

*Kenosha*



*County*

## COUNTY BOARD OF SUPERVISORS

### NOTICE OF MEETING

NOTE: UNDER THE KENOSHA COUNTY BOARD OF RULES OF PROCEDURE ANY REPORT, RESOLUTION, ORDINANCE OR MOTION APPEARING ON THIS AGENDA MAY BE AMENDED, WITHDRAWN, REMOVED FROM THE TABLE, RECONSIDERED OR RESCINDED IN WHOLE OR IN PART AT THIS OR AT FUTURE MEETINGS. NOTICE OF SUCH MOTIONS TO RECONSIDER OR RESCIND AT FUTURE MEETINGS SHALL BE GIVEN IN ACCORDANCE WITH SEC. 210(2) OF THE COUNTY BOARD RULES. FURTHERMORE, ANY MATTER DEEMED BY A MAJORITY OF THE BOARD TO BE GERMANE TO AN AGENDA ITEM MAY BE REFERRED TO THE PROPER COMMITTEE. ANY ITEM SCHEDULED FOR THE FIRST OF TWO READINGS IS SUBJECT TO A MOTION TO SUSPEND THE RULES IN ORDER TO PROCEED DIRECTLY TO DEBATE AND VOTE. ANY PERSON WHO DESIRES THE PRIVILEGE OF THE FLOOR PRIOR TO AN AGENDA ITEM BEING DISCUSSED SHOULD REQUEST A COUNTY BOARD SUPERVISOR TO CALL SUCH REQUEST TO THE ATTENTION OF THE BOARD CHAIRMAN.

**NOTICE IS HEREBY GIVEN the Regular County Board Meeting** of the Kenosha County Board of Supervisors will be held on Tuesday, the **4th of August, 2020 at 7:30PM.**, at the **Kenosha County Job Center located at 8600 Sheridan Rd, Use Entrance D.** The following will be the agenda for said meeting:

- A. Call To Order By Chairman O'Day
- B. Pledge Of Allegiance
- C. Roll Call Of Supervisors
- D. Citizen Comments

While both the building and the meeting is open to the public, in keeping with the CDC's recommendations on social distancing, members of the public are strongly encouraged NOT to attend the meeting in person. The meeting will not be available live video stream due to the location. However, the meeting will be accessible for public monitoring by calling **1-408-418-9388** and using Access Code (**146 542 0828**). Citizens wishing not to attend but to make a public comment in writing may submit such comments to [\[EMAIL PROTECTED\]](#) before 4:30 pm on Tuesday August 4, 2020.

- E. Announcements Of The Chairman
- F. Supervisor Reports
- G. OLD BUSINESS
- H. Ordinance - Second Reading, Two Required

11. From The Planning, Development & Extension Education Committee An Ordinance - Amendment Of The Kenosha County General Zoning And Shoreland/Floodplain Zoning Ordinance Amending Section 12.22-6 Adult Establishments

Documents:

I. NEW BUSINESS

J. Resolution - One Reading

18. From Supervisor Rose And Supervisor Nudo A Resolution Regarding County Board Meeting Location

Documents:

[RESOLUTION REGARDING COUNTY BOARD MEETING LOCATION.PDF](#)

19. From The Human Services Committee-A Resolution To Appoint Mr. David Celebre To The Brookside Board Of Trustees

Documents:

[DAVID CELEBRE BBOT.PDF](#)

20. From The Human Services Committee-A Resolution To Reappoint Dr. Rita Ventura To The Kenosha County Board Of Health

Documents:

[VENTURA BOARD OF HEALTH.PDF](#)

21. From The Human Services Committee- A Resolution Expressing Kenosha County's Commitment To Achieving Racial Equity And Transforming Systems And Institutions Impacting The Health Of Our Community.

Documents:

[RACISM RESOLUTION.PDF](#)

22. From The Legislative Committee A Resolution To Conduct Countywide Advisory Referendum On Making The State Of Wisconsin A 2nd Amendment Sanctuary State

Documents:

[RES ADVISORY REFERENDUM 2ND AMEND SANCTUARY STATE.PDF](#)

K. CLAIMS

11. Daniel Edward Sendiak - Vehicle Damage

Documents:

[GL-12-20 DANIEL EDWARD SENDZIAK.PDF](#)

12. Jeremiah Islas - Vehicle Damage

Documents:

[GL-13-20 JEREMIAH ISLAS \(PER PROGRESSIVE INSURANCE\).PDF](#)

13. Kim Lishamer - Vehicle Damage

Documents:

[GL-14-20 KIM LISHAMER.PDF](#)

L. Approval Of 7/21/2020 Minutes By Supervisor Beth

M. Adjourn

# **KENOSHA COUNTY CHAPTER 12 ZONING ORDINANCE**

## **ADULT ESTABLISHMENT ORDINANCE (AEO)**

### **Amendment Summary 2020**

#### **Reasoning**

- Comprehensive review undertaken by outside counsel, von Briesen & Roper.
- Ordinance hadn't been reviewed in approximately 16 years (adopted 2004).
- Significant changes in caselaw and jurisprudence over that time, including a significant case in the 7<sup>th</sup> Circuit in 2018.
- Significant development has occurred over the past 16 years.
- Three towns incorporated (Bristol, Somers, Salem Lakes) in the past 16 years.
- Wanted to ensure that we were compliant with current state of law and were insulated as much as possible against any type of challenge.


#### **Synopsis**

- Streamlined definitions.
- Removed out of date and/or currently superfluous language.
- Combined certain categories/definitions (no longer differentiate between retail and entertainment establishments).
- Removed prohibition on sale and service of alcohol – designed to ensure we were in compliance with Wisconsin State Statutes (Chapter 125) and to avoid singling out one type of establishment where other (non-adult) could serve alcohol.
- Adds additional requirements to ensure the health and safety of patrons and performers, by extending distances between them and requiring railings.

# KENOSHA COUNTY

## BOARD OF SUPERVISORS


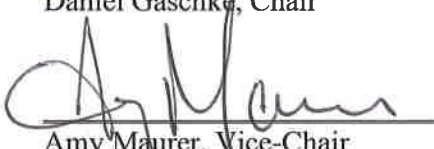



ORDINANCE NO. 11

Subject: Amendment of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance Amending Section 12.22-6 Adult Establishments	
Original <input type="checkbox"/> Corrected <input type="checkbox"/> 2nd Correction <input type="checkbox"/> Resubmitted <input type="checkbox"/>	
Date Submitted: May 13, 2020	Date Resubmitted:
Submitted By: PDEEC Committee	
Fiscal Note Attached <input type="checkbox"/>	Legal Note Attached <input type="checkbox"/>
Prepared By: Andy Buehler, Director Division of Planning and Development	Signature: 

THE KENOSHA COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN that the Municipal Code of Kenosha County Chapter 12.22-6, is amended as per the attachment marked Exhibit "A."

Approved by:

Planning, Development and Extension Education Committee

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Excused</u>
 Daniel Gaschke, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Amy Maurer, Vice-Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Sandra Beth	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Gabe Nudo	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Zach Rodriguez	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**UPDATED KENOSHA ORDINANCE**  
**DRAFT as of February 28 March 9, 2020**

12.22-6 ADULT ESTABLISHMENTS

(a) **Intent.**

1. The intent of this Ordinance is regulate Adult Establishments and related activities to protect the health, safety, morals, and general welfare of the citizens of Kenosha County, to further preserve the quality of family life as well as the rural and urban characteristics of its neighborhoods in Kenosha County, to prevent adverse and deleterious effects contributing to the blight and downgrading of neighborhoods, to avoid the effects of adult entertainment upon minors and the violation of civil rights of many persons partaking in such entertainment, mitigate criminal activity and disruption of public peace associated with such establishments, and also to prevent the unsanitary and unhealthful conditions associated with such establishments. The intent is to establish reasonable and uniform provisions to regulate Adult Establishments within Kenosha County. It is not the intent or effect to restrict or deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Additionally, it is not the intent or effect to limit or restrict the lawful activities permitted under Wisconsin Statutes Chapter 125, "Alcohol Beverages" and Kenosha County Code of Ordinances Chapter 8, "Licenses and Permits." By the enactment of this ordinance, the Kenosha County Board of Supervisors does not intend to give any explicit, implicit, or tacit approval or condone any activity relating to adult entertainment.
2. Kenosha County Board of Supervisors seeks to improve the effectiveness of existing and previously adopted regulations, including Sections 12.26-3 and 12.29-8(b)2, and subsequently 12.22-6, for the purposes of limiting the secondary effects of Adult Establishments and related activities. Where developments in the law have subsequently rendered prior regulations ineffective, the intent of this ordinance is to effectuate zoning regulations to accomplish the intent outlined in § (a)(1) above.

- (b) **Findings.** Premised on evidence showing the adverse secondary effects of Adult Establishments on the community<sup>1</sup>, this ordinance recognizes and seeks to reduce the following impacts of Adult Establishments while fully protecting the constitutional rights of citizens:

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<sup>1</sup> The adverse secondary effects of adult establishments as presented in hearing(s) and in studies made available to the County by other communities and in findings incorporated in cases including but not limited to the following studies: Phoenix, Arizona (1979); Tucson, Arizona (1990); Garden Grove, California (1991); Los Angeles, California (1977); Whittier, California (1978); Adams County, Colorado (1998); Denver, Colorado (1998); Manatee County, Florida (1987); Indianapolis, Indiana (1984); Kansas City, Kansas (1998); Minneapolis, Minnesota (1980); St. Paul, Minnesota (1988); Las Vegas, Nevada (1978); Ellicottville, New York (1998); Islip, New York (1980); New York, New York (1994); Syracuse, New York (1999); New Hanover, North Carolina (1989); Cleveland, Ohio (1977); Oklahoma City, Oklahoma (1986); Amarillo, Texas (1977); Austin, Texas (1986); Beaumont, Texas (1982); Cleburne, Texas (1997); Dallas, Texas (1997); El Paso, Texas (1986); Fort Worth, Texas (1986); Houston, Texas (1983 & 1997); Newport News, Virginia (1996); Bellevue, Washington (1988); Des

1. Adult business establishments can and do impair the character and quality of surrounding neighborhoods, the value of surrounding properties, the economic welfare of communities, and the quality of life of residents.
2. Adult Establishments lend themselves to ancillary unlawful and unhealthy activities that are not presently effectively controlled by the operators of the establishments.
3. Adult Establishments contribute to the physical deterioration and blight of nearby neighborhoods, with greater adverse impacts on residential than on non-residential properties, and have other adverse secondary effects on property up to at least 600 feet from the adult establishments.
4. Neighborhoods where adult business establishments are located have increased levels of criminal activities, especially sex-related crimes.
5. Prostitution, sexual assaults, and other criminal activity occur at Adult Establishments and persons frequent certain adult theaters or other Adult Establishments for the purpose of engaging in sex within the premises.
6. Video viewing booths are often used by patrons of adult business establishments for engaging in sexual acts, including masturbation, intercourse, sodomy, and oral copulation, resulting in unsafe and unsanitary conditions in the booths. Bodily fluids, including semen and urine, are often found in such booths. These fluids, prostitution, and other activities that occur in Adult

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Moines, Washington (1984); Seattle, Washington (1989); St. Croix County, Wisconsin (1993), the following cases: *City of Los Angeles v. Alameda Books, Inc.*, 535 U.S. 425, 122 S.Ct. 1728, 152 L.Ed.2d 670 (2002); *City of Erie v. Pap's A.M.*, 529 U.S. 277, 120 S.Ct. 1382, 146 L.Ed.2d 265 (2000); *Barnes v. Glen Theatre "Inc."*, 501 U.S. 560, 111 S.Ct. 2456, 115 L.Ed.2d 504 (1991); *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41, 106 S.Ct. 925, 89 L.Ed.2d 29 (1986); *Young v. American Mini Theatres, Inc.*, 427 U.S. 50, 96 S.Ct. 2440, 49 L.Ed.2d 310 (1976); *Ben's Bar, Inc. v. Village of Somerset*, 316 F.3d 702 (7th Cir. 2003); *Schultz v. City of Cumberland*, 228 F.3d 831 (7th Cir. 2000); *DiMa Corp. v. Town of Hallie*, 185 F.3d 823 (7th Cir. 1999); *North Avenue Novelties, Inc. v. City of Chicago*, 88 F.3d 441 (7th Cir. 1996); *Matney v. County of Kenosha*, 86 F.3d 692 (7th Cir. 1996); *United States v. Marren*, 890 F.2d 924 (7th Cir. 1989); *Tee & Bee, Inc. v. City of West Allis*, 936 F. Supp. 1479 (E.D. Wis. 1996); *Suburban Video, Inc. v. City of Delafield*, 694 F. Supp. 585 (E.D. Wis. 1988); *Urmanski v. Town of Bradley*, 273 Wis. 2d 545, 613 N.W.2d 905 (Wis. App. 2000); *Jake's Ltd., Inc. v. City of Coates*, 284 F.3d 884 (8th Cir. 2002); *Deja Vu of Nashville, Inc. v. Nashville*, 274 F.3d 377 (6th Cir. 2001); *Artistic Entertainment, Inc. v. City of Warner Robbins*, 223 F.3d 1306 (11th Cir. 2000); *Wise Enterprises, Inc., et al. v. Unified Government of Athensclarke County, Georgia*, 217 F.3d 1360 (11th Cir. 2000); *Stringfellow's of New York, Ltd. v. City of New York*, 91 N.Y.2d 382, 694 N.E.2d 407, 671 N.Y.S.2d 406 (N.Y. 1998); *Colacurcio v. City of Kent*, 163 F.3d 545 (9th Cir. 1998); *Ben Rich Trading, Inc. v. City of Vineland*, 126 F.3d 155 (3rd Cir. 1997); *DLS, Inc. v. City of Chattanooga*, 107 F.3d 403 (6th Cir. 1997); *Hang On, Inc. v. City of Arlington*, 65 F.3d 1248 (5th Cir. 1995); *ILQ Investments, Inc. v. City of Rochester*, 25 F.3d 1413 (8th Cir. 1994); *TK's Video, Inc. v. Denton County, Texas*, 24 F.3d 705 (5th Cir. 1994); *LLEH, Inc. v. Wichita County, Tex.*, 289 F.3d 358 (5th Cir. 2002); *Star Satellite, Inc. v. City of Biloxi*, 779 F.2d 1074 (5th Cir. 1986); *Mitchell v. Commission on Adult Entertainment Establishments of Delaware*, 10 F.3d 123 (3rd Cir. 1993); *Kev, Inc. v. Kitsap County*, 793 F.2d 1053 (9th Cir. 1986), and the following statistics from the U.S. Department of Health and Human Services and Centers for Disease Control and Prevention.



Establishments may spread communicable diseases, including, but not limited to, syphilis, gonorrhea, genital chlamydia trachomatis, human immunodeficiency virus infection (HIV-AIDS), genital herpes, hepatitis B, Non A, Non B amebiasis, salmonella infections, and shigella infections.

7. Adult establishments have operational characteristics that should be reasonably regulated in order to protect those substantial governmental concerns including, but not limited to, the general welfare, health, morals, and safety of the citizens of the County.

(c) **Definitions.** For the purpose of this section:

1. **Adult Bookstore:** An establishment having at least 25% of its:
  - a. Retail floor space used for the display of adult products; or
  - b. Stock in trade consisting of adult products; or
  - c. Weekly revenue derived from adult products.

For purposes of this definition, the phrase adult products means books, films, magazines, motion pictures, periodicals or other printed matter, or photographs, video cassettes, Compact Discs (CDs), DVDs, Blu-Ray Discs, slides, tapes records or other forms of visual or audio representations that are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas. For purposes of this definition, the phrase adult products also means a device designed or marketed as useful primarily for the stimulation of human genital organs, or for sadomasochistic use or abuse. Such devices shall include, but are not limited to bather restraints, body piercing implements (excluding earrings or other decorative jewelry), chains, dildos, muzzles, non-medical enema kits, phallic shaped vibrators, racks, whips and other tools of sado-masochistic abuse.

2. **Adult Cabaret:** A night club, bar, theatre, restaurant or similar establishment that regularly features:
  - a. Live performances by bottomless and/or topless dancers, exotic dancers, go-go dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas;
  - b. Films, motion pictures, slides, video cassettes, CDs, DVDs, Blu-Ray Discs, or other photographic reproductions which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas for observation by patrons; or
  - c. Persons who engage in erotic dancing or performances that are intended for the sexual interests or titillation of an audience or customer.



3. **Adult Drive-In Theatre:** An open lot or part thereof, with appurtenant facilities, devoted primarily to the presentation of films, motion pictures, theatrical productions, and other forms of visual productions, for any form of consideration, to persons in motor vehicles or on outdoor seats in which a preponderance of the total presentation time is devoted to the showing of materials distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons.
4. **Adult Establishment:** An Adult Bookstore, Adult Cabaret, Adult Drive-In Theatre, Adult Live Entertainment Arcade, Adult Mini Motion Pictures Theatre, Adult Motel, Adult Motion Picture Arcade, Adult Motion Picture Theater, or Adult Services Establishment.
5. **Adult Live Entertainment Arcade:** Any building or structure which contains or is used for commercial entertainment where the patron directly or indirectly is charged a fee to view from an enclosed, screened area, or booth a series of live dance routines or strip performances, or other gyrational choreography, which choreography, performances, or routines are distinguished or characterized by an emphasis on specified sexual activities or by exposure to specified anatomical areas.
6. **Adult Mini Motion Picture Theatre:** An enclosed building with a capacity of more than 5 but less than 50 persons, used for presenting films, motion pictures, slides, video cassettes, or similar photographic reproductions in which a preponderance of the total presentation time is devoted to the showing of materials which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.
7. **Adult Motel:** A hotel, motel or similar establishment offering public accommodations, for any form of consideration, that offers a sleeping room for rent for a period of time that is less than 10 hours or allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than 10 hours, and that provides patrons, upon request, with closed-circuit television transmissions, films, motion pictures, slides, video cassettes, or other photographic reproductions that are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.
8. **Adult Motion Picture Arcade:** Any place to which the public is permitted or invited wherein coin-or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to 5 or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.

9. **Adult Motion Picture Theatre:** An enclosed building with a capacity of 50 or more persons used for presenting films, motion pictures, slides, video cassettes, CDs, DVDs, Blu-Ray Discs, or similar photographic reproductions in which a preponderance of the total presentation time is devoted to showing of materials which are distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.
10. **Adult Service Establishment:** Any building, premises, structure or other facility, or part thereof, under common ownership or control which provides a preponderance of services involving specified sexual activities, display of specified anatomical areas, or massage of specified anatomical areas, not performed or operated by a medical practitioner, professional physical therapist, or massage therapist licensed or registered by the State of Wisconsin .
11. **Enlargement (pertaining to Adult Establishment only):** An increase in the size of the building, structure or premises in which the Adult Establishment is conducted by either construction or use of an adjacent building or any portion thereof whether located on the same or an adjacent lot or parcel of land.
12. **Establishing an Adult Establishment:** Shall mean and include any of the following:
  - a. The opening or commencement of any such business as a new business;
  - b. The conversion of an existing business, whether or not an Adult Establishment, to any of the Adult Establishments defined herein;
  - c. The relocation of any such business.
13. **Nonconforming Adult Establishment:** Any building, structure of land lawfully occupied by an Adult Establishment or lawfully situated at the time of passage of Ordinance 45, adopted on March 16, 2004, or amendments to that ordinance, that does not conform after the passage of that ordinance or amendments thereto with the regulations of this chapter.
1. **Reconstruction (pertaining to Adult Establishment only):** The rebuilding or restoration of any nonconforming Adult Establishment that was damaged or partially destroyed by an exercise of the power of eminent domain, or by fire, flood, wind, explosion or other calamity or act of God, if the damage or destruction exceeds fifty percent (50%) of the assessed value of the structure or the facilities affected as of January 1 of the year in which damage occurred.
15. **Resumption (pertaining to Adult Establishment only):** Shall mean the reuse of reoccupation of a nonconforming Adult Establishment that has been discontinued for a period of 6 or more consecutive months.

16. **Sensitive Land Use:** Any of the following:
- a. Property zoned or used for residential purposes
  - b. Property zoned or used for religious institutional purposes
  - c. An educational institution for students in twelfth grade or below d  
A library or museum
  - d. A public or private park, recreation area, or playground f  
A day care center
  - e. A historic district
  - f. A facility predominantly serving individuals with a "developmental disability," as that term is defined in sec. 51.01(5)(a) and (b), Wis. Stats., and subsequent amendments thereto.
  - g. A private youth development organization such as, but not limited to, YMCA, Junior Achievement, Boys Club of America and Campfire Girls.
17. **Specified Anatomical Areas:** Any of the following:
- a. Less than completely and opaquely covered human genitals, pubic region, buttocks, anus or female breasts below a point immediately above the top of the areolae; or
  - b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
18. **Specified Activities:** Any of the following:
- a. Human genitals in a state of sexual stimulation or arousal;
  - b. Acts of human masturbation, sexual intercourse or sodomy;
  - c. Fondling or other erotic touching of human genitals, pubic regions, buttocks, or female breasts.
  - d. Flagellation or torture in the context of a sexual relationship;
  - e. Masochism, erotic or sexually oriented torture, beating or the infliction of pain;
  - f. Erotic touching, fondling or other such contact with an animal by a human being; or
  - g. Human excretion, urination, menstruation, vaginal or anal irrigation as a part of or in connection with any of the activities set forth in subsections 1 through 6 above.
- (d) **Principal Uses.** Adult Establishments are permitted by the underlying zoning in B-3 Highway Business Adult Establishment.
- (e) **Accessory Uses.** Any accessory use authorized by the underlying zoning district may be an accessory use to an adult establishment. In no case shall an adult establishment be an accessory use to any principal use designated by any section of this ordinance.
- (f) **Underlying District Standards.** Adult Establishments shall comply with the standards of the zoning districts in which they are located, including, but not limited to, standards relating to lot

area and width, building height and area, yard requirements and sanitary sewer systems, and with the use-specific standards applicable to that use category and use.

(g) **General requirements and restrictions governing Adult Establishments.** Except as provided below, all Adult Establishment shall comply with the following requirements and restrictions:

1. Parking shall be provided in a lighted area, in conformity with applicable lighting and parking standards provided in sections 12.13 and 12.18.8-1.
2. No Adult Entertainment Establishment shall be conducted in any manner that permits the observation of any material depicting, describing or relating to specified sexual activities or specified anatomical areas, by display, decorations, sign, show window or other opening from any public view.
3. Signs advertising an Adult Establishment shall conform to section 12.14-5 of this ordinance and with the further exception that signs will not depict Specified Anatomical Areas or Specified Sexual Activities.
4. No Adult Establishment patron shall be permitted at any time to enter into any of the non-public portions of any Adult Establishment, including specifically, but without limitation, any storage areas or dressing or other rooms provided for the benefit of Adult Establishment employees. This subsection shall not apply to persons delivering goods and materials, food and beverages, or performing maintenance or repairs to the permitted premises; provided, however, that any such persons shall remain in such non-public areas only for the purposes and to the extent and time necessary to perform their job duties.
5. Signs at least one (1) square foot in area stipulating that persons under the age of 18 are not permitted inside the establishment shall be posted at all public entrances to the establishment, and persons under the age of 18 shall not be permitted inside the establishment.
6. The cashier's or manager's station shall be located so that someone working there can quickly move to physically halt any attempted or accidental entry by a minor. An employee shall occupy the station at all times when patrons are in and on the premises.
7. The Adult Establishment shall clearly post and enforce a no loitering policy.
8. The owner and/or operator of the Adult Establishment shall agree to comply with all State, Federal and Local laws and ordinances, including obscenity, liquor, and cabaret laws. Solicitation for purposes of prostitution shall be strictly prohibited. Conduct in violation of sec. 944.21, Wis. Stats., or sec. 9.10.2 of the Kenosha County Code of Ordinances, including the exhibition of "obscene material" and "obscene

performances," as those terms are defined in sec. 944.21(2), Wis. Stats., and sec. 9.10.2 of the Kenosha County Code of Ordinances, shall be strictly prohibited.

9. The hours of operation of Adult Establishment shall be limited to the same hours of operation for bars and taverns within that community within which the Adult Establishment is located.
10. No residential quarters shall be allowed on premises with an Adult Establishment.

(h) **Location requirements and restrictions.**

1. The establishment, enlargement, reconstruction, resumption, or structural alteration of any Adult Establishment is prohibited if such business is within 1,000 feet of another Adult Establishment.
2. The establishment, enlargement, reconstruction, resumption, or structural alteration of any Adult Establishment is prohibited if such business is within 600 feet of any existing Sensitive Land Use within Kenosha County, Wisconsin.
3. No Adult Establishment shall be established, enlarged, reconstructed, resumed, or structurally altered unless the site or proposed site is located in a B-2 Community Business District or B-3 Highway Business Zoning District.
4. An Adult Establishment lawfully operating as a conforming use is not rendered a nonconforming use by the subsequent location of a sensitive land use is located within 600 feet of the Adult Establishment.
5. All Adult Establishments shall be located within 300 feet of a State Trunk Highway right-of-way (Maintained & Traveled) as indicated on the map of the official layout of the State Trunk Highway System of Kenosha County prepared by the State of Wisconsin, Department of Transportation in accordance with Wis. Stats. Section 84.02(12) and as currently on file with the Kenosha County Clerk and Kenosha County Highway Commissioner and as subsequently amended.
6. The distance between one Adult Establishment and another Adult Establishment shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior structural wall of each such business. The distance between an Adult Establishment and any Sensitive Land Use shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior structural wall of the Adult Establishment to the nearest property line of the Sensitive Land Use.

- (i) **Additional Restrictions and Requirements Applicable to Adult Establishments.** Adult Establishments shall comply with certain additional restrictions and requirements as set forth below:

1. Adult Cabarets

- a. Adult cabarets shall comply with section 12.12-4(e) of this ordinance relating to noise.
- b. All live performers in an adult cabaret shall perform only on a stage elevated no less than thirty-six(36) inches above floor level. There shall be a metal railing attached to the floor by bolts surrounding the stage which shall keep patrons at least forty-eight(48) inches from the stage. There shall also be a metal railing attached to the floor by bolts at the edge of the stage.

- (j) **Severability.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause or phrase or portion thereof. This ordinance shall take effect and be in force from and after its passage and publication, as provided by law.

**UPDATED KENOSHA ORDINANCE**  
**DRAFT as of ~~April 25~~October 31February 28March 9, 202019**

12.22-6 ADULT ESTABLISHMENTS

~~(a)~~ ~~(a)~~ **Intent.**

1. ~~Mindful of the fact that it is t~~The intent of this Ordinance ~~is regulate Adult Establishments and related activities~~ to protect the health, safety, ~~and~~ morals, ~~and general welfare~~ of the citizens of Kenosha County, ~~and~~ to further preserve the quality of family life ~~as well as~~ ~~and to preserve~~ the rural and urban characteristics of its neighborhoods ~~in~~ Kenosha County, ~~and to~~ prevent adverse and deleterious ~~effects~~ contributing to the blight and downgrading of neighborhoods, ~~and also to~~ ~~mindful of avoid the~~ the effects of adult entertainment upon minors and the violation of civil rights of many persons partaking in such entertainment, ~~mitigate and also mindful of the~~ criminal activity and disruption of public peace associated with such establishments, ~~and also to~~ ~~and also mindful of~~ prevent the unsanitary and unhealthful conditions associated with such establishments. ~~The intent is to establish reasonable and uniform provisions to regulate Adult Establishments within Kenosha County.~~ ~~it is the intent of this section to regulate the location and certain characteristics of such establishments.~~ ~~An adult establishment lawfully operating as a conforming use is not rendered a noneconforming use by the location, subsequent to the grant of the adult establishment permit, if a sensitive land use is located within 1,000 feet of the adult establishment.~~ ~~It is not the intent or effect to restrict or deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market.~~ ~~Additionally, it is not the intent or effect to limit or restrict the lawful activities permitted under Wisconsin Statutes Chapter 125, "Alcohol Beverages" ch. 125, Wis. Stats., and ch. 8, Kenosha eCounty Code of Ordinances Chapter 8, "Licenses and Permits."~~ By the enactment of this ordinance, the Kenosha County Board of Supervisors does not intend to give any explicit, implicit, or tacit approval or condone any activity relating to adult entertainment.
2. ~~Kenosha County Board of Supervisors seeks to improve the effectiveness of existing and previously adopted regulations, including Sections 12.26-3 and 12.29-8(b)2, and subsequently 12.22-6, for the purposes of limiting the secondary effects of Adult Establishments and related activities. Where developments in the law have subsequently rendered prior regulations ineffective, the intent of this ordinance is to effectuate zoning regulations to accomplish the intent outlined in § (a)(1) above.~~ <sup>+</sup>

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<sup>+</sup> ~~The following recitals were adopted as part of the Preamble to Ordinance 45 adopted by the Kenosha County Board on 3/16/04.~~

**RECITALS**



~~A. WHEREAS, the operation of adult establishments and certain activities that frequently occur in or around adult establishments tend to have adverse secondary effects on communities, including increasing criminal and other offensive activity, disrupting the peace and order of communities, depreciating the value of real property, harming the economic welfare of communities, encouraging or facilitating the spread of sexually transmitted diseases, and impairing the quality of life of the communities; and~~

~~B. WHEREAS, the adverse secondary effects of adult establishments are well documented in studies by other communities, including but not limited to studies by Phoenix, Arizona (1979); Tucson, Arizona (1990); Garden Grove, California (1991); Los Angeles, California (1977); Whittier, California (1978); Adams County, Colorado (1998); Denver, Colorado (1998); Manatee County, Florida (1987); Indianapolis, Indiana (1984); Kansas City, Kansas (1998); Minneapolis, Minnesota (1980); St. Paul, Minnesota (1988); Las Vegas, Nevada (1978); Ellicottville, New York (1998); Islip, New York (1980); New York, New York (1994); Syracuse, New York (1999); New Hanover, North Carolina (1989); Cleveland, Ohio (1977); Oklahoma City, Oklahoma (1986); Amarillo, Texas (1977); Austin, Texas (1986); Beaumont, Texas (1982); Cleburne, Texas (1997); Dallas, Texas (1997); El Paso, Texas (1986); Fort Worth, Texas (1986); Houston, Texas (1983 & 1997); Newport News, Virginia (1996); Bellevue, Washington (1988); Des Moines, Washington (1984); Seattle, Washington (1989); St. Croix County, Wisconsin (1993); and~~

~~C. WHEREAS, the adverse secondary effects of adult establishments are also reported in judicial opinions relating to adult establishments, including but not limited to City of Los Angeles v. Alameda Books, Inc., 535 U.S. 425, 122 S.Ct. 1728, 152 L.Ed.2d 670 (2002); City of Erie v. Pap's A.M., 529 U.S. 277, 120 S.Ct. 1382, 146 L.Ed.2d 265 (2000); Barnes v. Glen Theatre" Inc., 501 U.S. 560, 111 S.Ct. 2456, 115 L.Ed.2d 504 (1991); City of Renton v. Playtime Theatres, Inc., 475 U.S. 41, 106 S.Ct. 925, 89 L.Ed.2d 29 (1986); Young v. American Mini Theatres, Inc., 427 U.S. 50, 96 S.Ct. 2440, 49 L.Ed.2d 310 (1976); Ben's Bar, Inc. v. Village of Somerset, 316 F.3d 702 (7th Cir. 2003); Schultz v. City of Cumberland, 228 F.3d 831 (7th Cir. 2000); DiMa Corp. v. Town of Hallie, 185 F.3d 823 (7th Cir. 1999); North Avenue Novelties, Inc. v. City of Chicago, 88 F.3d 441 (7th Cir. 1996); Matney v. County of Kenosha, 86 F.3d 692 (7th Cir. 1996); United States v. Marren, 890 F.2d 924 (7th Cir. 1989); Tee & Bee, Inc. v. City of West Allis, 936 F. Supp. 1479 (E.D. Wis. 1996); Suburban Video, Inc. v. City of Delafield, 694 F. Supp. 585 (E.D. Wis. 1988); Urmanski v. Town of Bradley, 273 Wis. 2d 545, 613 N.W.2d 905 (Wis. App. 2000); Jake's Ltd., Inc. v. City of Coates, 284 F.3d 884 (8th Cir. 2002); Deja Vu of Nashville, Inc. v. Nashville, 274 F.3d 377 (6th Cir. 2001); Artistic Entertainment, Inc. v. City of Warner Robbins, 223 F.3d 1306 (11th Cir. 2000); Wise Enterprises, Inc., et al. v. Unified Government of Athensclarke County, Georgia, 217 F.3d 1360 (11th Cir. 2000); Stringfellow's of New York, Ltd. v. City of New York, 91 N.Y.2d 382, 694 N.E.2d 407, 671 N.Y.S.2d 406 (N.Y. 1998); Colacureio v. City of Kent, 163 F.3d 545 (9th Cir. 1998); Ben Rich Trading, Inc. v. City of Vineland, 126 F.3d 155 (3rd Cir. 1997); DLS, Inc. v. City of Chattanooga, 107 F.3d 403 (6th Cir. 1997); Hang On, Inc. v. City of Arlington, 65 F.3d 1248 (5th Cir. 1995); ILQ Investments, Inc. v. City of Rochester, 25 F.3d 1413 (8th Cir. 1994); TK's Video, Inc. v. Denton County, Texas, 24 F.3d 705 (5th Cir. 1994); LLEH, Inc. v. Wichita County, Tex., 289 F.3d 358 (5th Cir. 2002); Star Satellite, Inc. v. City of Biloxi, 779 F.2d 1074 (5th Cir. 1986); Mitchell v. Commission on Adult Entertainment Establishments of Delaware, 10 F.3d 123 (3rd Cir. 1993); Kev, Inc. v. Kitsap County, 793 F.2d 1053 (9th Cir. 1986); and~~

~~D. WHEREAS, based on the above studies and cases, as well as the experiences of the County, its residents and communities, the Kenosha County Board of Supervisors finds that:~~

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~~Adult establishments can and do impair the character and quality of surrounding neighborhoods, the value of surrounding properties, the economic welfare of communities, and the quality of life of residents;~~

~~Adult establishments contribute to the physical deterioration and blight of neighborhoods;~~

~~Adult establishments contribute to increased levels of criminal activities in neighborhoods where such establishments are located, including prostitution, promotion of prostitution, rape, sexual assaults, other assaults, other sex related crimes; robbery; dissemination of obscenity; sale, distribution or display of harmful material to a minor; sexual performance by a child; possession or distribution of child pornography; public lewdness; indecent exposure; indecency with a child; sexual molestation; molestation of a child; disorderly conduct; disturbances of the peace; drinking in public; drug use; drug dealing; littering; and other violations of the law;~~

~~The operation of adult establishments can impair property values and have other adverse secondary effects on property up to at least 1,000 feet from the adult establishments;~~

~~The impacts of adult establishments on the value of neighboring properties are greater on residential properties than nonresidential properties;~~

~~Adult retail establishments tend to have less significant secondary effects than adult entertainment establishments, and limited adult media stores, properly controlled, tend to have less significant secondary effects than other adult retail establishments.~~

~~Video viewing booths are often used by patrons of adult establishments for engaging in sexual acts, including masturbation, intercourse, sodomy, and oral copulation, resulting in unsafe and unsanitary conditions in the booths. Bodily fluids, including semen and urine, are often found in such booths. These fluids, and the activities that occur in video viewing booths, may spread communicable diseases, including, but not limited to, syphilis, gonorrhea, genital chlamydia trachomatis, human immunodeficiency virus infection (HIV AIDS), genital herpes, hepatitis B, Non A, Non B amebiasis, salmonella infections, and shigella infections;~~

