

ORDINANCE #2025-03

AN ORDINANCE TO CREATE SECTION 36-63 OF THE CODE OF ORDINANCES FOR
THE CITY OF WAUTOMA

THE COMMON COUNCIL OF THE CITY OF WAUTOMA DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION I. Section 36-63 of the Code of Ordinances is hereby created to read as follows:

Sec. 36-63 Anti-Bullying

- (a) Definitions. As used in this Section, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:
 - (i) *Bullying* is a form of harassment and is 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.
 - (ii) *Course of conduct* is defined as a pattern of conduct composed of a series of acts over a period of time however short, evidencing a continuity of purpose.
 - (iii) *Harassment* is defined as any conduct, whether verbal, physical, written, or by means of any mode of communication, which:
 - a. Is prohibited by Wis. Stats., §§ 947.01, 947.012, 947.0125, or 947.013; or
 - b. Is any intentional course of conduct which is likely to create an intimidating, hostile or offensive environment, and which serves no legitimate purpose.
- (b) Prohibition. 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.
- (c) Retaliation Prohibited. No person shall retaliate against any person who reports any conduct which is prohibited by this Section.
- (d) Constitutionally Protected Activity. This Section shall not be construed to apply to any constitutionally protected activity or speech.
- (e) Parental Responsibility. It shall be unlawful for any custodial parent or guardian of any un-emancipated person under eighteen (18) years of age to allow or permit such person to violate the provisions of Subsections (2) and (3) 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 Subsections (2) and (3) 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.
- (f) Any person who shall violate any provision of this Section shall be subject to a forfeiture of \$50 plus costs for the first offense, \$100 plus costs for the second offense, and \$250 plus costs for subsequent offenses.

SECTION II. Severability: In the event that any provision of this Ordinance is for any reason held to be invalid, unconstitutional, or unenforceable by any court of competent jurisdiction, such portions of this Ordinance shall be deemed separate, distinct and independent provisions of the Ordinance and all remaining portions of this Ordinance shall remain in full force and effect.

SECTION III. All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby to such extent repealed.

SECTION IV. This ordinance shall take effect and be in full force and effect if it is passed by the Common Council of the City of Wautoma.

Dated this 21st day of May, 2025

CITY OF WAUTOMA

BY: _____

John Nixon

Mayor

BY: _____

Tommy Bohler

City Administrator/Clerk/Treasurer

PASSED:

APPROVED:

PUBLISHED: