated School Bus Stops (pick-up/drop-off) as provided by the Black River Falls School District and the Ho-Chunk Nation.

(b) For purposes of this section, distance is to be measured in a straight line from the closest boundary line of the real property upon which the sex offender's residence is located to the closest boundary line of the real property of the applicable use. A map depicting the above-enumerated uses and the resulting residency restriction distances shall be created annually. Such map shall be the official map for purposes of this section until the new annual map is created and filed annually. The official map shall be on file in the office of the City Clerk for public inspection.

21.06 Residency restriction exceptions.

A sex offender residing within an area otherwise prohibited by section 21.05 does not commit an offense if any of the following apply:

- (1) The person is required to serve a sentence at a jail, prison, juvenile facility, or other facility located at the otherwise prohibited location.
- (2) The person had established a residence, as defined in section 21.04(d) above, at the location prior to the effective date of this article.
- (3) The use enumerated in section 21.05(a) was established after the sex offender established a residence at the location and registered that residence as required by law.
- (4) The sex offender is a minor or ward under guardianship.
- (5) The designated offender's most recent offense, which falls under section 21.04 above occurred more than ten years ago and it has been at least ten years since the designated offender has completed any period of incarceration or court mandated supervision for any offense.

21.07 Safety zones.

No sex offender may enter or be present on any real property upon which there exists any facility used for or which supports the use of:

- (1) A school for children.
- (2) A public park, park facility, or pathway.
- (3) A daycare licensed by the State of Wisconsin.
- (4) A public library.
- (5) A public playground.
- (6) A public athletic field used by children.
- (7) A residential care center for children.
- (8) A public swimming pool.
- (9) A public community center.

21.08 Safety zone exceptions.

A Sex Offender present in an area otherwise prohibited by section 21.07 does not commit an offense if any of the following apply:

(1)The property supporting a use enumerated in section 21.07 also supports a church, synagogue, mosque, temple, or other house of religious worship, subject to the following conditions:

- a. Entrance and presence on the property may occur only during hours of worship or other religious program or service.
- b. The person may not participate in any religious education programs that include individuals under the age of 18.

(2)The property supporting a use enumerated in section 21.07 also supports a use lawfully attended by the sex offender's natural or adopted child or children, which child's use reasonably requires the attendance of the sex offender, provided that entrance and presence on the property occurs only during hours of activity related to the use by the child or children.

(3)The property supporting a use enumerated in section 21.07 also supports a polling location in a local, state, or federal election, subject to the following conditions:

- a. The sex offender is eligible to vote.
- b. The polling location is the designated polling location for the sex offender.
- c. The sex offender casts his or her ballot with whatever usual and customary assistance is available and vacates the property immediately after voting.

(4) The property supporting a use enumerated in section 21.07 also supports a school lawfully attended by the sex offender as a student, provided that the sex offender may only remain on the property at such times that are reasonably required for his or her educational purposes.

(5) The property supporting a use enumerated in section 21.07 also supports a police station, City Hall, or other governmental building, provided that the sex offender vacates the property immediately after completing the activity that required his or her presence at the property.

21.09 Original residency restriction.

In addition to the other residency restrictions set forth herein and subject to the limitations in section 21.06, no sex offender may establish a residence in the city unless he or she was a resident of the city at the time of the most recent offense resulting in the person's most recent conviction, commitment, or placement as a sex offender. This limitation shall not apply to the establishment of a residence at a dwelling that is owned by a member of the sex offender's family at the time the sex offender establishes residence therein. For purposes of this section, a member of a sex offender's family means the sex offender's mother, father, brother, sister, child, or grandparent.

21.10 Sale or rental of property for use by sex offenders.

No person may sell or rent any place, structure, or part thereof with knowledge that it will be used as a residence by any sex offender that is prohibited from establishing residence therein by this article.

21.11 Enforcement.

A person violating this article shall be subject to forfeitures in an amount of not less than \$200.00 nor more than \$1,000.00 for each violation plus the costs of prosecution (including reasonable attorneys' fees). For purposes of calculating forfeitures, each day that a violation exists shall constitute a separate offense. Violations of this article are also deemed public nuisances, and the city may bring an action in circuit court to enjoin or abate any violation.

21.12 Petition for exemption.

(a) Procedure. A designated offender may request an exemption from this chapter by submitting a written request for exemption, including any pertinent rationale for an exemption, to the Black River Falls Police Department prior to establishing a residence that would be in violation of this chapter or within 30 days after notification that the designated offender is in violation of this chapter. The Chief of Police or his/her designee shall conduct a review of the request for an exemption using any pertinent information and the criteria set forth in this Chapter. The Chief of Police or his/her designee shall approve an exemption, approve an exemption subject to necessary conditions (hereafter "conditional exemption"), or deny the request. The Chief of Police or his/her designee shall issue the decision within 30 days of receiving the request for exemption and shall provide a written copy of that decision to the designated offender, City Administrator, and the city attorney's office. Any request for an exemption which has not been approved, approved for a conditional exemption, or denied by the Chief of Police or his/her designee within 30 days of the request shall be deemed to be denied for the purpose of this chapter.

(b) The decision by the Chief of Police or his/her designee may be appealed by the designated offender within 30 days by submitting a written appeal to the City's Administrative Review Appeals Board as established under Chapter 6 of the City of Black River Falls Code of Ordinances (hereafter "the board") via the City Administrator's office. The City shall provide the appropriate form. The board shall hold a hearing on each appeal within thirty (30) days of the City Administrator's actual receipt of the written appeal, during which the board may review any pertinent information and may accept oral and written statements from any person.

(c) The Chief of Police or his/her designee and/or the board shall base their decision upon any factors related to the city's interest in promoting, protecting, and improving the health, safety, and welfare of the community, including, but not limited to:

- (1) The nature of the predicate offense causing the appellant to be a designated offender.
- (2) Police reports related to the predicate offense if available.
- (3) Proximity of the requested residence to the victim.
- (4) The age of the offense, offender, and victim.
- (5) Recommendation of the probation or parole officer, if one exists.
- (6) Recommendation of the police department.
- (7) Recommendation of any treatment practitioner.
- (8) Proposals for safety measures and assurances by the designated offender.
- (9) Conditions to be placed on any exception or variance from the requirements of this chapter.
- (10) Support systems in place by the designated offender.

- (11) Who the designated offender will be or is living with at the prohibited location.
- (12) Statements of the surrounding community or victim.
- (13) Treatment, sobriety, or rehabilitative measures taken by the designated offender.
- (14) The designated offender's current employment or social activities.
- (15) The designated offender's criminal history.

(16) Whether the designated offender meets any of the exceptions listed in this Chapter.

(d) The board shall issue a decision by a majority vote. The board may decide to deny an exemption, issue an exemption, or issue a conditional exemption. A written copy of the decision shall be provided to the designated offender in person or by first-class mail at the designated offender's last-known address. A designated offender must consent to the terms of the conditional exemption for the conditional exemption to be valid and must demonstrate acceptance of the terms of the conditional exemption by signing and dating a copy of the board's decision and conditions. The designated offender must provide a copy of the signed conditional exemption to the City Administrator's office and the City of Black River Falls Police Department. The designated offender will have fourteen (14) days from the date the written conditional exemption is issued to accept and return a signed copy to the appropriate locations, or the conditional exemption will be deemed as void and the appeal denied by the board. A designated offender need not sign an exemption that has been denied by the board or an exemption approved without any necessary conditions by the board.

(e) A conditional exemption may include, but is not limited to, the following terms:

- (1) Curfew restrictions.
- (2) Cohabitant restrictions or requirements.
- (3) Sobriety restrictions.
- (4) Conduct restrictions.
- (5) Residency restrictions.

(f) If an exemption or conditional exemption is granted by the Chief of Police or his/her designee or the board, that exemption will only apply to the specific designated offender who had applied for the exemption at the requested residence and shall not be transferable to any other or to any other location.

(g) An exemption expires when the designated offender who was granted said exemption changes his/her domicile and/or changes his or her residence, whether within the city or outside the city.

(h) An exemption or conditional exemption issued by the Chief of Police or his/her designee or the board may be revoked by the Chief of Police or his/her designee if the designated offender is found to have violated the conditions or there is probable cause to believe the designated offender has committed (an) additional act(s), which had occurred either before or after the exemption or conditional exemption was issued, that would cause a person to be classified as a designated offender. The Chief of Police or his/her designee shall provide written notice to the designated offender that the exemption or conditional exemption has been revoked. This notice shall be deemed properly delivered if sent by either first class mail to the designated offender's last known address or if delivered in person to the designated offender's last known address. If the designated offender cannot be located, the notice shall be deemed to be properly delivered if a copy is left at the designated offender's address which had been exempted in the presence of

some competent member of the family at least fourteen (14) years of age or a competent adult currently residing there. If notice cannot be so served, it may be served by publishing a Class I notice. The revocation of an exemption may be appealed to the board pursuant to the above procedure.

