

**CITY OF STEVENS POINT  
PUBLIC PROTECTION COMMITTEE AGENDA  
Monday, July 10, 2017 – 7:00 P.M.  
(or immediately following previously scheduled meeting)  
Lincoln Center, 1519 Water Street**

**[A quorum of the City Council may attend this meeting]**

**Discussion and Possible Action on the Following:**

1. License List:
  - A. New Operators (Bartenders) Licenses.
  - B. Renewal Operators Licenses.
  - C. Temporary Class “B” / “Class B” License (Picnic):
    - i. Portage County Democratic Party, 2220 Division Street, Stevens Point, for Portage County Democratic Party Picnic on August 27, 2017 at the Pfiffner Building. Licensed operator on premise: Jan Way. (Beer only)
    - ii. Holy Spirit Parish, 838 Fremont Street, Stevens Point, for Spiritfest Holy Spirit Parish Picnic on July 22 and July 23, 2017 at 838 Fremont Street. Licensed operator on premise: Gerald Check. (Beer and Wine)
    - iii. Holy Spirit Parish Holy Name Society, 838 Fremont Street, Stevens Point, for Holy Spirit Parish Holy Name Society Steak Feed on August 8, 2017 at the Bukolt Park Lodge. Licensed operator on premise: Gerald Check. (Beer only)
    - iv. Big Brothers Big Sisters of Central Wisconsin, 1000A Division Street, Stevens Point, for Taste of the Town on August 12, 2017 at Pfiffner Park. Licensed operator on premise: Stacey Robertson. (Beer and Wine)
    - v. Stevens Point Area Catholic Schools, 1004 First Street, Stevens Point, for Panacea on September 8, 9 and 10, 2017 at 1301 Maria Drive. Licensed operator on premise: Ken Raflik. (Beer and Wine)
  - D. “Class B” Combination Beer and Liquor License: Wicked Willow LLC, for Wicked Willow LLC, 1137 Main Street, Stevens Point; Cassandra DeWitt, agent for license period beginning August 1, 2017.
  - E. Commercial Animal Establishments (Renewal):
    - i. Country Paws Bed & Biscuit, 2107 Country Club Drive, Stevens Point, WI; Laura Bronk, 2107 Country Club Drive, owner.
    - ii. The Barking Lot, 3432 Minnesota Ave, Stevens Point, WI; Pamalla Schneider, 1937 Plover Street, owner.
  - F. Junk Dealer/Recycling License (Renewal): Express Recycling LLC, 2608 Water Street, Stevens Point; Matt and Tim Zacher, owners.
2. Request to Hold Event/Street Closings: Team Schierl & Mada Pink game for cancer with UWSP Pointers Athletics on Wednesday, Sept. 30 from 10:00 a.m. to 2:00 p.m. – Request closure of a section of Fourth Avenue and to change the name of Fourth Avenue to PINK Street from September 25 through October 31, 2017.
3. Ordinance Amendment – Schedule of Cash Deposits – Create increased penalties for repeat offense disorderly conduct with a motor vehicle (Subsection 24.27 of the RMC).
4. Ordinance Amendment – Prohibiting Sexting (Subsection 24.54 of the RMC).
5. Update on permit parking and overnight on-street parking.
6. Adjournment.

RMC – Revised Municipal Code

Any person who has special needs while attending this meeting or needs agenda materials for this meeting should contact the City Clerk as soon as possible to ensure reasonable accommodations can be made. The City Clerk can be reached by telephone at (715) 346-1569 or by mail at 1515 Strongs Avenue, Stevens Point, WI 54481.

Copies of ordinances, resolutions, reports and minutes of the committee meetings are on file at the office of the City Clerk for inspection during normal business hours from 7:30 A.M. to 4:00 P.M.