~~Many adult entertainment establishments provide live entertainment in which physical contact between performers and customers, often sexual in nature, occurs and can occur, thus facilitating the transmission of various diseases and exposing performers to the risk of assaults and other unwelcome contact.~~

~~E. WHEREAS, the Kenosha County Board of Supervisors believes that the experiences, evidence and studies from other communities cited, set forth herein, and/or considered by the Board and the Planning, Development & Extension Education Committee in whole, part or summary, are relevant and important in understanding and addressing the secondary effects of adult establishments; and~~

~~F. WHEREAS, the secondary effects of adult establishments are detrimental to the public health, safety and general welfare of Kenosha County residents, businesses and visitors; and~~

- (b) **Findings.** Premised on evidence showing the adverse secondary effects of Adult Establishments on the community<sup>2</sup>, this ordinance recognizes and seeks to reduce the following impacts of Adult Establishments while fully protecting the constitutional rights of citizens:

~~G. WHEREAS, requiring adult establishments to locate in the vicinity of state trunk highways enhances the ability of county law enforcement personnel to monitor the establishments, and deter and respond to criminal activity at such establishments; and~~

~~H. WHEREAS, the Kenosha County Board of Supervisors has previously adopted regulations to limit the secondary effects of adult establishments within the County, including Kenosha County Ordinance Sections 12.26-3 and 12.29-8(b)2; and~~

~~I. WHEREAS, developments in the law subsequent to the adoption of those regulations may have rendered those regulations ineffective; and~~

~~J. WHEREAS, on August 20, 2002, the Kenosha County Board adopted Ordinance No. 21, establishing a moratorium on the acceptance of applications or issuance of permits for adult establishments under Section 12.26-3 of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance, and directing the Planning, Development & Extension Education Committee to review and recommend revisions to the regulations governing adult establishments; and~~

~~K. WHEREAS, the Planning, Development & Extension Education Committee has completed its review and made recommendations to the Kenosha County Board; and~~

~~L. WHEREAS, the Board has considered those recommendations and has determined that the techniques provided herein reduce the secondary effects of adult establishments while fully protecting the constitutional rights of citizens;~~

~~NOW, THEREFORE ... (The ordinance as adopted by the Kenosha County Board appears above in the text of this ordinance.)~~

<sup>2</sup> The adverse secondary effects of adult establishments as presented in hearing(s) and in studies made available to the County by other communities and in findings incorporated in cases including but not limited to the following studies: Phoenix, Arizona (1979); Tucson, Arizona (1990); Garden Grove, California (1991); Los Angeles, California (1977); Whittier, California (1978); Adams County, Colorado (1998); Denver, Colorado (1998); Manatee County, Florida (1987); Indianapolis, Indiana (1984); Kansas City, Kansas (1998); Minneapolis, Minnesota (1980); St. Paul, Minnesota (1988); Las Vegas, Nevada (1978); Ellicottville, New York (1998); Islip, New York (1980); New York, New York (1994); Syracuse, New York (1999); New Hanover, North Carolina (1989); Cleveland, Ohio (1977); Oklahoma City, Oklahoma (1986); Amarillo, Texas (1977); Austin, Texas (1986); Beaumont, Texas (1982); Cleburne, Texas (1997); Dallas, Texas (1997); El Paso, Texas (1986); Fort Worth, Texas (1986); Houston, Texas (1983 & 1997); Newport News, Virginia (1996); Bellevue, Washington (1988); Des Moines, Washington (1984); Seattle, Washington (1989); St. Croix County, Wisconsin (1993), the following cases: *City of Los Angeles v. Alameda Books, Inc.*, 535 U.S. 425, 122 S.Ct. 1728, 152 L.Ed.2d 670 (2002); *City of Erie v. Pap's A.M.*, 529 U.S. 277, 120 S.Ct. 1382, 146 L.Ed.2d 265 (2000); *Barnes v. Glen Theatre "Inc."*, 501 U.S. 560, 111 S.Ct. 2456, 115 L.Ed.2d 504 (1991); *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41, 106 S.Ct. 925, 89 L.Ed.2d 29 (1986); *Young v. American Mini Theatres, Inc.*, 427 U.S. 50, 96 S.Ct. 2440, 49 L.Ed.2d 310 (1976); *Ben's Bar, Inc. v. Village of Somerset*, 316 F.3d 702 (7th Cir. 2003); *Schultz v. City of Cumberland*, 228 F.3d 831 (7th Cir. 2000); *DiMa Corp. v. Town of Hallie*, 185 F.3d 823 (7th Cir. 1999); *North Avenue Novelties, Inc. v. City of Chicago*, 88 F.3d 441 (7th Cir. 1996); *Matney v. County of Kenosha*, 86 F.3d 692 (7th Cir. 1996); *United States v. Marren*, 890 F.2d 924 (7th Cir. 1989); *Tee & Bee, Inc. v. City of West Allis*, 936 F. Supp. 1479 (E.D. Wis.

1. Adult business establishments can and do impair the character and quality of surrounding neighborhoods, the value of surrounding properties, the economic welfare of communities, and the quality of life of residents.
2. Adult Establishments lend themselves to ancillary unlawful and unhealthy activities that are not presently effectively controlled by the operators of the establishments.
3. Adult Establishments contribute to the physical deterioration and blight of nearby neighborhoods, with greater adverse impacts on residential than on non-residential properties, and have other adverse secondary effects on property up to at least 1,0600 feet from the adult establishments.
4. Neighborhoods where adult business establishments are located have increased levels of criminal activities, especially sex-related crimes.
5. Prostitution, sexual assaults, and other criminal activity occur at Adult Establishments and persons frequent certain adult theaters or other Adult Establishments for the purpose of engaging in sex within the premises.
6. Video viewing booths are often used by patrons of adult business establishments for engaging in sexual acts, including masturbation, intercourse, sodomy, and oral copulation, resulting in unsafe and unsanitary conditions in the booths. Bodily fluids, including semen and urine, are often found in such booths. These fluids, prostitution, and other activities that occur in Adult Establishments may spread communicable diseases, including, but not limited to, syphilis, gonorrhea, genital chlamydia trachomatis, human immunodeficiency virus infection (HIV-AIDS), genital herpes, hepatitis B, Non A, Non B amebiasis, salmonella infections, and shigella infections.

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1996); *Suburban Video, Inc. v. City of Delafield*, 694 F. Supp. 585 (E.D. Wis. 1988); *Urmanski v. Town of Bradley*, 273 Wis. 2d 545, 613 N.W.2d 905 (Wis. App. 2000); *Jake's Ltd., Inc. v. City of Coates*, 284 F.3d 884 (8th Cir. 2002); *Deja Vu of Nashville, Inc. v. Nashville*, 274 F.3d 377 (6th Cir. 2001); *Artistic Entertainment, Inc. v. City of Warner Robbins*, 223 F.3d 1306 (11th Cir. 2000); *Wise Enterprises, Inc., et al. v. Unified Government of Athensclarke County, Georgia*, 217 F.3d 1360 (11th Cir. 2000); *Stringfellow's of New York, Ltd. v. City of New York*, 91 N.Y.2d 382, 694 N.E.2d 407, 671 N.Y.S.2d 406 (N.Y. 1998); *Colacurcio v. City of Kent*, 163 F.3d 545 (9th Cir. 1998); *Ben Rich Trading, Inc. v. City of Vineland*, 126 F.3d 155 (3rd Cir. 1997); *DLS, Inc. v. City of Chattanooga*, 107 F.3d 403 (6th Cir. 1997); *Hang On, Inc. v. City of Arlington*, 65 F. 3d 1248 (5th Cir. 1995); *ILO Investments, Inc. v. City of Rochester*, 25 F.3d 1413 (8th Cir. 1994); *TK's Video, Inc. v. Denton County, Texas*, 24 F.3d 705 (5th Cir. 1994); *LLEH, Inc. v. Wichita County, Tex.*, 289 F.3d 358 (5th Cir. 2002); *Star Satellite, Inc. v. City of Biloxi*, 779 F.2d 1074 (5th Cir. 1986); *Mitchell v. Commission on Adult Entertainment Establishments of Delaware*, 10 F.3d 123 (3rd Cir. 1993); *Kev, Inc. v. Kitsap County*, 793 F.2d 1053 (9th Cir. 1986), and the following statistics from the U.S. Department of Health and Human Services and Centers for Disease Control and Prevention.

7. Adult establishments have operational characteristics that should be reasonably regulated in order to protect those substantial governmental concerns including, but not limited to, the general welfare, health, morals, and safety of the citizens of the County.

(c) Definitions. For the purpose of this section:

1. ~~Adult Bath House. An establishment or business which provides the services of baths of any kind, including all forms and methods of hydrotherapy, that is not operated by a medical practitioner, professional physical therapist, or massage therapist licensed or registered by the State of Wisconsin, and which establishment provides to its patrons an opportunity to engage in "specified sexual activities" or to observe employees or independent contractors exhibiting "specified sexual activities" or "specified anatomical areas."~~ **Bookstore:** An establishment having at least 25% of its:
  - a. Retail floor space used for the display of adult products; or
  - b. Stock in trade consisting of adult products; or
  - c. Weekly revenue derived from adult products.

For ~~puposes~~ purposes of this definition, the phrase adult products means books, films, magazines, motion pictures, periodicals or other printed matter, or photographs, video cassettes, Compact Discs (CDs), DVDs, Blu-Ray Discs, slides, tapes records or other forms of visual or audio representations that are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas. For purposes of this definition, the phrase adult products also means a device designed or marketed as useful primarily for the stimulation of human genital organs, or for sadomasochistic use or abuse. Such devices shall include, but are not limited to bather restraints, body piercing implements (excluding earrings or other decorative jewelry), chains, dildos, muzzles, non-medical enema kits, phallic shaped vibrators, racks, whips and other tools of sado-masochistic abuse.

2. ~~Adult Body Painting Studio. An establishment or business wherein patrons are afforded an opportunity to paint images on the body of a person who is exhibiting "specified sexual activities" or "specified anatomical areas."~~ For purposes of this ordinance, the adult body painting studio shall not be deemed to include a tattoo parlor. **Cabaret:** A night club, bar, theatre, restaurant or similar establishment that regularly features:
3. ~~Adult Cabaret. An establishment or business which regularly or on a frequently recurring basis features live entertainment that is~~
  - a. Live performances by bottomless and/or topless dancers, exotic dancers, go-go dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on the exhibiting of "specified anatomical areas" or "specified sexual activities" for observation by patrons therein, or which holds itself out or identifies itself to the public by its name, its

signs and/or its advertising as an establishment where such live entertainment is regularly or on a frequently recurring basis available, including, without limitation, by verbal or pictorial allusions to sexual stimulation or gratification or by references to "adult entertainment," "strippers," "showgirls," "exotic dancers," "gentleman's club," or similar terms. specified sexual activities or by exposure of specified anatomical areas;

- b. Films, motion pictures, slides, video cassettes, CDs, DVDs, Blu-Ray Discs, or other photographic reproductions which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas for observation by patrons; or
- c. Persons who engage in erotic dancing or performances that are intended for the sexual interests or titillation of an audience or customer.

3. ~~Adult Drive-In Theatre:~~ Adult Drive-In Theatre: An open lot or part thereof, with appurtenant facilities, devoted primarily to the presentation of films, motion pictures, theatrical productions, and other forms of visual productions, for any form of consideration, to persons in motor vehicles or on outdoor seats in which a preponderance of the total presentation time is devoted to the showing of materials distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons.

4.3.

4. ~~Adult Entertainment Establishment:~~ Adult Entertainment Establishment: Is defined to include adult cabarets, adult modeling studios, and adult motion picture theaters. An Aadult bBookstore, Adult Cabaret, Adult Drive-In Theatre, Adult Live Entertainment Arcade, aAdult mMini mMotion pPictures tTheatre, Adult Motel, -aAdult mMotion pPicture tArcadeheatre, Aadult -mMotion Ppicture Theaterarcade, or adult cabaret, adult drive in theatre, adult live entertainment arcade or Aadult Sservices Eestablishment.

5. ~~Adult Establishments.~~ Adult Establishments. Is defined to include adult entertainment establishments and adult retail establishments as defined herein. Live Entertainment Arcade: Any building or structure which contains or is used for commercial entertainment where the patron directly or indirectly is charged a fee to view from an enclosed, screened area, or booth a series of live dance routines or strip performances, or other gyrational choreography, which choreography, performances, or routines are distinguished or characterized by an emphasis on specified sexual activities or by exposure to specified anatomical areas.

6. ~~Adult Massage Parlor.~~ Adult Massage Parlor. An establishment or business with or without sleeping accommodations which provides the services of massage and body manipulation, including, without limitation, exercises, heat and light treatments of the body, and all forms and methods of physiotherapy, not operated by a medical practitioner, professional physical therapist, or massage therapist licensed or registered by the State of Wisconsin



and which establishment provides to its patrons an opportunity to engage in "specified sexual activities" or to engage in any method of rubbing, pressing, striking, kneading, tapping, pounding, vibrating or stimulating a "specified anatomical area" with the hands or with any instruments, or the opportunity to observe employees or independent contractors exhibiting "specified sexual activities" or "specified anatomical areas."

**Mini Motion Picture Theatre:** An enclosed building with a capacity of more than 5 but less than 50 persons, used for presenting films, motion pictures, slides, video cassettes, or similar photographic reproductions in which a preponderance of the total presentation time is devoted to the showing of materials which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

7. ~~Adult Media.~~ Books, magazines, videotapes, movies, slides, CD-ROMs, posters, or other devices to display images, **Motel:** A hotel, motel or similar establishment offering public accommodations, for any form of consideration, that offers a sleeping room for rent for a period of time that is less than 10 hours or allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than 10 hours, and that provides patrons, upon request, with closed-circuit television transmissions, films, motion pictures, slides, video cassettes, or other photographic ~~reproductions~~ reproductions that are distinguished or characterized by ~~their~~ an emphasis ~~on matters depicting, describing or relating to~~ upon the depiction or description of specified sexual activities" or "specified anatomical areas".
8. ~~Adult Media Store.~~ An establishment or business that rents and/or sells adult media and that meets any of the following three tests: **Motion Picture Arcade:** Any place to which the public is permitted or invited wherein coin-or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to 5 or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.  
~~a~~ 40 percent or more of the gross public floor area is devoted to adult media.  
~~b~~ 40 percent or more of the stock in trade consists of adult media.  
~~c~~ The store advertises or holds itself out in any forum as a sexually oriented business
9. ~~Adult Modeling Studio.~~ An establishment or business which provides the services of live models modeling lingerie or transparent apparel to patrons or a business where a person who displays "specified anatomical areas" and is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. Adult modeling studios shall not



include a proprietary school licensed by the State of Wisconsin or a college, technical college, or university; or in a structure:

- a — that has no sign visible from the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing; and
- b — where, in order to participate in a class, a student must enroll at least three (3) days in advance of the class; and
- c — where no more than one (1) nude or semi-nude model is on the premises at any one (1) time.

**Motion Picture Theatre:** An enclosed building with a capacity of 50 or more persons used for presenting films, motion pictures, slides, video cassettes, CDs, DVDs, Blu-Ray Discs, or similar photographic reproductions in which a preponderance of the total presentation time is devoted to showing of materials which are distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

10. ~~Adult Motion Picture Theater.~~ An establishment or business located in an enclosed building and emphasizing or predominantly showing movies distinguished or characterized by an emphasis on "~~Adult Service Establishment:~~ Any building, premises, structure or other facility, or part thereof, under common ownership or control which provides a preponderance of services involving specified sexual activities," or "~~displaydisplay~~ of specified anatomical areas, or massage of specified anatomical areas, not performed or operated by a medical practitioner, professional physical therapist, or massage therapist licensed or registered by the State of Wisconsin "for observation by patrons therein.

11. **Enlargement (pertaining to Adult Establishment only):** An increase in the size of the building, structure or premises in which the Adult Establishment is conducted by either construction or use of an adjacent building or any portion thereof whether located on the same or an adjacent lot or parcel of land. ~~Adult Motion Picture Theater (Outdoor).~~ An establishment located on a parcel of land and emphasizing or predominantly showing movies out of doors for observation by patrons, which movies are distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas".

12. **Establishing an Adult Establishment:** Shall mean and include ~~Adult Novelty Shop.~~ An establishment or business offering goods for sale or rent and that meets any of the following tests:

- a. ~~The establishment offers for sale items from any two of the following categories:~~
  - (a) adult media, (b) lingerie, or (c) leather goods, marketed or presented in a context to suggest their use for flagellation or torture of a person clothed or naked, or the binding or other physical restraint of a person clothed or naked.
- b — ~~More than 5 percent of its stock in trade consists of instruments, devices, or paraphernalia either designed as representation of human genital organs or~~

~~female breasts, or designed or marketed primarily for use to stimulate human genital organs.~~

- ~~e. More than 5 percent of its gross public floor area is devoted to the display of instruments, devices, or paraphernalia either designed as representation of human genital organs or female breasts, or designed or marketed primarily for use to stimulate human genital organs.~~

~~13. Adult Retail Establishments. "Adult Retail Establishments" is defined to include adult media stores, limited adult media stores, and adult novelty shops opening or commencement of any such business as a new business;~~

~~b. The conversion of an existing business, whether or not an Adult Establishment, to any of the Adult Establishments defined herein;~~

~~c. The relocation of any such business.~~

13. Nonconforming Adult Establishment: Any building, structure of land lawfully occupied by an Adult Establishment or lawfully situated at the time of passage of Ordinance 45, adopted on March 16, 2004, or amendments to that ordinance, that does not conform after the passage of that ordinance or amendments thereto with the regulations of this chapter.

~~14. Gross Public Floor Area. The total area of the building accessible or visible to the public, including showrooms, motion picture theaters, motion picture arcades, service areas, behind counter areas, storage areas visible from such other areas, restrooms (whether or not labeled "public"), areas used for cabaret or similar shows (including stage areas), plus aisles, hallways, and entryways serving such areas.~~  
**Reconstruction (pertaining to a Adult eEntertainment establishment only):** The rebuilding or restoration of any nonconforming Adult Establishment that was damaged or partially destroyed by an exercise of the power of eminent domain, or by fire, flood, wind, explosion or other calamity or act of God, if the damage or destruction exceeds fifty percent (50%) of the assessed value of the structure or the facilities affected as of January 1 of the year in which damage occurred. of the structure or the facilities affected.

~~15. Limited Adult Media Store. An establishment that rents and/or sells adult media but is not an "adult media store" as defined in this Section, and that meets either of the following tests:~~

~~a. More than 10 percent but less than 40 percent of the gross public floor area is devoted to adult media~~

~~b. More than 10 percent but less than 40 percent of the stock in trade consists of adult media~~  
**Resumption (pertaining to a Adult eEstablishmentntertainment only):** Shall

mean the reuse or reoccupation of a nonconforming Adult Establishment that has been discontinued for a period of 6 or more consecutive months.

16. ~~"Sensitive land use" is defined to include any and all~~ Land Use: Any of the following:

- a. Property zoned or used for residential purposes
- b. Property zoned or used for religious institutional purposes
- c. An educational institution for students in twelfth grade or below d  
A library or museum
- ~~d.~~ e. A public or private park, recreation area, or playground f  
A day care center
- ~~g.~~ ge. A historic district
- ~~f.~~ h. A facility predominantly serving individuals with a "developmental- disability,"  
as that term is defined in sec. 51.01(5)(a) and (b), Wis. Stats., and subsequent  
amendments thereto.
- ~~g.~~ ig. A private youth development organization such as, but not limited to, YMCA,  
Junior Achievement, Boys Club of America and Campfire Girls.

17. ~~"Sex toy" means an instrument, device, or paraphernalia either designed as a  
representation of human genital organs or female breast, or designed or marketed  
primarily for use to stimulate human genital organs.~~ Specified Anatomical Areas:  
Any of the following:

- a. Less than completely and opaquely covered human genitals, pubic region,  
buttocks, anus or female breasts below a point immediately above the top  
of the areolae; or
- ~~a.~~ Human male genitals in a discernibly turgid state, even if completely and  
opaquely covered.
- b.

18. ~~"Specified sexual activities" is defined as actual or simulated:~~ Activities: Any of the  
following:

- a. Exhibition of Human genitals in a state of sexual stimulation or arousal;
- b. Acts of human masturbation, sexual intercourse, ~~sodomy, bestiality, necrophilia,  
sado-masochistic abuse, fellatio or cunnilingus or sodomy;~~
- c. Fondling or other erotic touching of human genitals, pubic ~~region, buttock  
regions, buttocks,~~ or female breasts.

~~19. "Specified anatomical areas" is defined as:~~

- ~~a. Less than completely and opaquely covered:~~
  - ~~1) Human genitals, pubic region;~~
  - ~~2) Buttock, anus, anal cleft;~~

~~3) Female breast below a point immediately above the top of the areola; and b  
Human male genitals in a discernibly turgid state even if completely and opaquely covered.~~

~~20 Video viewing booth. Any booth, cubicle, stall, or compartment that is designed, constructed, or used to hold or seat patrons and is used for presenting adult media for observation by patrons therein. A video viewing booth shall not mean a theater, movie house, playhouse, or a room or enclosure or portion thereof that contains 600 square feet or more.~~

~~d. Flagellation or torture in the context of a sexual relationship;~~

~~e. Masochism, erotic or sexually oriented torture, beating or the infliction of pain;~~

~~f. Erotic touching, fondling or other such contact with an animal by a human being; or~~

~~d.g. Human excretion, urination, menstruation, vaginal or anal irrigation as a part of or in connection with any of the activities set forth in subsections 1 through 6 above.~~

~~(ed) Principal Uses. Adult Establishments are permitted by Where the underlying zoning is B-2 Community Business District, or and B-3 Highway Business Adult Establishment.~~

~~1 Where the underlying zoning is B-2 Community Business District, Limited Adult Media Stores~~

~~2 Where the underlying zoning is B-3 Highway Business District, a Limited Adult Media Stores~~

~~b Adult Cabarets~~

~~c Adult Media Stores~~

~~d Adult Modeling Studios~~

~~e Adult Motion Picture Theaters f Adult Novelty Shops~~

~~(de) Prohibited Uses~~

~~1 Adult Bath Houses~~

~~2 Adult Body Painting Studios~~

~~3 Adult Massage Parlors~~

~~4 Adult Motion Picture Theaters (Outdoor)~~

~~(e) Accessory Uses. Any accessory use authorized by the underlying zoning district may be an accessory use to an adult establishment. In no case shall an adult establishment be an accessory use to any principal use designated by any section of this ordinance.~~

~~(fef) Underlying District Standards. Adult Establishments shall comply with the standards of the zoning districts in which they are located, including, but not limited to, standards relating to lot~~

area and width, building height and area, yard requirements and sanitary sewer systems, and with the use-specific standards applicable to that use category and use.

(gfg) **General requirements and restrictions governing Aadult Eestablishments.** Except as provided below, all Aadult Eestablishments shall comply with the following requirements and restrictions:

1. ~~Intoxicating beverages shall not be sold or served.~~
2. — Parking shall be provided in a lighted area, in conformity with applicable lighting and parking standards provided ~~elsewhere in this Ordinance~~ in sections 12.13 and 12.18.8-1.

~~2.3~~ No ~~aAadult eEntertainment Eestablishment~~ shall be ~~maintained or operated in any manner that causes, creates, or allows public viewing of any adult media, or any live entertainment that is distinguished or characterized by an emphasis on "conducted in any manner that permits the observation of any material depicting, describing or relating to specified sexual activities" or "specified anatomical areas", by display, decorations, sign, show window or other -opening~~ from any ~~-sidewalk, public or private right of way, or any property other than the lot on which the adult establishment is located~~ public view.

~~3.4~~ Signs advertising ~~an Adult Establishment Aadult Eestablishments~~ shall conform ~~with to~~ section 12.14-5 of this ordinance and with the further exception that signs will not depict ~~the human body or any part thereof, and provided further that there shall be no flashing or traveling lights located outside the building~~ Specified Anatomical Areas or Specified Sexual Activities.

~~4.5~~ No Aadult Eestablishment patron shall be permitted at any time to enter into any of the non-public portions of any Aadult Eestablishment, including specifically, but without limitation, any storage areas ~~or -or~~ dressing or other rooms provided for the benefit of Aadult Eestablishment employees. ~~-This subsection shall not apply to persons delivering goods and materials, food and beverages, or performing maintenance or repairs to the permitted premises; provided, however, that any such persons shall remain in such non-public areas only for the purposes and to the extent and time necessary to perform their job duties.~~

~~5.6~~ ~~Other than limited adult media stores, signs~~ Signs at least one (1) square ~~feet~~ foot in area stipulating that persons under the age of 18 are not permitted inside the establishment; shall be posted at all public entrances to the establishment, and persons under the age of 18 shall not be permitted inside the establishment.

~~6.7~~ The cashier's or manager's station shall be located so that someone working there can quickly move to physically halt any attempted or accidental entry by a minor. An employee shall occupy the station at all times when patrons are in and on the premises.

~~7.8~~ The ~~A~~adult ~~E~~establishment~~-~~ shall clearly post and enforce a no loitering policy.

~~8.9~~ The owner and/or operator of the ~~A~~adult ~~E~~establishment~~-~~ shall agree to comply with all State, Federal and Local laws and ordinances, including obscenity, liquor~~-~~ and cabaret laws. Solicitation for purposes of prostitution shall be strictly prohibited. Conduct in violation of sec. 944.21, Wis. Stats., or sec. 9.10.2 of the Kenosha County Code of Ordinances, including the exhibition of "obscene material"- and "obscene performances," as those terms are defined in sec. 944.21(2), Wis. Stats., and sec. 9.10.2 of the Kenosha County Code of Ordinances, shall be strictly prohibited.

~~10~~ ~~No video viewing booth(s) shall be established, operated or used in any adult establishment.~~

~~9.11~~ The hours of operation of ~~A~~adult ~~E~~establishment~~-~~ shall be limited to the same hours of operation for bars and taverns within that community within which the ~~A~~adult ~~E~~establishment~~-~~ is located.

~~12-10~~. No residential quarters shall be allowed on a premises with an ~~A~~adult ~~E~~establishment.

~~(hgh)~~ **Location requirements and restrictions.**

~~1.~~ ~~1~~ ~~No more than one adult establishment may be established on any one parcel. The establishment, enlargement, reconstruction, resumption, or structural alteration of any Adult Establishment is prohibited if such business is within 1,000 feet of another Adult Establishment.~~

~~1~~

~~2.~~ ~~No adult establishment may be established within 1000 feet of any other adult establishment. The establishment, enlargement, reconstruction, resumption, or structural alteration of any Adult Establishment is prohibited if such business is within 1,0600 feet of any existing Sensitive Land Use within Kenosha County, Wisconsin.~~

~~3.~~ No ~~adult retail establishment may be established within 1000 feet of any "sensitive land use."~~ Adult Establishment shall be established, enlarged, reconstructed, resumed, or structurally altered unless the site or proposed site is located in a B-2 Community Business District or B-3 Highway Business Zoning District.

~~4.~~ ~~No adult entertainment establishment may be established within 1000 feet of any "sensitive land use."~~ An Adult Establishment~~-~~ lawfully operating as a conforming use is not rendered a nonconforming use by the subsequent location of a sensitive land use is located within ~~1,0600~~ feet of the Adult Establishment.

- 5 All ~~Adult Establishments~~ ~~adult entertainment establishments~~ shall be located within 300 feet of a State Trunk Highway right-of-way (Maintained & Traveled) as indicated on the map of the official layout of the State Trunk Highway System of Kenosha County prepared by the State of Wisconsin, Department of Transportation in accordance with Wis. Stats. Section 84.02(12) ~~State Statutes~~ ~~Wis. Stats.~~ and as currently on file with the Kenosha County Clerk and Kenosha County Highway Commissioner and as subsequently amended.

~~Commissioner and as subsequently amended and shall not be located within 1,000 feet of the right of way of the intersection of another State Trunk Highway or any Federal or County Trunk Highway, or any other road.~~

- ~~66 For these purposes, The distance between one Adult Establishment and another Adult Establishment shall be measured in a straight line from the closest point of the structure or portion of the structure occupied or proposed for occupancy by the adult establishment to the nearest lot line of the other parcels of property to which these location requirements apply.~~

- ~~7 The location requirements and restrictions specified in subsections 12. 22-6(g) 1 through 6 do not apply to limited adult media stores.~~

- ~~(i) Requirements Applicable to Limited Adult Media Stores Only. Adult media in a limited adult media store shall be kept in a separate room or section of the shop, which room or section shall:~~

- ~~1 not be open to any person under the age of 18; and~~
  - ~~2 be physically and visually separated from the rest of the store by an opaque wall of durable material, reaching from the floor to at least eight feet high or to the ceiling, whichever is less; and~~
  - ~~3 be located so that the entrance to it is as far as reasonably practicable from media or other inventory in the store likely to be of particular interest to children; and~~
  - ~~4 have access controlled by electronic or other means to provide assurance that persons under age 18 will not easily gain admission and that the general public will not accidentally enter such room or section, or provide continuous video or window surveillance of the room by store personnel; and~~
  - ~~5 provide signage at the entrance stipulating that persons under the age of 18 are not permitted inside.~~
- ~~without regard to intervening structures or objects, from the closest exterior structural wall of each such business. The distance between an Adult Establishment and any Sensitive Land Use shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior structural wall of the Adult Establishment to the nearest property line of the Sensitive Land Use.~~



(ihj) ~~1~~ **Additional Restrictions and Requirements Applicable to ~~Adult Entertainment~~ Adult Establishments**. Adult ~~entertainment e~~Establishments shall comply with certain additional restrictions and requirements as set forth below:

1. ~~It is unlawful for any person to perform or engage in or for any licensee or manager or agent of an adult entertainment establishment to permit any person, employee, entertainer or patron to perform or engage in any live act, demonstration, dance or exhibition on the premises of an adult entertainment establishment, which:~~

a ~~Shows his/her genitals, pubic area, vulva, anus, or anal cleft with less than a fully opaque covering.~~

b ~~Shows the female breast with less than a fully opaque covering of any part of the nipple and areola.~~

c ~~Shows the human male genitals in a discernibly turgid state, even if fully and opaquely covered.~~

~~2~~ Adult Cabarets

a. Adult cabarets shall comply with section 12.12-4(e) of this ordinance relating to noise.

b. All live performers in an adult cabaret shall perform only on a stage elevated no less than ~~twenty-four~~ thirty-six (~~24~~36) inches above floor level. There shall be a metal railing attached to the floor by bolts surrounding the stage which shall keep patrons at least ~~thirty-six~~ forty-eight (~~36~~48) inches from the stage. There shall also be a metal railing attached to the floor by bolts at the edge of the stage. ~~The stage shall be in a room or other enclosure of no less than 600 square feet.~~

~~23~~ Adult modeling studios.

a ~~All models or other live performers in an adult modeling studio shall perform only on a stage elevated no less than 24 inches above floor level. There shall be a railing attached to the floor surrounding the stage which shall keep patrons at least 36 inches from the stage. The stage shall be in a room or other enclosed space of no less than 600 square feet.~~

~~4~~ Adult motion picture theaters.

a ~~Adult motion picture theaters shall show movies only in a room or other enclosed space of no less than 600 square feet.~~

-(j) **Severability.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause or phrase or portion thereof. This ordinance shall take effect and be in force from and after its passage and publication, as provided by law.

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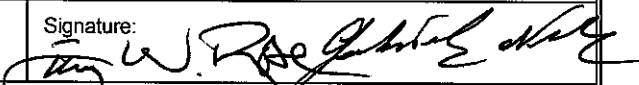
**Kenosha**



**County**

**BOARD OF SUPERVISORS**

RESOLUTION NO. \_\_\_\_\_

Subject: County Board Meeting Location	
Original <input type="checkbox"/>	Corrected <input type="checkbox"/> 2nd Correction <input type="checkbox"/> Resubmitted <input type="checkbox"/>
Date Submitted: July 27 <sup>th</sup> , 2020	Date Resubmitted:
Submitted By: Terry W Rose + Gabe Nudo	
Fiscal Note Attached <input type="checkbox"/> N/A	Legal Note Attached <input type="checkbox"/>
Prepared By: Terry W Rose + Gabe Nudo	Signature: 

Resolution

Re: Meeting Place of County Board Meeting

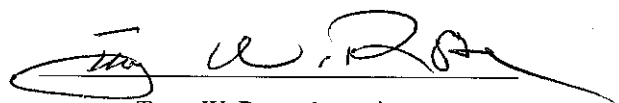
Whereas the Kenosha County Administration Building is partially open to the public, and whereas the Kenosha County Board of Supervisors traditionally meets two times per month at the building. And

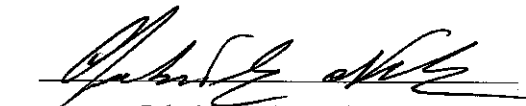
Whereas the County Board meets in the Kenosha County Board Chambers at the Administration Building which is not open to the public except for public meetings and Whereas the County Board has been meeting at the Job Center.

Whereas the public access at the Job Center building is open daily to the general public, and

Whereas it is less likely that Covid will spread at the County Board Chambers because of low public traffic and access to the chambers at the 3<sup>rd</sup> floor of the Administration Building as compared to the Job Center. Which has substantial public access and a higher likelihood of community spread.

Now, therefore the Kenosha County Board of Supervisors shall meet at the Chambers at the Kenosha County Administration Building commencing with the 2<sup>nd</sup> meeting in August 2020.

  
Terry W. Rose, Supervisor

  
Gabe Nudo, Supervisor

# KENOSHA COUNTY

## BOARD OF SUPERVISORS

RESOLUTION NO. \_\_\_\_\_

Subject: <b>RESOLUTION TO APPROVE THE APPOINTMENT OF MR. DAVID CELEBRE TO THE BROOKSIDE BOARD OF TRUSTEES</b>			
Original <input checked="" type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: <b>July 21, 2020</b>		Date Resubmitted:	
Submitted By: <b>Human Services Committee</b>			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: <b>John T. Jansen</b>		Signature: 	

**WHEREAS**, pursuant to County Executive Appointment 2020/21-03, the County Executive has re-appointed **Mr. David Celebre** to serve on the **Brookside Board of Trustees**.

**WHEREAS**, the Human Services Committee has reviewed the request of the County Executive for confirmation of this appointment to serve on the **Brookside Board of Trustees** and is recommending to the County Board the approval of this appointment,

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors confirms the appointment of **Mr. David Celebre** to the **Brookside Board of Trustees**. This appointment shall be effective immediately and continue until the **2nd Day of January 2023** or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. **Mr. David Celebre** will serve without pay and will be succeeding Gabe Nudo.

**HUMAN SERVICES COMMITTEE:**

Laura Belsky, Chairman

Andy Berg, Vice Chairman

Sandra Beth

David Celebre

Erin Decker

Jerry Gulley

Lon Wienke

Aye   Nay   Abstain   Excused

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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# COUNTY OF KENOSHA

## OFFICE OF THE COUNTY EXECUTIVE

Jim Kreuser, County Executive

1010 – 56<sup>th</sup> Street, Third Floor

Kenosha, Wisconsin 53140

(262) 653-2600

Fax: (262) 653-2817

## ADMINISTRATIVE PROPOSAL

### COUNTY EXECUTIVE APPOINTMENT 2020/21-03

#### RE: BROOKSIDE BOARD OF TRUSTEES

TO THE HONORABLE KENOSHA COUNTY BOARD OF SUPERVISORS:

Placing special trust in his judgment and based upon his qualifications, I hereby submit to the honorable Kenosha County Board of Supervisors for its review and approval the name of

Supervisor David Celebre  
2222 24<sup>th</sup> Street  
Kenosha, WI 53140

to serve on the Brookside Board of Trustees beginning immediately upon confirmation of the County Board and continuing until the 2<sup>nd</sup> day of January, 2023 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors.