(i) For the purposes of this chapter, pursuant to Section 68.16, Wisconsin Statutes, the City of Black River Falls is specifically electing not to be governed by Chapter 68, Wisconsin Statutes. As such, appeals under this Chapter shall be heard by the Administrative Review Appeals Board established under Chapter 6 of the City of Black River Falls Code of Ordinances, but the process of such appeals shall be governed by this Section 21.12 rather than as may be set forth in the aforementioned Chapter 6, as allowed by section 6.06 thereunder.

(j) If the board denies the request for exemption or upholds a revocation of exemption or conditional exemption, the designated offender may appeal the decision within thirty (30) days to the circuit court.

(k) The City Administrator shall approve official forms for (i) requests for exemption, and (ii) appeals to the City's Administrative Review Appeals Board.

Section 2. Severability. The provisions of this ordinance shall be deemed severable, and it is expressly declared that the City would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provisions to other persons and/or circumstances shall not be deemed affected.

Section 3. Effective Date. This ordinance becomes effective upon passage and publication as required by law.

ATTEST:

Jay Eddy, Mayor

A. Brad Chown, City Administrator

DATE PASSED: _____

DATE PUBLISHED: _____

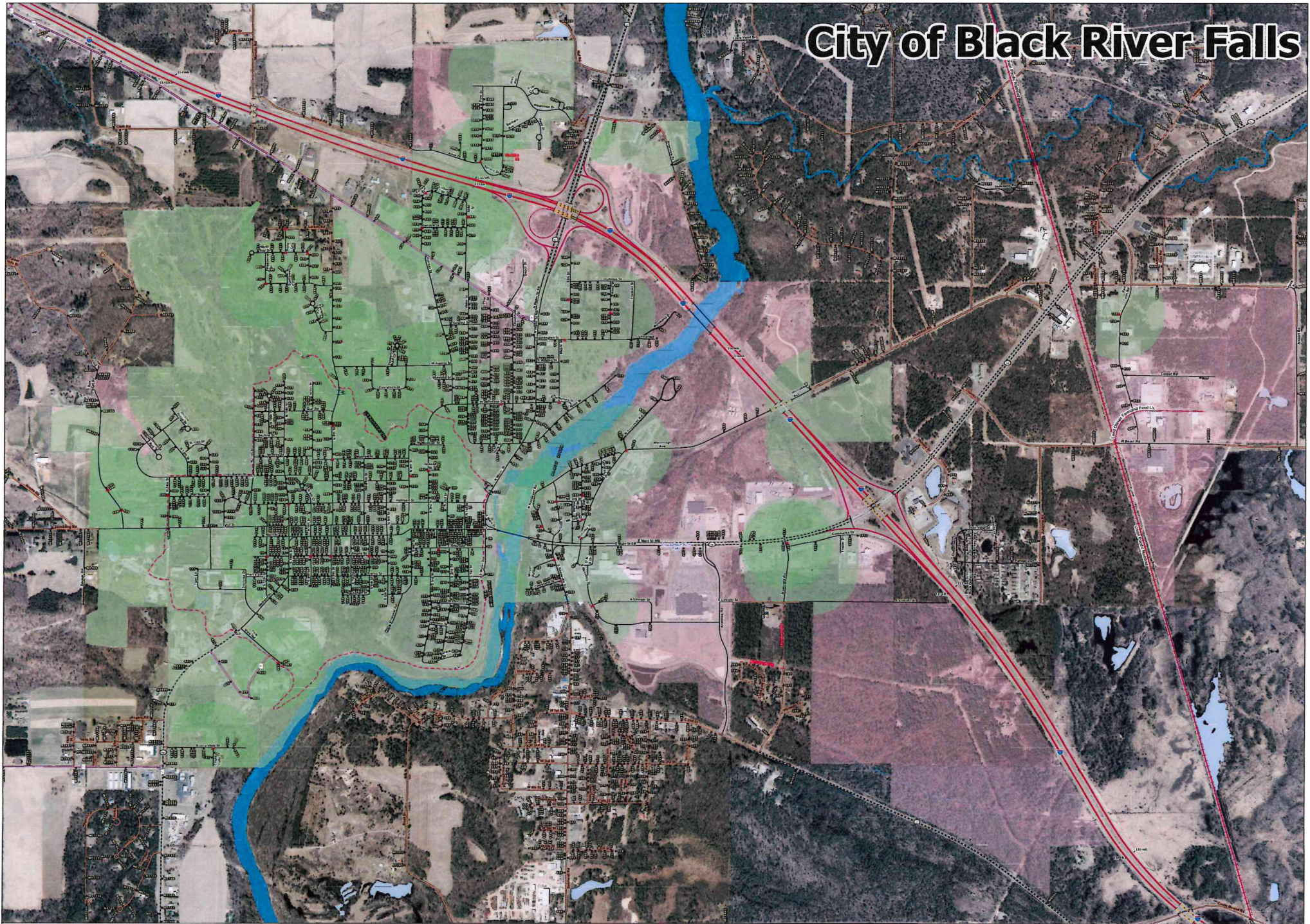
ACKNOWLEDGEMENT

State of Wisconsin)
) ss.
County of Jackson)

Personally came before me this ____ day of _____, 2025, the above-named Jay Eddy and A. Brad Chown, to me known to be the Mayor and City Administrator of the City of Black River Falls, Jackson County, Wisconsin respectively, and to me known to be the persons who executed the foregoing instrument and acknowledge the same.

Notary Public - State of Wisconsin
My commission expires _____.

City of Black River Falls



Sex Offender Residency Restriction Map

Legend
Red Star
Residency Restriction Zone
City Boundary

0 375 750 1,500 US Feet



Residency Restriction

1 School for Children

Parcel	206-2278.0000	Forrest Street / Red Creek Schools
Parcel	206-2570.0000	Black River Falls Middle and High School

2 & 5 Public Park, Park Facility or Pathway (See Also: "Foundation Trail" Tab) / Public Playground

Parcel	206-1645.0000	Al Young Park
Parcel	206-1848.0000	Cheyney Park
Parcel	206-2620.0000	Rock Springs Park
Parcel	206-2620.0000	Sig Peterson Park
Parcel	206-1377.0000	Field of Honor - Jaycee Shelter
Parcel	206-1384.0000	Field of Honor - Lions Shelter
Parcel	206-1385.0000	Field of Honor - Veteran's Memorial
Parcel	206-0166.0000	Mills Hill Park
Parcel	206-1930.0000	Skyline Golf Course
Parcel	206-2337.0005	Skyline Golf Course
Parcel	206-2525.0000	Skyline Golf Course
Parcel	206-2541.0005	Skyline Golf Course
Parcel	206-2551.0000	Skyline Golf Course
Parcel	206-2565.0000	Lunda Community Park / Hoffman Aquatic Center
Parcel	206-2175.0000	Pet Park
Parcel	206-1276.0010	Walking Path - Lallapalooza Estates
Parcel	206-1276.0020	Walking Path - Lallapalooza Estates
Parcel	206-1276.0025	Walking Path - Lallapalooza Estates
Parcel	206-1276.0030	Walking Path - Lallapalooza Estates
Parcel	206-1276.5000	Walking Path - Lallapalooza Estates
Parcel	206-1276.5600	Walking Path - Lallapalooza Estates
Parcel	206-1276.5700	Walking Path - Lallapalooza Estates
Parcel	206-1276.6200	Walking Path - Lallapalooza Estates
Parcel	206-1276.6300	Walking Path - Lallapalooza Estates
Parcel	206-1276.6400	Walking Path - Lallapalooza Estates
Parcel	206-1276.6500	Walking Path - Lallapalooza Estates
Parcel	206-1276.6600	Walking Path - Lallapalooza Estates
Parcel	206-2328.0000	Black River Area Child Care Service
Parcel	206-2335.0005	Black River Area Child Care Service
Parcel	206-1956.0005	Black River Falls Head Start Center

4 Public Library

Parcel	206-0599.0000	Black River Falls Public Library
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6 Public Athletic Field

Parcel	206-2341.0000	Marks Field
Parcel	206-2339.0005	Marks Field Parking Lot
Parcel	002-0160.0030	Soccer Field (Town of Adams)
Parcel	206-2560.0000	Soccer Field
Parcel	206-2627.0000	Milt Lunda Memorial Arena / Fair Park

7 Residential Care Centers for Children

Parcel 206-2625.0005 Tadpoles Daycare & Little Ryno's Child Care

8 Public Swimming Pool

Parcel 206-2214.0005 Day's Inn

9 Public Community Center

Parcel 206-2577-0015 Lunda Community Center

Foundation Trail Parcels

Start at Chamber headed West and ending at Chamber

Parcel Numbers
206-1389.0000
206-1388.0000
206-0451.0000
206-0452.0000
206-2287.0000
206-2382.0000
206-2384.0000
206-2338.0000
206-2337.0000
206-2337.0005
206-2337.0010
206-2341.0000
206-2370.0000
206-2366.0000
206-2541.0005
206-2551.0000
206-2565.0000
206-2570.0000
206-2557.0010
206-2577.0015
206-2576.0000
206-2575.0000
206-2625.0000
206-2630.0000
206-2627.0000
206-2620.0000
206-1645.0000
206-1639.0000
206-1634.0000
206-1632.0005
206-1640.0000
206-1630.0005
206-1628.0005
206-1625.0000
206-0656.0000
206-1389.0000