**City of Stevens Point**  
**1515 Strongs Avenue**  
**Stevens Point, WI 54481-3594**  
[www.stevenspoint.com](http://www.stevenspoint.com)



**John Moe**  
**City Clerk**  
**Phone: 715-346-1569**  
**Fax: 715-346-1498**

To: Common Council  
From: John Moe, City Clerk  
Date: July 5, 2017  
Re: Public Protection Committee Agenda Items

1. License list:
  - A. All new Operators license requests meet the requirements to hold a license and have been approved by the Police Department.
  - B. All renewal Operators license requests meet the requirements to hold a license and have been approved by the Police Department.
  - C. We have five requests for picnic licenses from applicants who have all held successful events in the past. The Police Department has no issues with these requests.
  - D. A new restaurant, Wicked Willow LLC, is opening at the former Lemon Grass Noodle House location downtown. They would like a full liquor license. Their application has been reviewed and approved by the Police Department.
  - E. We have two Commercial Animal Establishments: Country Paws Bed & Biscuit and The Barking Lot looking for renewal of their licenses. Both have been inspected and approved by the Humane Society.
  - F. Express Recycling LLC is looking to renew their Junk Dealer/Recycling license. We have no issues with this license being renewed.
2. Team Schierl & Mada Pink game for cancer is a reoccurring event. The Police Department has reviewed the request and signed-off on it.
3. This ordinance amendment was requested by the Police Department. City Attorney Beveridge said, "This amendment is in response to a recent series of defendants who have been issued many citations for disorderly conduct with a motor vehicle in a short period of time. DCMV could be written for conduct such as squealing tires, unnecessarily revving an engine causing excessive noise, operating a vehicle in an unsafe manner in a parking lot, etc."
4. This ordinance amendment was also requested by the Police Department. City Attorney Beveridge said, "This ordinance would allow police to issue Municipal Court citations for 'sexting', the solicitation and sharing of sexually explicit material among minors. Currently, such conduct is prohibited by law but can only be prosecuted as a felony. The purpose of this ordinance is to allow for a civil citation to be issued and facilitate a more appropriate law enforcement response via the Municipal Court where the City Attorney and Municipal Court Judge may work with parents to craft penalties that are appropriate to the nature and severity of the conduct."
5. Chief Skibba will provide an update to the Committee regarding permit parking and overnight on-street parking.

**LICENSE LIST**  
**PUBLIC PROTECTION COMMITTEE**  
**Monday, July 10, 2017**

**\*\*PROVISIONAL OPERATOR LICENSE:**

1. Werra, Kenneth P. 5365 Clarices Circle, Stevens Point, WI 54482
2. Cotter, Samuel J. N4781 County Rd N, Birnamwood, WI 54414
3. Elliott, Lucas R. 4000 E Maria Drive, Stevens Point, WI 54481
4. Lewandowski, Bethany L. 631 Elm Rd, Stevens Point, WI 54481
5. Sotemann, Amber 3150 Rosalie Parkway Apt 7, Plover, WI 54467
6. Olle, Andrew P. 1824 Dixon Street, Stevens Point, WI 54481
7. Dycee-Holtz, Lauren S. 808 Smith Street, Stevens Point, WI 54481
8. Gotz, Benjamin D. 1232a North Point Drive, Stevens Point, WI 54481
9. Hunt, Brianna R. 6595 Madley Rd, Amherst, WI 54406
10. Sultze, Hannah J. 201 Reserve Street, Stevens Point, WI 54481
11. Bruener, Justin L. 3385 George Rd, Wisconsin Rapids, WI 54495
12. Kontney, Jenna L. 141 E Grand Ave, Rosholt, WI 54473
13. Clark, Joe B. 2733 Main Street, Stevens Point, WI 54481
14. Przekurat, Rhody G. 2031 Easlan Drive, Plover, WI 54467
15. Moll, Brittany N. 1311 Chase Street, Wisconsin Rapids, WI 54495
16. Buchkowski, Lori A. 1720 Ridgewood Circle, Plover, WI 54467
17. Eix, M. Patricia M. 509 Chestnut Street, Stevens Point, WI 54481
18. Brown, Megan E. 2623 5<sup>th</sup> Ave Apt 2, Stevens Point, WI 54481
19. Kingston, Bailey C. 2024 Briggs Street, Stevens Point, WI 54481
20. Marwitz, Carly A. 316 E Valley View Drive, Wautoma, WI 54982
21. Carroll, William J. 7159 6<sup>th</sup> Street, Stevens Point, WI 54482
22. Lane, Kayla R. 2025 Ellis Street, Stevens Point, WI 54481
23. Trinkner, Kelsey E. 730 Kadore Street Apt 8, Stevens Point, WI 54481
24. Whitehead, Cale E. 802 Stuben Street, Wausau, WI 54405
25. Huth, David H. 1914 Plantation Lane, Mosinee, WI 54455
26. Lunde, Katelyn A. 924 Songbird Lane, Stevens Point, WI 54482
27. Walton, Shelby L. 3056 Water Street Apt 4, Stevens Point, WI 54481