Supervisor Celebre will serve without pay.

Supervisor Celebre will be succeeding Supervisor Gabe Nudo.

Respectfully submitted this 28<sup>th</sup> day of May, 2020.

Jim Kreuser  
Kenosha County Executive

COUNTY OF KENOSHA  
OFFICE OF THE COUNTY EXECUTIVE  
JIM KREUSER

**APPOINTMENT PROFILE**  
**KENOSHA COUNTY COMMISSIONS, COMMITTEES, & BOARDS**

(Please type or print)

Name: DAVID E. CELEBRE  
First Middle Last

Residence Address: 2222-24<sup>TH</sup> STREET KENOSHA WI 53140

Previous Address if above less than 5 years: N/A

Occupation: Self-employed: Attorney  
Company Title

Business Address: 5511 11<sup>TH</sup> AVENUE KENOSHA WI 53140

Telephone Number: Residence (262) 537-8190 Business (262) 652-2150

Daytime Telephone Number: (262) 652-2150

Mailing Address Preference: Business ( ) Residence ( ☒ )

Email Address: \_\_\_\_\_

Do you or have you done business with any part of Kenosha County Government in the past 5 years? Yes ( ☒ ) No ( )

If yes, please attach a detailed document. Court-appointed attorney.

**Affiliations:** List affiliations in all service groups, public service organizations, social or charitable groups, labor, business or professional organization, and indicate if it was a board or staff affiliation.

American Bar Association, State Bar of Wisconsin, Kenosha County Bar Association. All in membership capacity only, consult attached CV.

**Special Interests:** Indicate organizations or activities in which you have a special interest but may not have been actively involved.

Consult attached CV.

\*If more space is needed, please attach another sheet.

Kenosha County Commissions, Committees, & Boards  
Appointment Profile - Page 2

Nominee's Supervisory District 5

Governmental Services: List services with any governmental unit.

Kenosha County Board: 2010-12, 2018-Present

Additional Information: List any qualifications or expertise you possess that would benefit the Board, Committee, Commission, etc.

Consult attached CV.

Conflict Of Interest: It would be inappropriate for you, as a current or prospective appointee, to have a member of your immediate family directly involved with any action that may come under the inquiry or advice of the appointed board, commission, or committee. A committee member declared in conflict would be prohibited from voting on any motion where "direct involvement" had been declared and may result in embarrassment to you and/or Kenosha County.

  
Signature of Nominee

May 22, 2010  
Date

Please Return To: Kenosha County Executive  
1010 - 56th Street  
Kenosha, WI 53140

-----  
(For Office Use Only)

Appointed To: \_\_\_\_\_  
Commission/Committee/Board

Term: Beginning \_\_\_\_\_ Ending \_\_\_\_\_

Confirmed by the Kenosha County Board on: \_\_\_\_\_

New Appointment \_\_\_\_\_ Reappointment \_\_\_\_\_

Previous Terms: \_\_\_\_\_  
\_\_\_\_\_



## **David. E. Celebre**

2222-24th Street  
Kenosha, Wisconsin 53140  
(262) 652-2150 (Work)  
(262) 551-8190 (Home)

---

### **Employment:**

- Celebre Law Office: 1987 to 1991, 1995 to Present  
Kenosha, Wisconsin
- Kenosha County Circuit Court Commissioner: 2020 to Present
- Sfasciotti & Associates: 1991 to 1995  
Kenosha, Wisconsin

### **Education:**

- Marquette University Law School: Juris Doctoris, 1987
- University of Wisconsin-Parkside: B.A. Economics, May, 1987

### **Professional Organizations:**

- American Bar Association: 1987 to Present
- Wisconsin State Bar Association: 1987 to Present
- Kenosha County Bar Association: 1987 to Present

### **Non-Partisan Public Office:**

- Kenosha County Board Supervisor, 5th District: 2010-2012; 2018 to Present

### **Civic Involvements:**

- Gateway Technical College Foundation Board of Directors: 2006 to 2014
- University of Wisconsin Parkside Scholarship Committee: 2006 to 2014

### **Interests:**

- Running, Karate, Foreign Films


### **References:**

- Available Upon Request

# KENOSHA COUNTY

## BOARD OF SUPERVISORS

RESOLUTION NO. \_\_\_\_\_

Subject: <b>RESOLUTION TO APPROVE THE APPOINTMENT OF DR. RITA VENTURA TO THE KENOSHA COUNTY BOARD OF HEALTH</b>			
Original <input checked="" type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: July 21, 2020		Date Resubmitted:	
Submitted By: Human Services Committee			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: John T. Jansen		Signature: 	

**WHEREAS**, pursuant to County Executive Appointment 2020/21-2, the County Executive has re-appointed **Dr. Rita Ventura** to serve on the **Kenosha County Board of Health**.

**WHEREAS**, the Human Services Committee has reviewed the request of the County Executive for confirmation of this appointment to serve on the **Kenosha County Board of Health** and is recommending to the County Board the approval of this appointment,

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors confirms the re-appointment of **Dr. Rita Ventura** to the **Kenosha County Board of Health**. This appointment shall be effective immediately and continue until the **4th Day of February 2025** or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. **Dr. Rita Ventura** will serve without pay and will be succeeding herself.

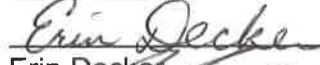
**HUMAN SERVICES COMMITTEE:**

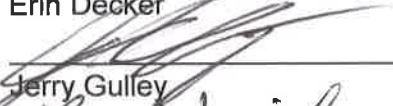
  
Laura Belsky, Chairman

  
Andy Berg, Vice Chairman

  
Sandra Beth

  
David Celebre

  
Erin Decker

  
Jerry Gulley

  
Lon Wienke

Aye   Nay   Abstain   Excused

☒   ☐   ☐   ☐

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# COUNTY OF KENOSHA

## OFFICE OF THE COUNTY EXECUTIVE

Jim Kreuser, County Executive

1010 – 56<sup>th</sup> Street, Third Floor

Kenosha, Wisconsin 53140

(262) 653-2600

Fax: (262) 653-2817

## ADMINISTRATIVE PROPOSAL

### COUNTY EXECUTIVE APPOINTMENT 2019/20-34

#### RE: KENOSHA COUNTY BOARD OF HEALTH

TO THE HONORABLE KENOSHA COUNTY BOARD OF SUPERVISORS:

Placing special trust in her judgment and based upon her qualifications, I hereby submit to the Honorable Kenosha County Board of Supervisors for its review and approval the name of

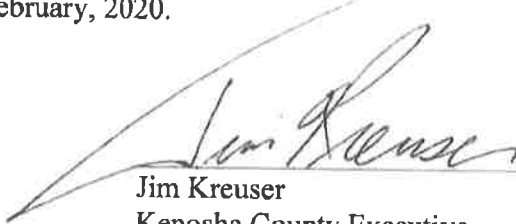
Ms. Rita Ventura  
f/k/a Rita Kadamian  
4274 95<sup>th</sup> Street  
Pleasant Prairie, WI 53158

to serve a five-year term on the Kenosha County Board of Health, beginning immediately upon confirmation of the County Board and continuing until the 4<sup>th</sup> day of February, 2025, or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors.

Since her last appointment in April of 2010, Ms. Ventura has attended 18 of the 28 meetings held. Out of her 10 absences, nine were excused and one was absent.

Ms. Ventura will serve without pay. Ms. Ventura will be succeeding herself.

Respectfully submitted this 27<sup>th</sup> day of February, 2020.



Jim Kreuser  
Kenosha County Executive

COUNTY OF KENOSHA  
OFFICE OF THE COUNTY EXECUTIVE  
JIM KREUSER

APPOINTMENT PROFILE  
KENOSHA COUNTY COMMISSIONS, COMMITTEES, & BOARDS

(Please type or print)

Name: Rita R. Ventura  
First Middle Last

Residence Address:

Previous Address if above less than 5 years: N/A

Occupation: Children's Wisconsin Company Doctor of Nursing Practice Title

Business Address: 6809 122<sup>nd</sup> Ave

Telephone Number: Residence: Business: 262-664-7421

Daytime Telephone Number: 262-818-2989

Mailing Address Preference: Business ( ) Residence (X )

Email Address: rventura@chw.org

Do you or have you done business with any part of Kenosha County Government in the past 5 years? Yes ( ) No (X )

If yes, please attach a detailed document.

Affiliations: List affiliations in all service groups, public service organizations, social or charitable groups, labor, business or professional organization, and indicate if it was a board or staff affiliation.

American Professional Society on the Abuse of Children (2002 – present)  
National Children's Alliance Wisconsin State Chapter: CAC's of Wisconsin  
(foundingmember; 2003 – 2011 [secretary 2004-2009])  
Kenosha County Board of Health (2006 – present)  
Kenosha Health Services Advisory Board (2006 – 2012)  
Kenosha County Sexual Assault Response Team (2006 – present [secretary: 2009 – 2011])  
Kenosha County Child Death Review Team (2008 – present)  
Kenosha County Healthy People 2020 – Injury Prevention Committee (2007 – 2012)  
Organizational Committee for the Coordinated Response of Child Abuse and Neglect (2001 – present)

Racine County Multidisciplinary Team (2008 – present)  
Racine County Child Death Review Team (2008 – present)  
Racine County Sexual Assault Team (2008 – 2013)  
Racine County Drug Endangered Children Committee (2009 – present)  
Wisconsin Child Abuse Network Leadership Committee (2011 – present)  
Wisconsin Drug Endangered Children Steering Committee (2017 – present)  
Wisconsin Professional Society on the Abuse of Children (2002 – 2014; 2017 – present)  
Board Member (2017 – present)

Special Interests: Indicate organizations or activities in which you have a special interest but may not have been actively involved.

Child sex trafficking

\*If more space is needed, please attach another sheet.  
Kenosha County Commissions, Committees, & Boards


Nominee's Supervisory District \_\_\_\_\_

Governmental Services: List services with any governmental unit.

Additional Information: List any qualifications or expertise you possess that would benefit the Board, Committee, Commission, etc.

Child Abuse expertise, advanced practice provider and pediatric expertise, knowledge of services in Kenosha County

Conflict Of Interest: It would be inappropriate for you, as a current or prospective appointee, to have a member of your immediate family directly involved with any action that may come under the inquiry or advice of the appointed board, commission, or committee. A committee member declared in conflict would be prohibited from voting on any motion where "direct involvement" had been declared and may result in embarrassment to you and/or Kenosha County.

  
Signature of Nominee

02/06/2020  
Date

Please Return To: Kenosha County Executive  
1010 – 56th Street  
Kenosha, WI 53140

**(For Office Use Only)**

**Appointed To:** \_\_\_\_\_  
Commission/Committee/Board

**Term: Beginning** \_\_\_\_\_ **Ending** \_\_\_\_\_

**Confirmed by the Kenosha County Board on:** \_\_\_\_\_

**New Appointment** \_\_\_\_\_ **Reappointment** \_\_\_\_\_

**Previous Terms:** \_\_\_\_\_  
\_\_\_\_\_

## CURRICULUM VITAE

**Dr. Rita R. Kadamian, DNP, FNP-BC**  
**8500 75<sup>th</sup> Street Suite 101**  
**Kenosha, WI 53142**  
**262-653-2266**

---

**EDUCATION:** Marquette University, Milwaukee, WI  
**Doctor of Nursing Practice** May 2013  
University of Wisconsin, Milwaukee  
**Master of Science** May 2001  
Marquette University, Milwaukee, WI  
**Bachelor of Science in Nursing** May 1992

**EXPERIENCE:** **Children's Hospital and Health System**  
*10/01 – present* FAMILY NURSE PRACTITIONER – CHILD ADVOCACY AND PROTECTION SERVICES  
KENOSHA COUNTY CHILD ADVOCACY CENTER  
RACINE COUNTY CHILD ADVOCACY CENTER  
Responsible for pediatric medical care in an ambulatory specialty clinic.

- Care includes general evaluation of health status, common functions of health promotion, assessment, management and treatment of episodic illnesses and chronic conditions, including but not limited to ordering laboratory or radiology testing, physical therapies, dietary recommendations, prescribing medical regimens and referring to specialty clinics as indicated.
- Specialty area of practice: forensic medical exams of children who have been possible victims of abuse or neglect and all children who are placed in out of home care.

*10/00 – 10/01* PEDIATRIC NURSE  
Responsible for family centered care of inpatient medical and surgical pediatric patients.

*06/98 – 10/00* **Gentiva Health Services (formerly Olsten Health Services), Racine, WI**  
MANAGER OF CLINICAL PRACTICE  
Responsible for management of home health care staff and coordination of client services

- Clinical Responsibilities: coordination of new referrals and ongoing care provided by nursing, therapy, and paraprofessional staff; problem solve clinical issues; review documentation for quality and to ensure compliance with state and federal regulations; participate in performance improvement activities
- Human Resource Responsibilities: recruitment; interview and hire new caregivers
- Performance Management Responsibilities: orientation; identify and provide staff education ongoing; supervision and evaluation of professional staff; coaching and mentoring employees; counseling and discipline of employees
- Financial Responsibilities: participate in activities with regional sales and marketing staff; problem solve billing issues; ensure insurance authorization for services; accurate Medicare billing release

*05/97- 06/98* **Olsten Health Services, Milwaukee, WI**  
PEDIATRIC CASE MANAGER  
Responsible for home health care needs of children with acute and chronic illness

- Skilled nursing visits to assess home care needs and provide direct care; specialty areas include diabetic and asthma education, pediatric oncology, and home infusion therapy

- Interdisciplinary coordination of care
- Supervision of private duty nurses and home health aides

06/92 - 05/97

### **Children's Hospital of Wisconsin, Milwaukee, WI**

#### **PEDIATRIC NURSE**

Responsible for family centered nursing care of children with a variety of illnesses.

- Appointed position on the hospital-wide Clinical Practice Council
- Chairperson of unit Clinical Practice Committee
- Relief Charge Nurse
- Preceptor

**CERTIFICATION:** American Nurses Credentialing Center – Family Nurse Practitioner  
Advanced Practice Nurse Prescriber  
Basic Life Support for Healthcare Providers  
Pediatric Advanced Life Support  
Wisconsin Nurse's Association Nurse Planner

#### **CONTINUING EDUCATION:**

**Weekly** Regional Peer Review  
**Monthly** National Peer Review web-based  
**Monthly** Child Maltreatment Journal Club  
**Quarterly:** Wisconsin Child Abuse Network Sexual Abuse Peer Review (**Facilitator**)

#### **CHILD MALTREATMENT CONFERENCES:**

- |                    |   |
|--------------------|---|
| 07/30/2019         | • Sex Trafficking Training (planning committee member)  |
| 07/15 – 07/18/2019 | • WI/National Drug Endangered Children Conference (planning committee member)   |
| 04/10/2019         | • Together for Children Conference  |
| 11/01/2018         | • Methamphetamine Lab Training  |
| 08/06 – 08/09/2018 | • WI Drug Endangered Children Conference (planning committee member)  |
| 07/09/2018         | • Abusive Head Trauma Training  |
| 04/10 – 04/12/2018 | • Together for Children conference  |
| 08/29 – 08/31/2017 | • National Drug Endangered Children Conference (planning committee member)  |
| 08/07 – 08/10/2017 | • Crimes Against Children Conference  |
| 08/05/2017         | • Together For Children Conference  |
| 11/09 – 11/10/2016 | • Child Death Review Summit   |
| 08/03 – 08/04/2016 | • WI Drug Endangered Children Conference  |
| 04/06 – 04/07/2016 | • Together for Children Conference  |
| 11/10/2015         | • Keeping Kids Alive Summit   |
| 09/23 – 09/24/2015 | • Racine Sexual Assault Response Team Conference  |
| 09/08 – 09/09/2014 | • ACE Interface Master Training   |
| 07/22 – 07/23/2015 | • WI Drug Endangered Children Conference  |
| 06/16/2015         | • WI Statewide SART & CCR Conference  |
| 04/15 – 04/16/2015 | • Together for Children Conference  |
| 11/05 – 11/06/2014 | • Child Death Review Summit   |
| 08/28/2014         | • Promoting Community Systems of Care to Foster Young Children's Social and Emotional Development (planning committee member) |



# Kenosha



# County

## BOARD OF SUPERVISORS

RESOLUTION NO. \_\_\_\_\_

Subject: A Resolution Expressing Kenosha County's Commitment to Achieving Racial Equity and Transforming Systems and Institutions Impacting the Health of Our Community.

Original ☐ Corrected ☐ 2<sup>nd</sup> Correction ☐ Resubmitted ☐

Date Submitted:

Date Resubmitted:

Submitted by: Supervisor Laura Belsky

Fiscal Note Attached ☐

Legal Note Attached ☐

Prepared by: Jennifer Freiheit

Signature:

WHEREAS, the promotion of healthy communities is directly related to the health of individuals and encourages expanding public health support networks to decrease racial disparities in health outcomes; and

WHEREAS, communities of color are disproportionately impacted by social determinants of health, such as increased exposure to lead, poor air quality, lack of safe places to walk, bike or run, and inadequate health education; and

WHEREAS, Kenosha has wide health disparities among its racial populations; and

WHEREAS, race is a social construction with no biologic basis; and

WHEREAS, racism is a social system with multiple dimensions, including individual racism, which is internalized or interpersonal and systemic racism, which is institutional or structural and is a system of structuring opportunity and assigning value based on the social interpretation of how one looks; and

WHEREAS, systemic racism unfairly disadvantages some individuals and communities, unfairly advantages other individuals and communities, and depletes the strength of the whole society through the waste of human resources; and

WHEREAS, racism causes persistent racial discrimination in housing, education, employment, transportation, and criminal justice and an emerging body of research demonstrates that racism is a social determinant of health; and

WHEREAS, numerous studies have linked racism to negative health outcomes; and

WHEREAS, the Wisconsin Department of Health Services determined that African Americans and Native Americans have the highest excess death rates at every stage in the life course, and the infant mortality rate of Non-Hispanic Black infants is the highest in the nation; and

WHEREAS, the 2018 infant mortality rate in Kenosha County among Black mothers was 9.9 deaths per 1,000 live births, compared to their white counterparts, a rate of 3.5 deaths per 1,000 births; and

WHEREAS, Black mothers in Kenosha County are 2.5 times more likely to receive inadequate prenatal care than their white counterparts; and

WHEREAS, in 2018, Black babies with low birth weight was 18.3% in Kenosha County, while white babies low birth weight was at 6.7%. Respectively, 84.6% of white mothers in Kenosha County are breastfeeding upon hospital discharge whereas only 56% of Kenosha County Black mothers are breastfeeding upon discharge; and

WHEREAS, due to decades of policies like redlining and biased lending, white people are 3.7 times more likely to own a house than their Black counterparts and 1.5 times more likely than the Latinx population; and

WHEREAS, Kenosha County's Black population is half as likely to have a postsecondary degree, a third as likely to test proficient in grade 3-8 subjects on standardized testing, anywhere from 3 to 27 times less likely to meet the ACT college readiness benchmarks, and graduate high school about 15% percentage points lower than their white counterparts; and

WHEREAS, Black people in Kenosha County are half as likely to gain employment than their white counterparts, and get paid half as much; and

WHEREAS, the Census estimates that 1/3 of Kenosha County's Black population lives in poverty (3 times that of Kenosha County's white population), which translates to \$12,760/year for the individual or \$26,200 for a family of four; and

WHEREAS, the 2020 County Health Rankings place Kenosha County residents 65<sup>th</sup> out of 72 Wisconsin Counties for Quality of Life, indicating that residents averaged 3.7 "physically unhealthy days" in the past 30 days; and

WHEREAS, Healthiest Wisconsin 2020 states that, "Wisconsin must address persistent disparities in health outcomes and the social, economic, educational, and environmental inequities that contribute to them;" and

WHEREAS, the Wisconsin Public Health Association is committed to achieving health equity and convened a Racial Equity Workgroup in 2017; and

WHEREAS, while there is no epidemiologic definition of "crisis," the health impact of racism clearly rises to the oft-cited definition proposed by Galea (2017)\*: "The problem must affect large numbers of people, it must threaten health over the long-term, and it must require the adoption of largescale solutions"; and

WHEREAS, with support from community partners, it is Kenosha County's responsibility to address racism, including seeking solutions to reshape the discourse and actively engaging all citizens in racial justice work; now, therefore,

BE IT RESOLVED, based on the aforementioned, that the Kenosha County Board of Supervisors hereby declares racism as a public health crisis and supports Kenosha County efforts to address public health disparities due to racial inequities throughout Kenosha County; and

BE IT FURTHER RESOLVED, that Kenosha County Board of Supervisors expects that those Kenosha County efforts will include, but not be limited to:

- Asserting that racism is a public health crisis that negatively affects our entire society
- Assessing internal policy and procedures to ensure racial equity is a core element of Kenosha County
- Working to create an inclusive organization identifying specific activities to increase diversity across its workforce and in leadership positions
- Incorporating inclusion and equity into organizational practice, offer educational trainings/activities to expand employees' understanding of how racism affects individuals, the health of marginalized populations, and provide tools to assist employees to engage actively and authentically with communities of color
- Advocating for relevant policies that improve health in communities of color, and support local, state, and federal initiatives that advance social justice, while also encouraging individual employee advocacy
- Encouraging other local, state, and national entities to recognize racism as a public health crisis.

\* Galea, Sandro. Crying "Crisis". Dean's Note. Boston University School of Public Health. <https://www.bu.edu/sph/2017/04/23/crying-crisis/>. Accessed 07.03.2020.

Respectfully Submitted:


**HUMAN SERVICES COMMITTEE:**


  
 Laura Belsky, Chairman

  
 Andy Berg, Vice-Chairman

  
 Jerry Gulley

  
 David Celebre

  
 Sandra Beth

  
 Erin Decker

  
 Lon Wienke

<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



# KENOSHA COUNTY

## BOARD OF SUPERVISORS

Resolution No. \_\_\_\_\_

Subject:			
<b>Resolution to Conduct Countywide Advisory Referendum on making the State of Wisconsin a 2nd Amendment Sanctuary State</b>			
Original   x	Corrected	2nd Correction	Resubmitted
Date Submitted: Date Submitted: 2/28/2020			Date Resubmitted:
Submitted by: Supervisors Decker, Maurer, Nordigian, Nudo, Rodriguez			
Fiscal Note Attached			Legal Note Attached     Agreement
Prepared by: Supervisor Erin Decker			Signature:

**WHEREAS**, the Constitution of the United States is the Supreme Law of our nation, and;

**WHEREAS**, the Right of the People to Keep and Bear Arms is guaranteed as an Individual Right under the Second Amendment to the United States Constitution, and reads “A well regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed,” and;

**WHEREAS**, the Constitution of the State of Wisconsin, Article 1, Section 25, reads “The people have the right to keep and bear arms for security, defense, hunting, recreation or any other lawful purpose,” and;

**WHEREAS**, the United States Supreme Court in *District of Columbia v. Heller*, 554 U.S. 570 (2008), affirmed an individual’s right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home, and;

**WHEREAS**, the United States Supreme Court in *McDonald v. Chicago*, 561 U.S. 742 (2010), affirmed that the right of an individual to “keep and bear arms,” as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment against the states, and;

**WHEREAS**, the United States Supreme Court in *United States v. Miller*, 307 U.S. 174 (1939), opined that firearms that are part of ordinary military equipment, or with use that could contribute to the common defense are protected by the Second Amendment, and;

**WHEREAS**, the Right of the People to Keep and Bear Arms for the defense of Life, Liberty, and Property is regarded as an Inalienable Right by the People of the Kenosha County, and;

**WHEREAS**, the People of Kenosha County derive an economic benefit from all safe forms of firearms recreation, hunting, and shooting conducted within Wisconsin using all types of firearms allowable under the United States Constitution and the Constitution of the State of Wisconsin, and;

**WHEREAS**, the Citizens of Kenosha County are concerned about the passage of any bill containing language which could be interpreted as infringing the rights of the citizens of Kenosha County to keep and bear arms, and;

**WHEREAS**, The Kenosha County Board of Supervisors desires to hear the views of the public on this important matter; and subsection 59.52 (25) of the Wisconsin Statutes permits the County Board of Supervisors to conduct a countywide referendum for advisory purposes, and;

**WHEREAS**, The following advisory referendum question provides a way for the public to express its views on making Wisconsin a 2<sup>nd</sup> Amendment Sanctuary State:

Question: Should the Wisconsin State Legislature declare the State of Wisconsin be a Second Amendment Sanctuary State?

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenosha County Board of Supervisors, in legal session assembled will place the following question on the November 3, 2020 ballot as an advisory referendum question. Question: Should the Wisconsin State Legislature declare the State of Wisconsin be a Second Amendment Sanctuary State? YES \_\_\_\_\_ NO \_\_\_\_\_, and;

**BE IT FURTHER RESOLVED**, that the Kenosha County Board of Supervisors directs Corporation Counsel to prepare a Notice of Referendum to be published by the Kenosha County Clerk in accordance with statutory requirement, and;

**BE IT FURTHER RESOLVED**, that this resolution and the referendum shall be filed with Kenosha County Clerk no later than 70 days prior to the November 3, 2020 election at which the question will appear on the ballot, and;

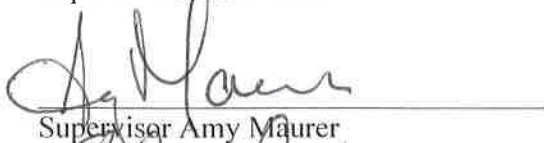
**BE IT FURTHER RESOLVED**, that a copy of this ballot referendum shall be forwarded to Kenosha County's legislative delegation, all other Wisconsin counties, the Wisconsin Counties Association and Governor Evers.



Supervisor Erin Decker



Supervisor Gabe Nudo



Supervisor Amy Maurer



Supervisor Zach Rodriguez



Supervisor Mark Nordigian

**LEGISLATIVE COMMITTEE:**

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Excused</u>
 _____ Andy Berg, Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Boyd Frederick, Vice Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Ed Kubicki	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Lon Wienke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Mark Nordigian	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Sandra Beth	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Amy Maurer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

GL-12-20



# COUNTY OF KENOSHA

# COUNTY CLERK

Regi Bachochin



1010 - 56th Street  
Kenosha WI 53140  
(262) 653-2552  
Fax: (262) 653-2564

## CLAIM AGAINST KENOSHA COUNTY

FULL NAME Daniel Edward Sendzik DATE \_\_\_\_\_

ADDRESS 28931 Golden Circle  
Waterford, WI 53185

TELEPHONE NUMBER: Home: 414-704-8669  
Work: 414-704-8669

DATE & TIME OF ACCIDENT OR LOSS 6-22-2020 1:45 PM

LOCATION OF ACCIDENT Hwy 75 and JB

DESCRIPTION OF ACCIDENT OR LOSS \_\_\_\_\_

I was driving north on Hwy 75.  
Tractor 239 was go south on opposite side  
of Hwy. As I drove past a rock flew  
from tractor and broke front driver side  
door window.

WITNESS: Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

AMOUNT OF CLAIM (damages) \$ \_\_\_\_\_

CLAIMANT'S SIGNATURE Dan Sendzik

**Please attach receipts, estimates, and/or other supporting data to this form.**

RETURN THIS FORM TO: KENOSHA COUNTY CLERK  
1010 - 56<sup>TH</sup> STREET  
KENOSHA WI 53140



106 W16197 Loomis Rd.

Muskego, WI 53150

414-427-9080

Terminal: Morgan's Collision Center - Terminal 1 SN 53482562

Transaction ID: 97212053

Transaction Date: 07/23/2020 03:17 PM

Transaction Type: SALE - APPROVED

Card Number: \*\*\*\* \* VISA

AUTH: 051721

Invoice: XQGTizuj

Amount: \$ 3 6 2 . 2 5

Sales Tax: \$ 0 . 0 0

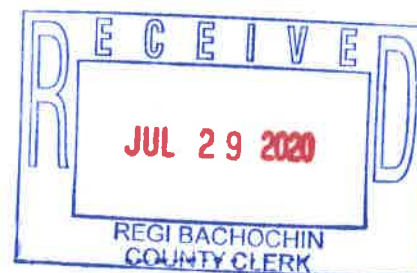
Non-Cash Adjustment: \$ 0 . 0 0

Tip: \$ 0 . 0 0

Total: \$ 3 6 2 . 2 5

I agree to pay the above total amount according to the card issuer agreement.





GL-13-20

**PROGRESSIVE**

Payment Address  
24344 Network Place  
Chicago, IL 60673-1243

Document Address  
P.O. Box 512929  
Los Angeles, Ca 90051  
Phone: (877)818-0139  
Fax: (888) 781-6947

7/24/2020 10:44:00 AM

Certified Mail 9489 0090 0027 6301 1270 53 Return Receipt Requested

KENOSHA COUNTY  
COUNTY BOARD SUPERVISORS  
1010 56TH STREET  
KENOSHA, WI 53140

Your Client: SCIFRES, JONATHAN  
Your Claim Number: 1603358  
Our Insured: ISLAS, JEREMIAH  
Our Claim Number: 20-6108323  
Amount Subject to Reimbursement: 2,899.22  
Amount of Insured's Deductible: 1,000.00



Please take this as formal notice of our subrogation rights relative to the above -captioned claim. We have completed our investigation into the facts of the above-captioned loss and find that your insured was the proximate cause of the accident.

Location of Loss: 60TH ST IN KENOSHA  
Date and Time of Loss: 07-01-20 AT 9:45 AM

Description of Loss: OUR INSURED WAS TRAVELING AT 60TH ST & 49TH AVE IN KENOSHA WHEN A SHERIFF S VEHICLE WITH PLATE # 726BAX OPERATED BY SCIFRES, JONATHAN STRUCK OUR INSURED S VEHICLE. WE ARE SEEKING REIMBURSEMENT FOR OUR INSURED S VEHICLE DAMAGES

Please make your draft payable to Artisan and Truckers Casualty Company as subrogee of "ISLAS, JEREMIAH ", in the amount stated above and mail it to the attention of the undersigned at your earliest convenience.

All supporting documentation is enclosed. Thank you for your anticipated, prompt attention to this matter.

*Ashley Adamik 7/24/20*

Progressive Subrogation  
Artisan and Truckers Casualty Company  
Tel. 877-818-0139  
Fax. 888-781-6947  
**GovernmentStatus@email.progressive.com**

## Claim Payment Detail ( 20-6108323 )

## Payment Information

**Disbursement Number:** 779734461  
**EFT Trace Number:** 714130925  
**Pay to the Order of:** ARMANDOS COLLISION CENTER  
**Mailing Address:** 1718 63RD ST  
KENOSHA, WI 53143-4470 USA  
**In Payment Of:** Progressive Invoice Number: 73367038

**Total Amount:** \$1,899.22  
**Invoice Number:** 73367038

## Reviewed Summary

**Issuing Rep:** A123877  
**Issue Date:** 07-16-20  
**Last Updated Rep:** A123877

**Approved By:**  
**Review Date:**  
**Reviewed By:**

## Bank Information

**Type:** Loss  
**Stop Reason:**  
**Stop Date:**

**Bank Code:** CTB  
**Cleared:** 07-18-20

## Exposure Detail: COLL

**Party Name:** ISLAS, JEREMIAH  
**Property Description:** 14 CADILLAC XTS  
**Payment Type:** FINAL PAYMENT

**Amount Paid:** \$1,899.22  
**Deductible Taken:** \$1,000.00  
**Property Damage:** \$0.00  
**Rental:** \$0.00

## Artisan and Truckers Casualty Co

Estimate ID  
2929183  
Original  
Quote ID  
70340866  
Claim Number  
20-6108323-01

Owner  
JEREMIAH ISLAS

Insured  
JEREMIAH ISLAS

Appraiser  
GIOVANI ACEVEDO  
(414) 316-0860 (Work)  
giovani\_acevedo@progressive.com

Classification  
None

### Artisan and Truckers Casualty Co

Claim Number 20-6108323-01	Adjuster CHRISTINA DEIGNAN (414) 944-5227 (Work) a139429@progressive.com	Deductible 1000.00 - Not Waived	Reported Date 07/01/2020
Loss Date 07/01/2020	Inspection Site ARMANDOS COLLISION CT R 1718 63rd St Kenosha, WI 53143		

### 2014 Cadillac XTS 4 Door Sedan 3.6L 6 Cyl Gas Injected 6 Speed Auto Trans AWD

Exterior Color BLUE	License WI-868ZCZ	VIN 2G61N5S39E9175244	Drivable Yes
Odometer 79938	Mitchell Service Code 911485		

Primary Point of Impact  
Right Rear Corner (5)

#### Options

Adaptive Variable Suspension	Air Conditioning	Air Suspension	All Wheel Drive	Alum/Alloy Wheels
AM-FM Stereo	Anti-Lock Brake Sys. (ABS)	Auto Air Condition	Automatic Headlights	Auxiliary Input
Bluetooth Wireless Connectivity	CD Player	Cruise Control	Daytime Running Lights	Driver Seat With Power Lumbar Support
Driver-Front Air Bag	Dual A/C	Electric Defogger	Electronic Parking Aid	Electronic Stability Control
Exterior Memory Mirrors	First Row Bucket Seat	Front Cooled Seats	Front Heated Seats	Front Seats With Power Lumbar Support
Genuine Wood Trim	HD Radio	Heated Mirror	Heated Seats	High Intensity Discharge Headlights
Interior Automatic Day/Night Or Electrochromatic Mirror	Keyless Entry System	Leather Seats	Left-Curtain Air Bag	Limited Slip Differential
Memory Seats	MP3 Player	Passenger-Front Air Bag	Power Door Locks	Power Driver Seat
Power Passenger Seat	Power Remote Mirror	Power Steering	Power Windows	Premium Sound Sys.