Bus stops within Black River Falls City Limits
Updated 6/25/2025

1. 125 Rye Bluff Road
2. 145 Rye Bluff Road
3. 200 N. 14th Street
4. 10th & Harrison
5. 11th & Fillmore
6. 9th & Fillmore
7. 8th & Fillmore
8. 6th & Fillmore
9. 8th & Monroe
10. 519 N 8th Street
11. 402 Pineview Road
12. Buena Vista Drive & Chula Vista Drive
13. Black River Child Care Center (725 N 8th Street)
14. West Wind Drive @ the SW curve
15. North Star Drive @ the NE curve
16. North Star Drive & Pony Lane
17. Pony Lane & Larson Road
18. Anne & Pine
19. 301 N 4th Street
20. N 3rd Street & Jackson
21. Jefferson Street @ the alley between Chestnut & Pine
22. City Hall/Library (222 Fillmore)
23. Forrest & Gordon
24. Forrest & Clifton
25. Western Dairyland Head Start (905 Alder)
26. N6695 Riverview Drive
27. N6641 Riverview Drive
28. 650 Elm Street
29. Rose Street Middle of the block (fluctuates from year to year)
30. Washington Street @ the cemetery
31. Jefferson & Maple
32. Winnebago & N McKinley
33. Oak & NE 2nd Street
34. 205 Oak Street
35. N Roosevelt & Winnebago
36. Cedar & NE 3rd Street
37. 24 N Roosevelt
38. Gebhardt & Wilson
39. Gebhardt & Cleveland
40. S McKinley & E Lincoln
41. Days Inn (919 Hwy 54)
42. Aptiv (720 Red Iron Road)

1.07 Policy Proposal

Overview

The Together for Jackson County Kids Coalition is proposing the addition of definitions for smoking and electronic smoking devices to the current city ordinance for Smoke-Free Air. This action will close an enforcement gap.

The Problem

Current city policy for indoor Smoke-Free air does not include language around vaping or e-cigarettes leaving that unenforceable. As nicotine products evolve, our policies must evolve too.

E-cigarettes and vaping devices may look different from traditional tobacco, but they still pose serious health risks—especially when used indoors or around others. Reports show that the aerosol from e-cigarettes contains harmful chemicals like nicotine, ultrafine particles, heavy metals, and volatile organic compounds. This is not simply water vapor. It is an aerosol that lingers in the air, affecting everyone nearby.

Proposed Definitions

Replace definition 15 of “Smoking”:

“Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated, cigar, cigarette, or pipe, or any other lighted or heated tobacco, nicotine, or plant product intended for inhalation, including hookah and THC, whether natural or synthetic. “Smoking” also includes the use of an electronic smoking device.

Add definition:

“Electronic smoking device” means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah.

Youth Impact

The most recent Youth Risk Behavior Survey (YRBS) found that 16% of Jackson County High schoolers currently vape and 36% have ever tried vaping in their lifetime.

Vaping is now the most commonly used tobacco product among middle and high school students. When youth see vaping in public places, it reinforces the idea that it is normal and harmless.

Other Examples

Other communities across the state have already taken this step, recognizing that vaping indoors poses many of the same risks and challenges as smoking.

Many counties and municipalities surrounding Black River Falls have strengthened their ordinance, including the City of Eau Claire, City of Altoona, Onalaska, La Crosse County, and Marshfield.

This is also in line with ordinance 11.06 prohibiting smoking and vaping in the All-Abilities Park.

Relevant Resources

American Lung Association. (2017). Don't be fooled, e-CIG aerosol is not harmless for kids. <https://www.lung.org/blog/dont-be-fooled-ecig-aerosol-not-harmless>

E-Cigarette use among youth. (2024, October 17). Smoking and Tobacco Use. <https://www.cdc.gov/tobacco/e-cigarettes/youth.html>

Secondhand Electronic-Cigarette Aerosol and Indoor Air Quality | US EPA. (2025, May 13). US EPA. <https://www.epa.gov/indoor-air-quality-iaq/secondhand-electronic-cigarette-aerosol-and-indoor-air-quality>

Jackson County Voices

Together for Jackson County Kids launched a youth-led campaign against vaping at the 2025 County Fair and school district open houses. The “Be Original” campaign included an opportunity for respondents to share how vaping or nicotine impacts their lives. Here are a few of the responses we received:

“I personally do not do either vaping or use nicotine products but being around family can be cumbersome. I find myself avoiding them due to the smell of the products or the second hand effects It can have on my own health. People are getting away using nicotine products in public where smoking years ago was banned. It’s become too accepted in buildings. If you don’t smoke a cigarette in a building, you shouldn’t vape.” -Age 29

“Vape has not had a large impact on my life because I used to have a best friend who got into it. It started with vaping and ended with drug addiction. I miss my old friend.” -Age 15

“It made me very sad and impacted my friendships and relationships with people.” -Age 15

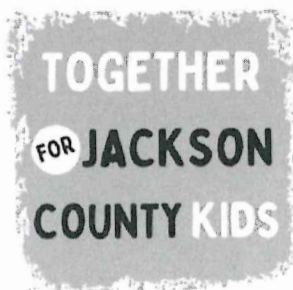
“My dad vapes nearly everywhere. I don't get to see him a lot, but when I do he's often more focused on hitting his vape then spending time with me and my brother.” -Age 16

“It hasn't affected me however my mom and dad became addicted and spent a lot of money.” - Age 17

“It ruined my friendships, my sports careers and made me depressed so I quit.” - Age 19

“Vaping and nicotine impacts my everyday life” - Age 20

“It is something always being talked about from kids trying to get you to do it and from school trying to get it to stop. Vapes are something you see at a lot of stores so it is always being shown to get you even at a young age.” - Age 14



Together For Jackson County Kids, a county-wide partnership of youth-serving organizations, is committed to enhancing community wellness by promoting positive values and choices. TFJCK focuses on eliminating the negative impact of alcohol, tobacco, other drugs, violence, and related youth risk behaviors in Jackson County.

Find us at together4jckids.org

GENERAL GOVERNMENT 1.05(1)

(c) Has interests which may be substantially affected by the City or the Council.

(2) The receipt of any gift, gratuity or anything of value, as denoted above, is contrary to the public policy of the City.

1.06 DISCLOSURE OF INTEREST IN LEGISLATION. (1) Any member of the Council who has a financial interest or personal interest in any proposed legislation before the Council shall disclose on the records of the Council the nature and extent of such interest.

(2) Any other City official or employee who has a financial or personal interest in any proposed legislative action of the Council and who participates in discussion with or gives an official opinion or recommendation to the Council shall disclose on the records of the Council the nature and extent of such interest.

1.07 SMOKING PROHIBITED

SECTION 1: Smoking Prohibited. Section 1.07 of the Code of Ordinances of the City of Black River Falls is hereby recreated to read as follows:

Section 1.07 Smoking Prohibited

The following terms are defined for the purposes of this section:

(a) Definitions.

(1) "Assisted living facility" means a community – based residential facility, a residential care apartment complex, or an adult family home, as defined in Sec. 50.01, Wis. Stats.

(2) "Child care center" means a facility operated by a child care provider that provides care and supervision for four (4) or more children under seven (7) years of age for less than twenty-four (24) hours a day.

(3) "Educational facility" means any building used principally for educational purposes in which a school is located or a course of instruction or training program is offered that has been approved or licensed by a state agency or board.

(4) Notwithstanding Sec. 101.01(5), Wis. Stats., "employment" means any trade, occupation, or process of manufacture or any method of carrying on such trade, occupation, or process of manufacture in which any person may be engaged.

(5) "Enclosed indoor area", means all space between a floor and a ceiling that is bounded by walls, doors, or windows, whether open or closed, covering more than 50 percent of the combined surface area of the vertical planes constituting the perimeter of

GENERAL GOVERNMENT 1.07(a)

the area. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent. A 0.011 gauge screen with an 18 by 16 mesh count is not a wall.

(6) “Inpatient health care facility” means a hospital, as defined in Sec. 50.33 (2), Wis. Stats., a county home established under Sec. 49.70, Wis. Stats., a county infirmary established under Sec. 49.72, Wis. Stats., a nursing home, as defined in Sec. 50.01 (3), Wis. Stats., a hospice, as defined in Sec. 50.90 (1), Wis. Stats., a Wisconsin veterans home under Sec. 45.50, Wis. Stats., or a treatment facility.

(7) “Lodging establishment” means any of the following:

- a. A bed and breakfast establishment.
- b. A hotel.
- c. A tourist rooming house, including any lodging place or tourist cabin or cottage where sleeping accommodations are offered for pay to tourists or transients.

(8) “Person in charge” means the person, or his or her agent, who ultimately controls, governs or directs the activities aboard a public conveyance or at a location where smoking is prohibited or regulated under this section.

(9) “Place of employment,” notwithstanding Sec. 101.01 (11), Wis. Stats., means any enclosed indoor area that employees normally frequent during the course of employment, including an office, a work area, an elevator, an employee lounge, a restroom, a conference room, a meeting room, a classroom, a hallway, a stairway, a lobby, a common area, a vehicle, or an employee cafeteria.