Rain Sensing Wipers	Rear Bench Seat	Rearview Camera	Remote Vehicle Starter System	Satellite Radio
Side Airbags	Steering Wheel Mounted Audio Control	Telematic Systems	Theft Deterrent Sys.	Tilt Steering Wheel
Tire Pressure Monitoring System	Traction Control/Electronic	Universal Garage Door Opener		

## JEREMIAH ISLAS | 2014 Cadillac XTS

Parts Profile  
KENO WI All Part Types

Parts Profile Version  
3.0

		LABOR				PART				
Line #		Description	Operation	Type	Total Units	Type	Number	Qty	Total Price	Tax
Wheel										
1	101768	Alloy Wheel	Remove/Replace	Body	0.3	Remanufactured	4696 APU	1	\$399.99	Yes
Rear Door										
2	100004	R Rear Door Outside	Blend	Refinish	0.9 C	Existing				
3	101747	R Rear Otr Door Belt Moulding	Remove/Install	Body	0.6#	Existing				
4	101749	R Rear Lwr Door Moulding	Remove/Install	Body	0.3	Existing				
5	101721	R Rear Otr Door Handle	Remove/Install	Body	0.3#	Existing				
Side Body										
6	102518	R Side Body Panel Assembly	Repair	Body	8.0#*	Existing				
7	AUTO	R Quarter Panel Outside	Refinish Only	Refinish	2.4 C	Existing				
8	101991	R Quarter Wheelhouse Liner	Remove/Install	Body	INC	Existing				
9	101169	R Rocker Moulding	Remove/Install	Body	0.4	Existing				
Quarter Glass										
10	101171	R Quarter Glass	Remove/Install	Glass	1.9#	Existing				
Rear Lamps										
11	101408	R Rear Combination Lamp	Remove/Install	Body	0.3	Existing				
Rear Bumper										
12	101411	Rear Bumper Cover Assy	Overhaul	Body	3.0#	Existing				
13	102013	Rear Bumper Cover	Repair	Body	3.0#*	Existing				
14	AUTO	Rear Bumper Cover	Refinish Only	Refinish	3.1 C					
15	100667	R Rear Bumper Bracket	Remove/Replace	Body	0.2#	New	22895320	1	\$22.34	Yes
16	102016	R Rear Otr Parking Sensor Unit	Remove/Install	Body	INC#	Existing				
17	AUTO	Rear Bumper Cover	Remove/Install	Body	INC#					
18	102017	L Rear Otr Parking Sensor Unit	Remove/Install	Body	INC#	Existing				
19	102018	R Rear Inr Parking Sensor Unit	Remove/Install	Body	INC#	Existing				
20	102019	L Rear Inr Parking Sensor Unit	Remove/Install	Body	INC#	Existing				
Additional Costs & Materials										
21	AUTO	Hazardous Waste Disposal	Additional Cost						\$3.00*	Yes
22	AUTO	Paint/Materials	Additional Cost						\$323.00*	Yes
Additional Operations										
23	931128	Post Repair Scan	Additional Operation	Mechanical	0.0				\$115.00*	
24	931127	Pre Repair Scan	Additional Operation	Mechanical	0.0				\$85.00*	
25	AUTO	Clear Coat	Additional Operation	Refinish	1.8				\$0.00	
Special / Manual Entry										
26	900500	COVID 19 Cleaning	Remove/Replace	Body*	1.0*	New		1	\$25.00*	Yes

LABOR				PART					
Line #	Description	Operation	Type	Total Units	Type	Number	Qty	Total Price	Tax
27 900500	Disconnect and Reconnect Battery	Remove/Install	Body*	0.3*	Existing				
28 900500	URETHANE KIT (ADHESIVE BONDED GLASS ONLY)	Remove/Replace	Glass*	0.0*	Sublet	Sublet	1	\$20.00*	Yes
29 900500	FLEX ADDITIVE	Repair	Body*	0.0*	Sublet	Sublet	1	\$7.00*	
30 900500	CORROSION PROTECTION	Refinish Only	Refinish*	0.3*	Sublet	Sublet	1	\$0.00*	Yes
31 900500	COVER CAR FOR OVERSPRAY	Refinish Only	Refinish*	0.0*	Aftermarket New	** A/M	1	\$8.00*	Yes
32 900500	MOUNT & BALANCE, VALVE STEM & DISP FEE	Additional Labor	Mechanical*	0.0*	Sublet	Sublet	1	\$20.00*	
33 900500	4 WHEEL ALIGNMENT	Remove/Replace	Body*	0.0*	Sublet	Sublet	1	\$89.95*	Yes

\* Judgment Item

T Included in Two Tone Calculation

# Labor Note Applies

d Discontinued by Manufacturer

C Included in Clear Coat Calculation

A Included in Clear Coat and Two Tone Calculation

r CEG R&R Time Used for this Labor Operation

## Parts Vendors

Alloy Wheel Repair Specialist  
3100 Medlock Bridge Road Suite 315  
Norcross GA 30071  
(844) 899-6146 (Work)

Line	Part #	Total Price
------	--------	-------------

1 4696 APU \$399.99

Supplier Notes: Quote#: 131594534937838

Notes: Wheel - Year:0 Conditions and Options:IQ

Recon Polished Units of Damage:0.0 COND: 0.0

PartRating: A Stock Number: 4696 / RM

**Disclaimer:** This estimate has been prepared based on the use of one or more replacement parts supplied by a source other than the manufacturer of your motor vehicle. Warranties applicable to these replacement parts are provided by the manufacturer or distributor of the replacement parts rather than by the manufacturer of your motor vehicle.

## Estimate Totals

Labor	Units	Rate	Sublet Add'l Amount		Totals
Body Labor	17.7	\$58.00	\$7.00		\$1,033.60
Refinish Labor	8.5	\$58.00			\$493.00
Glass Labor	1.9	\$58.00			\$110.20
Mechanical Labor	0.0	\$72.00	\$20.00	\$200.00	\$220.00
Total Labor	28.1		\$20.00		\$1,856.80
				Taxable	\$1,856.80
				Tax (5.500)%	\$102.12
				Non-Taxable	\$0.00
				Labor Total	\$1,958.92
Parts	Amount				
Taxable Parts	\$565.28		\$565.28		

## Estimate Totals

		Parts Adjustments	\$0.00
		Tax (5.500)%	\$31.09
		Non-Taxable	\$0.00
		<b>Parts Total</b>	<b>\$596.37</b>
Costs	Amount		
Other Additional Costs	\$3.00		\$3.00
Paint Materials	\$323.00		\$323.00
		Taxable	\$326.00
		Tax (5.500)%	\$17.93
		Non-Taxable	\$0.00
		<b>Costs Total</b>	<b>\$343.93</b>
Gross Totals	Amount		
Gross Total	\$2,899.22		\$2,899.22
		Taxable	\$2,748.08
		Tax	\$151.14
		Non-Taxable	\$0.00
		<b>Gross Total</b>	<b>\$2,899.22</b>
Adjustments	Amount		
Deductible	-\$1,000.00		-\$1,000.00
<b>Total Customer Responsibility</b>			<b>-\$1,000.00</b>
		<b>Net Estimate Total</b>	<b>\$1,899.22</b>

This estimate has been prepared based on the use of one or more replacement parts supplied by a source other than the manufacturer of your motor vehicle. Warranties applicable to these replacement parts are provided by the manufacturer or distributor of the replacement parts rather than by the manufacturer of your motor vehicle.

All manufacturers requirements regarding seat belt and supplemental restraint system replacement must be adhered to. If additional parts or operations are necessary to properly accomplish this, please contact the estimating claims rep.

This is a damage assessment only - Not an authorization to repair-based on damage visible or certain at the time it was written.

If frame or unibody repair is included on this estimate, the amount shown includes time or allowance for measuring before, during and after those repairs.

The owner of the vehicle may select the repair facility of his/her choice.

To ensure proper and prompt payment for additional damage discovered

during the course of repairs, contact Progressive for supplement handling procedures.

Progressive honors the prevailing labor market rate in your area for your property. If you choose a shop that charges in excess of the prevailing labor market rates, you will be responsible for the difference.

#### Lifetime guarantee for sheet metal and plastic body parts

The replacement parts written on the estimate are intended to return your vehicle to its pre-loss condition with proper installation. After repair, if any sheet metal or plastic body part included in the estimate fails to return your vehicle to its pre-loss condition (assuming proper installation), in terms of form, fit, finish, durability or functionality, Progressive will arrange and pay for the replacement of the part, to the extent not covered by a manufacturer's or other warranty. This service will be performed at no cost to you (including associated repair and rental car costs). To obtain service under this Guarantee, call Progressive at 1-800-274-4641. This Guarantee applies as long as you own or lease the vehicle. This Guarantee is not transferable and terminates if you sell or otherwise transfer your vehicle.

This guarantee does not cover normal wear and tear or damage caused by improper maintenance, neglect, abuse or subsequent accident. This guarantee is limited to arranging for the selection of repair parts that will return your vehicle to its pre-loss condition. Accordingly, Progressive will not be liable for any indirect, incidental or consequential damages that result from the installation or use of these parts.

#### Part Type Terms and Abbreviations

**NEW and OEM** or part number displayed - These refer to a new, original equipment manufacturer part.

**A/M Certified:** This refers to a new, certified non-original equipment manufacturer replacement part.

**A/M:** This refers to a new, non-original equipment manufacturer replacement part.

**Recycled:** This refers to a used OEM part.

**Remanufactured and Recond. and Recore:** These refer to recycled OEM parts that have been rebuilt or refurbished.

**OE Discount:** This refers to new OEM parts, that are excess inventory from the Original Equipment Manufacturer.

**Recovered OE** - This refers to parts removed from a new vehicle for various reasons.

Progressive's Lifetime Guarantee does not cover repairs you request the shop to make that are not related to this accident, including but



not exclusive to unrelated prior damage and pre-existing damage.

Repair shop's authorized representative's signature indicating agreement on cost to return the vehicle to pre-loss condition including tow/storage charges:

Shop Signature: \_\_\_\_\_ Est. completion Date: \_\_\_\_\_

Any person who, with intent to defraud or knowing that he/she is facilitating a fraud against an insurer, submits an application or file a claim containing a false or deceptive statement is guilty of insurance fraud.

Disclaimer: Any person who knowingly presents a false claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.

#### Cycle Time Information

Due In 7/13/2020

#### Estimate Event Log

Job Created	7/14/2020 05:39 AM
Estimate Started	7/15/2020 08:56 AM
Estimate Printed	7/15/2020 01:12 PM
Estimate Committed	7/15/2020 01:12 PM



KRL0351TNH  
000155-7441

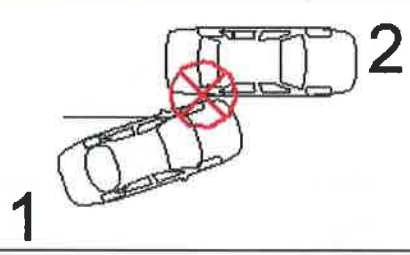
WISCONSIN MOTOR VEHICLE  
CRASH REPORT

WI STATE PATROL SER/WKE  
21115 HWY 16  
WAUKESHA, WI 53186 2985  
(262) 785-4700

KRL0351TNH

Document Number Override		Primary Crash Document #		Agency Crash Number 000155-7441		Investigating Officer/Deputy TROOPER D. THOMSON	
Crash Date 07/01/2020		Crash Time 09:45 AM		Date Arrived 07/01/2020		Time Arrived 10:15 AM	
Date Notified 07/01/2020		Time Notified 09:55 AM		Total Units 02		Total Injured 00	Total Killed 00
<input type="checkbox"/> On Emergency	<input type="checkbox"/> Hit and Run	<input type="checkbox"/> Lane Closure	<input type="checkbox"/> Work Zone	<input type="checkbox"/> Trailer or Towed	<input type="checkbox"/> Reporting Threshold		
<input type="checkbox"/> Government Property	<input type="checkbox"/> Active School Zone		School Bus Related NO		Tags		
<input checked="" type="checkbox"/> Reportable		Crash Type DT4000 (STANDARD CRASH)			<input type="checkbox"/> Amended	<input type="checkbox"/> Secondary Crash	

Description

<p>Diagram</p> <p style="text-align: center;"><b>000155-7441</b> BY: TPR THOMSON 241</p> 	Reconstruction By
	Photos By TPR. THOMSON #241
	Additional Information PHOTOS

☒ I, a sworn law enforcement officer, agree that I have not added any CJIS data in this report.

UNIT1 IN LANE #2 EASTBOUND. UNIT2 IN LANE #1 EASTBOUND. UNIT1 PERFORMING LAW ENFORCEMENT FUNCTION. UNIT1 STARTED TO PERFORM U-TURN FROM LANE #2 TO GO WESTBOUND. UNIT1 DRIVER DID NOT SEE UNIT2 IN TIME. UNIT1 COLLIDED WITH UNIT2. BOTH UNIT1 AND UNIT2 SUSTAINED MINOR DAMAGE. NO INJURIES REPORTED.

KRL0351TNH  
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WISCONSIN MOTOR VEHICLE  
CRASH REPORT

WI STATE PATROL SER/WKE  
21115 HWY 18  
WAUKESHA, WI 53186 2985  
(262) 785-4700

Location

ON 60TH ST 110 FT W OF 50TH AVE IN THE CITY OF KENOSHA IN KENOSHA COUNTY	Latitude <b>42.58128708</b>	Longitude <b>-87.869044103</b>
	X Coordinate <b>428686.34375</b>	Y Coordinate <b>4714685</b>
	Structure Type	

Crash Scene

First Harmful Event <b>MOTOR VEH IN TRANSPORT</b>		First Harmful Event Location <b>ON ROADWAY</b>	
Manner of Collision <b>07 - SIDESWIPE/SAME DIRECTION</b>		Light Condition <b>DAYLIGHT</b>	
Road Surface Condition(s) <b>DRY</b>		Roadway Factor(s)  <b>NONE</b>	
Environment Factor(s) <b>NONE</b>			
Weather Condition(s) <b>CLEAR</b>			
Animal Type		Relation To Trafficway <b>TRAFFICWAY - ON ROAD</b>	
Crash Classification - Location <b>PUBLIC PROPERTY</b>		Crash Classification - Jurisdiction <b>NO SPECIAL JURISDICTION</b>	
Tribal Land		Access Control <b>NO CONTROL</b>	Special Study
Within Interchange Area <b>NO</b>	Junction Location <b>NON-JUNCTION</b>	Intersection Type <b>NOT AN INTERSECTION</b>	

Unit Summary

UNIT	Unit Status <b>IN TRANSIT</b>	Vehicle Operating As Classification <b>D CLASS</b>		Unit Type <b>AUTOMOBILE</b>		
	Vehicle Type <b>PASSENGER CAR</b>			Operating As Endorsements		
	Total Occs <b>1</b>	Train/Bus # Recorded	Total # Citations Issued <b>0</b>	Total Trailers <b>0</b>	Total HazMat Types <b>0</b>	
	Insurance? <b>YES</b>	Direction Of Travel <b>EASTBOUND</b>	<input type="checkbox"/> Pre CrashTire Mark	Speed Limit	Total Lanes <b>4</b>	
	Most Harmful Event: Collision With <b>MOTOR VEH IN TRANSPORT</b>		Special Function <b>NO SPECIAL FUNCTION</b>		Emergency Motor Vehicle Use <b>NOT APPLICABLE</b>	
	Traffic Way <b>TWO-WAY, NOT DIVIDED</b>		Traffic Control <b>NO CONTROL</b>		Traffic Control Inoperative/Missing <b>NO</b>	
	Surface Type <b>BLACKTOP (BITUMINOUS)</b>		Road Curvature <b>STRAIGHT</b>		Road Grade <b>LEVEL</b>	
	Truck Bus or HazMat <b>NO</b>					
	VEHICLE	Vehicle				
		License Plate Number <b>726BAX</b>		Plate Type <b>AUT - AUTOMOBILE</b>	St <b>WI</b>	Country of Issuance <b>UNITED STATES</b>
Vehicle Identification Number <b>1FAHP2DW2AG155687</b>		Make <b>FORD</b>	Year <b>2010</b>	Model <b>TAURUS SE</b>		
Color <b>SIL - SILVER (ALUMINUM)</b>		Body Style <b>4D - 4DR</b>		Bus Use		
Initial Contact Point <b>10 - LEFT SIDE FRONT</b>		Vehicle Damage				
Extent Of Damage <b>MINOR DAMAGE</b>		<b>10 - LEFT SIDE FRONT, 11 - LEFT FRONT CORNER</b>				

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WISCONSIN MOTOR VEHICLE  
CRASH REPORT

WI STATE PATROL SER/WKE  
21115 HWY 18  
WAUKESHA, WI 53186 2985  
(262) 785-4700

UNIT	VEHICLE	Towed Due To Damage <b>NOT TOWED</b>		Vehicle Removed By <b>OPERATOR</b>	
		What Driver Was Doing <b>U TURN</b>		Vehicle Factors	
		Driver Prior Action Other		<b>NOT APPLICABLE</b>	
		Driver Actions <b>LOOKED BUT DID NOT SEE</b>			
01	01	Owner Name <b>KENOSHA COUNTY SHERIFF'S OFFICE (262) 605-5100</b>		Owner Address <b>1000 55TH ST #1 KENOSHA, WI 53140 , US</b>	
		<b>Sequence Of Events</b>			
01	01	Event <b>MOTOR VEH IN TRANSPORT</b>			
		Event			
		Event			
		Event			
01	01	<b>Policy Holder</b>			
		Insurance Company <b>WISCONSIN-MUNICIPAL-MUTUAL-INS-CO</b>		Government <b>KENOSHA COUNTY SHERIFF'S OFFICE</b>	
01	01	<b>Individual</b>			
		Driver <b>JONATHAN K SCIFRES (262) 605-5100</b>		Citations Issued <b>0</b>	Sex <b>MALE</b>
01	01	Date of Birth <b>12/19/1983</b>		Race <b>WHITE</b>	
		Address <b>1000 55TH ST #1 KENOSHA, WI 53140 , US</b>		Driver License Number <b>S1624318345909 STATE: WISCONSIN COUNTRY: UNITED STATES</b>	
01	01	<b>Safety Equipment</b>		On Duty Crash <b>POLICE</b>	
		Row <b>01 - FRONT ROW</b>		Seat Position <b>07 - LEFT</b>	
01	01	Helmet Use		Safety Equipment <b>SHOULDER &amp; LAP BELT</b>	
		Eye Protection		Helmet Compliance	
01	01	Injury <b>NO APPARENT INJURY</b>		Airbag <b>NON DEPLOYED</b>	
		Ejected <b>NOT EJECTED</b>		Ejection Path <b>NOT EJECTED/NOT APPLICABLE</b>	
01	01	Medical Transport <b>NOT TRANSPORTED</b>		Trapped/Extricated <b>NOT TRAPPED</b>	
		Hospital		EMS Agency Identifier <b>EMS Run #</b>	
01	01	Distracted By <b>EXTERNAL (TO VEHICLE/NON-MOTORIST AREA)</b>		Date of Death	
		Distracted By Action <b>OTHER ACTION (LOOKING AWAY FROM TASK ETC)</b>		Time of Death	