(10) “Private club” means a facility used by an organization that limits its membership and is organized for a recreational, fraternal, social, patriotic, political, benevolent, or athletic purpose.

(11) “Public conveyance” means a mass transit vehicle, either publically or privately owned, a school bus, or any other device by which persons are transported, for hire, on a highway or by rail, water, or air, but does not include such a device while providing transportation in interstate commerce.

(12) “Public place” means any enclosed indoor area that is open to the public, regardless of whether a fee is charged or a place to which the public has lawful access or may be invited.

(13) “Restaurant” means an establishment as defined in Sec. 254.61 (5), Wis. Stats.

(14) “Retail establishment” means any store or shop in which retail sales is the

principal business conducted.

(15) “Smoking” means burning or holding, or inhaling or exhaling smoke from, any of the following items containing tobacco:

- a. A lighted cigar.
- b. A lighted cigarette.
- c. A lighted pipe.
- d. Any other lighted smoking equipment.

(16) “Sports arena” means any stadium, pavilion, gymnasium, swimming pool, skating rink, bowling center, or other building where spectator sporting events are held.

(17) “State institution” means a mental health institute, as defined in Sec. 51.01 (12), Wis. Stats., a center for the developmentally disabled, as defined in Sec. 51.01 (3), Wis. Stats., or a secure mental health facility at which persons are committed under Sec. 980.06, Wis. Stats.

(18) “Tavern” means an establishment, other than a restaurant, that holds a “Class B” intoxicating liquor license or Class “B” fermented malt beverages license.

(19) “Tobacco product” means any form of tobacco prepared in a manner suitable for smoking but not including a cigarette.

(20) “Treatment facility” means a publically or privately operated inpatient facility that provides treatment of alcoholic, drug dependent, mentally ill, or developmentally disabled persons.

(b) Prohibition Against Smoking.

(1) Except as provided in sub. (d) no person may smoke in any of the following enclosed indoor areas:

- a. Child care centers.
- b. Educational facilities.
- c. Inpatient health care facilities.
- d. Theaters.
- e. Restaurants.
- f. Taverns.
- g. Private clubs.
- h. Retail establishments.
- i. Common areas of multiple – unit residential properties.
- j. Lodging establishments.
- k. State, county, city, village, or town buildings.
- l. All enclosed indoor areas, other than those listed in subds. a. to k., that are places of employment or that are public places.

(2) No person may smoke anywhere on the premises of a child care center when children who are receiving child care services are present.

GENERAL GOVERNMENT 1.07(b)

(3) No person may smoke in any of the following, regardless of whether it is an enclosed indoor area:

- a. A sports arena.
- b. A bus shelter.
- c. A public conveyance.
- d. A vehicle owned, rented or leased by the City of Black River Falls.

(c) **Responsibility of Persons in Charge.**

(1) No person in charge may allow any person to smoke in violation of sub. (b) above, at a location that is under the control or direction of the person in charge.

(2) A person in charge may not provide matches, ashtrays, or other equipment for smoking at the location where smoking is prohibited.

(3) A person in charge shall make reasonable efforts to prohibit persons from smoking at a location where smoking is prohibited by doing all of the following:

- a. Posting signs as specified by the Wisconsin Department of Commerce, setting forth the prohibition and providing other appropriate notification and information concerning the prohibition.
- b. Refusing to serve a person, if the person is smoking in a restaurant, tavern, or private club.
- c. Asking a person who is smoking to refrain from smoking and, if the person refuses to do so, asking the person to leave the location.

(4) If a person refuses to leave a location after being requested to do so as provided in par. (3)c., the person in charge shall immediately notify an appropriate law enforcement agency of the violation.

(5) A person in charge may take measures in addition to those listed in pars (3) and (4) to prevent persons from being exposed to others who are smoking or to further ensure compliance with this section.

(d) **Exceptions.**

The prohibition against smoking in Subsection (b)(1) does not apply to the following:

- a. A private residence.
- b. A room used by only one person in an assisted living facility as his or her residence.
- c. A room in an assisted living facility in which 2 or more persons reside if every person who lives in that room smokes and each of those persons has made a written request to the person in charge of the assisted living facility to be placed in a room where smoking is allowed.

(e) **Outdoor Smoking Areas.** Any person in charge of a restaurant, tavern, private club, or

GENERAL GOVERNMENT 1.07(e)

retail establishment may designate an outside area that is a reasonable distance from any entrance to the restaurant, tavern, private club, or retail establishment where customers, employees, or persons associated with the restaurant, tavern, private club, or retail establishment may smoke.

(f) Penalties.

(1) Any person who violates sub. (b) shall be subject to a forfeiture of thirty dollars \$30.00 for the first offense and \$100.00 for any subsequent offenses committed within the same year.

(2) Any person in charge who violates sub. (c) shall be subject to a forfeiture of \$50.00 for the first offense and \$100 for any subsequent offenses committed within the same year.

(3) No person in charge may be required under par. (2) to forfeit more than \$100.00 in total for all violations of sub.(c) occurring on a single day.

(g) Injunction.

Notwithstanding Sec. 165.60, Wis. Stats., state or local officials or any affected party may institute an action in any court with jurisdiction to enjoin repeated violations of this section.

1.08 to 1.15 (Reserved)

SUBCHAPTER II: BOARDS AND COMMISSIONS

1.16 PLAN COMMISSION. (1) **MEMBERSHIP.** The Plan Commission shall consist of the Mayor who shall be the Chairperson, one Alderperson and 5 citizen members of recognized experience and qualifications. The citizen members shall be appointed by the Mayor and confirmed by the Council for 3 year terms. The Alder-person member shall be appointed by the Mayor and confirmed by the Council for a 2 year term. The City Clerk shall be the Commission Secretary.

(2) **POWERS AND DUTIES.** The Plan Commission shall have the powers and duties prescribed in §62.23, Wis. Stats., and such other powers and duties as shall be vested in the Commission, from time to time, by the Council.

1.17 BOARD OF ZONING APPEALS. (1) **MEMBERSHIP.** (a) The Board of Zoning Appeals shall consist of 5 citizen members appointed by the Mayor, subject to confirmation by the Council, for staggered terms of 3 years.

Form
AB-220

Temporary Alcohol Beverage License

Municipality
City Black River Falls

License(s) Requested	Fees	
	☐ Temporary "Class B" Wine	☒ Temporary Class "B" Beer
	License Fees	\$
	Background Check	\$
Total Fees		\$

Part A: Organization Information

1. Organization Name Black River Youth Hockey		
2. Organization Permanent Address * 388 Melrose Street		
3. City Black River Falls	4. State WI	5. Zip Code 546015
6. Mailing Address (if different from permanent address) P.O. Box 463		
7. FEIN 39-1554950	8. Date of Organization/Incorporation 1987	9. State of Organization/Incorporation SOI(C)3
10. Phone 715-896-7007	11. Email j-s-oneill546015@hotmail.com	
12. Organization type (check one) ☒ Bona Fide Club ☐ Church ☐ Fair Association/Agricultural Society ☐ Veteran's Organization ☐ Lodge/Society ☐ Chamber of Commerce or similar Civic or Trade Organization under ch. 181, Wis. Stats.		
13. Is this organization required to hold a Wisconsin Seller's permit? ☒ Yes ☐ No		
14. Wisconsin Seller's Permit Number (if applicable)		

Part B: Individual Information

List the name, title, and phone number for all officers, directors, and agent of the organization. Include an Individual Questionnaire (Form AB-100) for each person listed below. Attach additional sheets if necessary.

Corporations must also include Alcohol Beverage Appointment of Agent (Form AB-101).

Last Name	First Name	Title	Phone
O'Neill	Jared	President	715-896-7007
Babcock	Nathan	Pres Elect	715-896-1374
Elmhorst	Jessie	Fundraising Chair	715-937-8246

Continued →

Part C: Event Information			
1. Name of Event (if applicable) Veterans hockey game/fundraiser (Warrior)			
2. Dates of Operation 10/18/25		3. Hours of Operation 12pm - 12am	
4. Premises Address 388 Melrose Street			
5. City Black River Falls		6. State WI	7. Zip Code 54615
8. County Jackson	9. Governing Municipality ☒ City ☐ Town ☐ Village of: Black River Falls		10. Aldermanic District
11. Organizer of Event (if not the named applicant) Black River Youth Hockey		12. Email and/or Phone Number for Organizer of Event j-s-oneill54615@hotmail.com	
13. Organizer Website blackriveryouthhockey.com		14. Event Website	
15. Premises Description - Describe the building or buildings and any outside areas where alcohol beverages and records are sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary. Beer will be sold in the MLMA warming area for the veterans hockey event.			

Part D: Attestation			
Who must sign this application? • one officer or director of the nonprofit organization			
READ CAREFULLY BEFORE SIGNING: Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant organization and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate according to the law, including but not limited to, purchasing alcohol beverages from Wisconsin-permitted wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.			
Last Name O'Neill		First Name Jared	
		M.I. S.	
Title President	Email j-s-oneill54615@hotmail.com		Phone 715-896-7007
Signature 		Date 8/25/25	

Part E: For Clerk Use Only	
Date Application Was Filed With Clerk August 26, 2025	License Number
Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk 	