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WISCONSIN MOTOR VEHICLE  
CRASH REPORT

WI STATE PATROL SER/WKE  
21115 HWY 18  
WAUKESHA, WI 53186 2985  
(262) 785-4700

UNIT INDIVIDUAL 01 001	<b>Non Motorist</b>		Striking Unit #	Location	
	Prior Action				
	Action				
	Action Other				
	To/From School				
	<b>Drug &amp; Alcohol</b>		Suspected Alcohol Use NO	Suspected Drug Use NO	
	Alcohol Test Given TEST NOT GIVEN		Alcohol Test Type		Alcohol Test Results
	Drug Test Given TEST NOT GIVEN		Drug Test Type		Drug Test Results
	Drug Type				
	Individual Condition APPEARED NORMAL				

Unit Summary

UNIT 02	Unit Status IN TRANSIT		Vehicle Operating As Classification D CLASS		Unit Type AUTOMOBILE	
	Vehicle Type PASSENGER CAR				Operating As Endorsements	
	Total Occs 1	Train/Bus # Recorded	Total # Citations Issued 0	Total Trailers 0	Total HazMat Types 0	
	Insurance? YES	Direction Of Travel EASTBOUND	<input type="checkbox"/> Pre CrashTire Mark	Speed Limit	Total Lanes 4	
	Most Harmful Event: Collision With MOTOR VEH IN TRANSPORT		Special Function NO SPECIAL FUNCTION		Emergency Motor Vehicle Use NOT APPLICABLE	
	Traffic Way TWO-WAY, NOT DIVIDED		Traffic Control NO CONTROL		Traffic Control Inoperative/Missing NO	
	Surface Type BLACKTOP (BITUMINOUS)		Road Curvature STRAIGHT		Road Grade LEVEL	
	Truck Bus or HazMat NO					

UNIT VEHICLE 02 02	<b>Vehicle</b>				
	License Plate Number 868ZCZ		Plate Type AUT - AUTOMOBILE	St WI	Country of Issuance UNITED STATES
	Vehicle Identification Number 2G61N5S39E9175244		Make CADILLAC	Year 2014	Model XTS
	Color DBL - BLUE, DARK		Body Style SD - SEDAN		Bus Use
	Initial Contact Point 04 - RIGHT SIDE REAR		Vehicle Damage		
	Extent Of Damage MINOR DAMAGE		04 - RIGHT SIDE REAR		
	Towed Due To Damage NOT TOWED		Vehicle Removed By OPERATOR		

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WISCONSIN MOTOR VEHICLE  
CRASH REPORT

WI STATE PATROL SER/WKE  
21115 HWY 18  
WAUKESHA, WI 53186 2985  
(262) 785-4700

UNIT VEHICLE	What Driver Was Doing <b>GOING STRAIGHT</b>	Vehicle Factors	
	Driver Prior Action Other	<b>NOT APPLICABLE</b>	
	Driver Actions <b>NO CONTRIBUTING ACTION</b>		
	Owner Name <b>JEREMIAH J ISLAS</b> (262) 748-2542		
02	Owner Address <b>6102 43RD AVE</b> <b>KENOSHA, WI 53142 , US</b>		
<b>Sequence Of Events</b>			
UNIT INDIVIDUAL	01	Event <b>MOTOR VEH IN TRANSPORT</b>	
	02	Event	
	03	Event	
	04	Event	
<b>Policy Holder</b>			
UNIT INDIVIDUAL	Insurance Company <b>PROGRESSIVE-ADVANCED-INSURANCE-CO</b>		Individual <b>APRIL ISLAS</b>
	<b>Individual</b>		
	Driver <b>APRIL MELISSA ISLAS</b> (262) 748-2542		Citations Issued <b>0</b>
	Sex <b>FEMALE</b>		Date of Birth <b>05/31/1978</b>
	Race <b>BLACK</b>		Driver License Number <b>I2420137869102</b>
	Address <b>6102 43RD AVE</b> <b>KENOSHA, WI 53142 , US</b>		STATE: WISCONSIN COUNTRY: UNITED STATES
<b>Safety Equipment</b>			
On Duty Crash		Safety Equipment	
02 002	Row <b>01 - FRONT ROW</b>	Seat Position <b>07 - LEFT</b>	<b>SHOULDER &amp; LAP BELT</b>
	Helmet Use		Helmet Compliance
	Eye Protection		Tint Compliance
	<b>Injury</b>		Airbag
	Injury Severity <b>NO APPARENT INJURY</b>		<b>NON DEPLOYED</b>
	Ejected <b>NOT EJECTED</b>	Ejection Path <b>NOT EJECTED/NOT APPLICABLE</b>	Trapped/Extricated <b>NOT TRAPPED</b>
	Medical Transport <b>NOT TRANSPORTED</b>		EMS Agency Identifier
	Hospital		EMS Run #
Date of Death		Time of Death	
<b>Distracted By</b>			
Distracted By Source <b>NOT APPLICABLE (NOT DISTRACTED)</b>			
Distracted By Action <b>NOT DISTRACTED</b>			
<b>Non Motorist</b>			
Striking Unit #		Location	

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WISCONSIN MOTOR VEHICLE  
CRASH REPORT

WI STATE PATROL SER/WKE  
21115 HWY 18  
WAUKESHA, WI 53186 2985  
(262) 785-4700

UNIT INDIVIDUAL          02 002	Prior Action			
	Action			
	Action Other			To/From School
	<b>Drug &amp; Alcohol</b>		Suspected Alcohol Use NO	Suspected Drug Use NO
	Alcohol Test Given TEST NOT GIVEN		Alcohol Test Type	Alcohol Test Results
	Drug Test Given TEST NOT GIVEN		Drug Test Type	Drug Test Results
	Drug Type			
	Individual Condition APPEARED NORMAL			



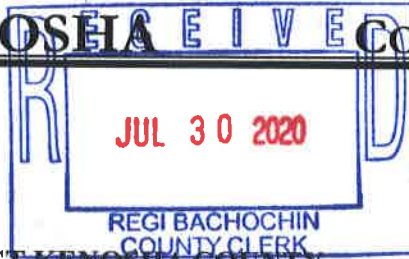




GL-14-20

# COUNTY OF KENOSHA COUNTY CLERK

Regi Bachochin



1010 - 56th Street  
Kenosha WI 53140  
(262) 653-2552  
Fax: (262) 653-2564

## CLAIM AGAINST KENOSHA COUNTY

FULL NAME Kim Lishamer DATE 7-24-2020

ADDRESS 1816 Pheasant Ave  
Twin Lakes, WI 53181

TELEPHONE NUMBER: Home: 847-909-0375

Work: \_\_\_\_\_

DATE & TIME OF ACCIDENT OR LOSS 6/29/2020 7:55am

LOCATION OF ACCIDENT Hwy C Between 45 & D  
in Bristol

DESCRIPTION OF ACCIDENT OR LOSS I was driving on Hwy C  
East bound. A worker on a tractor was mowing  
and ~~was~~ flung rocks up at my car which  
caused a lot of damage. My windshield  
chipped/cracked and there are chips  
down to the metal on the drivers side  
of the car. I called and spoke to  
the Kenosha County Hwy department - They  
spoke w/ the driver of the mower and he did

WITNESS: Name Donna Hamm

Address 6630 400th Ave

Burlington, WI 53105

Phone 262-206-4337

confirm he  
was mowing  
in that  
location  
at that  
time

AMOUNT OF CLAIM (damages) \$2,790.42

CLAIMANT'S SIGNATURE Kim Lishamer

Please attach receipts, estimates, and/or other supporting data to this form.

RETURN THIS FORM TO: KENOSHA COUNTY CLERK  
1010 - 56<sup>TH</sup> STREET  
KENOSHA WI 53140

**PULERA COLLISION AUTO CARE  
CENTER**

7110 70TH COURT, KENOSHA, WI 53142  
Phone: (262) 694-1300  
FAX: (262) 694-1342

Workfile ID: 8ff31cf7  
PartsShare: 5V8ZfS  
Federal ID: 43-2063028

**Preliminary Estimate**

**Customer: LISHAMER, KIM**

**Job Number:**

Written By: Tayler Lemay

Insured: LISHAMER, KIM  
Type of Loss:  
Point of Impact:

Policy #:  
Date of Loss:

Claim #:  
Days to Repair: 0

**Owner:**  
LISHAMER, KIM  
1816 PHEASANT AVE  
TWIN LAKES, WI 53181  
(847) 909-0375 Cell

**Inspection Location:**  
PULERA COLLISION AUTO CARE CENTER  
7110 70TH COURT  
KENOSHA, WI 53142  
Repair Facility  
(262) 694-1300 Business

**Insurance Company:**

**VEHICLE**

2020 SUBA Outback Onyx Edition XT w/Continuously Variable Transmission 4D WGN 4-2.4L Turbocharged Gasoline Gasoline Direct Injection

VIN: 4S4BTGKDXL3123988  
License:  
State:

Interior Color:  
Exterior Color:  
Production Date:

Mileage In:  
Mileage Out:  
Condition:

Vehicle Out:  
  
Job #:

**TRANSMISSION**

Automatic Transmission  
4 Wheel Drive

**POWER**

Power Steering  
Power Brakes  
Power Windows  
Power Locks  
Power Mirrors  
Heated Mirrors  
Power Driver Seat  
Power Passenger Seat

**DECOR**

Dual Mirrors  
Privacy Glass  
Console/Storage  
Overhead Console

**CONVENIENCE**

Air Conditioning  
Intermittent Wipers  
Tilt Wheel  
Cruise Control  
Rear Defogger  
Keyless Entry  
Alarm  
Message Center  
Steering Wheel Touch Controls  
Rear Window Wiper  
Telescopic Wheel  
Climate Control  
Remote Starter  
Backup Camera  
Intelligent Cruise  
Home Link

**RADIO**

AM Radio

FM Radio  
Stereo  
Search/Seek  
Auxiliary Audio Connection  
Satellite Radio

**SAFETY**

Drivers Side Air Bag  
Passenger Air Bag  
Anti-Lock Brakes (4)  
4 Wheel Disc Brakes  
Front Side Impact Air Bags  
Head/Curtain Air Bags  
Communications System  
Hands Free Device  
Blind Spot Detection  
Lane Departure Warning

**ROOF**

Luggage/Roof Rack

**SEATS**

Bucket Seats  
Leather Seats  
Heated Seats  
Rear Heated Seats

**WHEELS**

Aluminum/Alloy Wheels

**PAINT**

Clear Coat Paint

**OTHER**

Fog Lamps  
Traction Control  
Stability Control  
Rear Spoiler  
Signal Integrated Mirrors  
Xenon Headlamps  
Power Trunk/Gate Release

## Preliminary Estimate

**Customer: LISHAMER, KIM**

**Job Number:**

2020 SUBA Outback Onyx Edition XT w/Continuously Variable Transmission 4D WGN 4-2.4L Turbocharged Gasoline Gasoline Direct Injection

Line	Oper	Description	Part Number	Qty	Extended Price \$	Labor	Paint
1		<b>FRONT BUMPER</b>					
2	R&I	R&I bumper cover				1.4	
3		<b>FRONT LAMPS</b>					
4	R&I	LT Headlamp assy w/o adaptive				0.4	
5		<b>FENDER</b>					
6	Blnd	LT Fender Outback (GAL)					1.0
7	R&I	LT Fender liner Outback				0.4	
8		<b>WINDSHIELD</b>					
9	Repl	Windshield Subaru, w/o wiper de-icer w/o shade band	65010AN00A	1	414.95	2.8	
10		<b>PILLARS, ROCKER &amp; FLOOR</b>					
11	R&I	LT Rocker molding				1.1	
12	*	R&I LT Pillar molding w/o Touring				0.2	
13		<b>FRONT DOOR</b>					
14	*	Rpr LT Door shell Outback (GAL)				1.0	2.0
15		Add for Clear Coat					0.8
16	R&I	LT Belt molding				0.3	
17	R&I	LT R&I mirror				0.3	
18	R&I	LT Lower molding Outback				0.4	
19	R&I	LT Handle, outside w/o Smart key, w/o chrome insert paint to mtch				0.4	
20	R&I	LT R&I trim panel				0.5	
21		<b>REAR DOOR</b>					
22	*	Rpr LT Door shell Outback (GAL)				1.0	2.0
23		Overlap Major Adj. Panel					-0.4
24		Add for Clear Coat					0.3
25	R&I	LT Belt w'strip				0.3	
26	R&I	LT Lower molding Outback				0.4	
27	R&I	LT Moveable glass Subaru Outback, green				0.5	
28	R&I	LT Handle, outside w/o chrome insert tungsten				0.5	
29	R&I	LT R&I trim panel				0.4	
30		<b>QUARTER PANEL</b>					
31	Blnd	LT Quarter panel					1.1
32	R&I	LT Side molding				0.2	
33	R&I	LT Quarter glass Subaru green				1.6	
34		<b>REAR LAMPS</b>					
35	R&I	LT Tail lamp				0.3	
36		<b>REAR BUMPER</b>					
37	R&I	R&I bumper cover				1.3	
38	#	Subl Aim Eyesight Camera		1	600.00		

## Preliminary Estimate

**Customer: LISHAMER, KIM**

**Job Number:**

2020 SUBA Outback Onyx Edition XT w/Continuously Variable Transmission 4D WGN 4-2.4L Turbocharged Gasoline Gasoline Direct Injection

39	#	Hazardous Waste Removal	1	3.00		
40	#	Repl Car Cover	1	5.00		
<b>SUBTOTALS</b>				<b>1,022.95</b>	<b>15.7</b>	<b>6.8</b>

### ESTIMATE TOTALS

Category	Basis		Rate	Cost \$
Parts				1,022.95
Body Labor	15.7 hrs	@	\$ 60.00 /hr	942.00
Paint Labor	6.8 hrs	@	\$ 60.00 /hr	408.00
Paint Supplies	6.8 hrs	@	\$ 40.00 /hr	272.00
Subtotal				2,644.95
Sales Tax	\$ 2,644.95	@	5.5000 %	145.47
<b>Grand Total</b>				<b>2,790.42</b>
Deductible				0.00
<b>CUSTOMER PAY</b>				<b>0.00</b>
<b>INSURANCE PAY</b>				<b>2,790.42</b>

MOTOR VEHICLE REPAIR PRACTICES ARE REGULATED BY CHAPTER ATCP 132, WIS. ADM. CODE, ADMINISTERED BY THE BUREAU OF CONSUMER PROTECTION, WISCONSIN DEPT. OF AGRICULTURE, TRADE AND CONSUMER PROTECTION, P.O. BOX 8911, MADISON, WISCONSIN 53708-8911.

## Preliminary Estimate

**Customer: LISHAMER, KIM**

**Job Number:**

2020 SUBA Outback Onyx Edition XT w/Continuously Variable Transmission 4D WGN 4-2.4L Turbocharged Gasoline Gasoline Direct Injection

Estimate based on MOTOR CRASH ESTIMATING GUIDE and potentially other third party sources of data. Unless otherwise noted, (a) all items are derived from the Guide ARL7535, CCC Data Date 07/17/2020, and potentially other third party sources of data; and (b) the parts presented are OEM-parts. OEM parts are manufactured by or for the vehicle's Original Equipment Manufacturer (OEM) according to OEM's specifications for U.S. distribution. OEM parts are available at OE/Vehicle dealerships or the specified supplier. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships with discounted pricing. Asterisk (\*) or Double Asterisk (\*\*) indicates that the parts and/or labor data provided by third party sources of data may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. The symbol (<>) indicates the refinish operation WILL NOT be performed as a separate procedure from the other panels in the estimate. Non-Original Equipment Manufacturer aftermarket parts are described as Non OEM, A/M or NAGS. Used parts are described as LKQ, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries.

Some 2021 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The CCC ONE estimator has a list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

The following is a list of additional abbreviations or symbols that may be used to describe work to be done or parts to be repaired or replaced:

### SYMBOLS FOLLOWING PART PRICE:

m=MOTOR Mechanical component. s=MOTOR Structural component. T=Miscellaneous Taxed charge category. X=Miscellaneous Non-Taxed charge category.

### SYMBOLS FOLLOWING LABOR:

D=Diagnostic labor category. E=Electrical labor category. F=Frame labor category. G=Glass labor category. M=Mechanical labor category. S=Structural labor category. (numbers) 1 through 4=User Defined Labor Categories.

### OTHER SYMBOLS AND ABBREVIATIONS:

Adj.=Adjacent. Algn.=Align. ALU=Aluminum. A/M=Aftermarket part. Blnd=Blend. BOR=Boron steel. CAPA=Certified Automotive Parts Association. D&R=Disconnect and Reconnect. HSS=High Strength Steel. HYD=Hydroformed Steel. Incl.=Included. LKQ=Like Kind and Quality. LT=Left. MAG=Magnesium. Non-Adj.=Non Adjacent. NSF=NSF International Certified Part. O/H=Overhaul. Qty=Quantity. Refn=Refinish. Repl=Replace. R&I=Remove and Install. R&R=Remove and Replace. Rpr=Repair. RT=Right. SAS=Sandwiched Steel. Sect=Section. Subl=Sublet. UHS=Ultra High Strength Steel. N=Note(s) associated with the estimate line.

CCC ONE Estimating - A product of CCC Information Services Inc.

The following is a list of abbreviations that may be used in CCC ONE Estimating that are not part of the MOTOR CRASH ESTIMATING GUIDE:

BAR=Bureau of Automotive Repair. EPA=Environmental Protection Agency. NHTSA= National Highway Transportation and Safety Administration. PDR=Paintless Dent Repair. VIN=Vehicle Identification Number.

Approximately location of where the incident occurred – just East of the Westosha Center on Hwy C



AFTER I spoke with the hwy department I drove back and took a photo of the equipment that was being used that flung the rocks up. This is not the location where it was when the rocks were flung. The photo is just to show who was driving and the equipment being used.