**RENEWAL OPERATORS: 2 YEARS**

1. Bielen, Amanda J. 2615 Algoma Street, Stevens Point, WI 54481
2. Falkowski, Patricia L. 3233 Yosemite Drive, Stevens Point, WI 54481
3. Nelson, Michael S. 3701 Robert Pl, Stevens Point, WI 54481
4. Otto, Joseph R. 3133 Ridge Road, Junction City, WI 54443
5. Zachow, William T. 2501 Nebel Street #805, Stevens Point, WI 54481
6. Civik, Anthony J. 190 Pierce Street, Iola WI 54945

7. Hernandez, Julia A. 708 Frontenac Ave, Stevens Point, WI 54481
8. Lacenski, Peter A. 401 Hawthorne Ave, Plover, WI 54467
9. Zoromski, Kyle L. 924 Songbird Ln Apt D5, Stevens Point, WI 54482
10. Lepinski, Tanner D. 1233 Franklin St Apt 7, Stevens Point, WI 54481
11. Shannon, Patricia J. 3256 Welsby Ave, Stevens Point, WI 54481
12. Singer, Cheryl A. 9152 Sunset Drive, Rosholt, WI 54473
13. Jones, Stephanie M. 908 Second Street, Stevens Point, WI 54481
14. Sylvester, Rebecca A. 924 Songbird Ln Unit A5, Stevens Point, WI 54482
15. Moore, Hie L. 2561 Chestnut Dr. Apt 10, Plover, WI 54467
16. Stanczyk, Travas L. 131 Black Forest Drive, Plover, WI 54467
17. Suchowski, Susan M. 701 Meadow Street, Stevens Point, WI 54481
18. LaBarge, Brenda L. 554 Washington Ave, Stevens Point, WI 54481
19. Lesczynski, Daniel R. 438 Dewey Drive, Stevens Point, WI 54482
20. Wergin, Dustin T. 2009 Birchwood Ave, Stevens Point, WI 54482
21. Zettler, Jenica L. 1758 Plover Street, Stevens Point, WI 54481
22. Berg, Nicholas R. 719 Union Street, Stevens Point, WI 54481
23. Disher, Matthew M. 1009 Park Street, Stevens Point, WI 54481
24. Kadolph, Bailey R. 7214 County Rd EE, Bancroft, WI 54921
25. Krueger, Abby L. 3420 37<sup>th</sup> Street, Wisconsin Rapids, WI 54494
26. Loomis, Holly A. 1811 Blueberry Drive, Plover, WI 54467
27. Moore, Christina M. 2240 Aspen Lane, Plover, WI 54467
28. Lawrence, Jodi J. 3540 Patti Drive Apt 6, Plover, WI 54467
29. Schulfer, Eliza J. 1765 Hwy 66 W, Stevens Point, WI 54481
30. Galaviz, Skye E. 2216 Division Street, Stevens Point, WI 54481
31. Bradley, Kristen S. 3222 Village Lane, Plover, WI 54467
32. DeVino, Lacey R. 116 Minnesota Ave Apt 8, Stevens Point, WI 54481
33. Guay, Donald F. 6022 State Hwy 66, Stevens Point, WI 54482
34. Heidt, Megan N. 1516 Franklin Street, Stevens Point, WI 54481
35. Hoth, Amber N. 1017 Franklin Street, Stevens Point, WI 54481
36. Johannsen, Steven K. 2503 Michigan Avenue, Stevens Point, WI 54481
37. King, Sarah A. 1921 Jordan Road, Stevens Point, WI 54482
38. Shatters, Shaina M. 2468 4<sup>th</sup> Ave, Stevens Point, WI 54481
39. Sullivan, Angela M. 3601 Yvonne Drive, Stevens Point, WI 54481
40. Wnuk, Jessica L. 1531 Holiday Court, Stevens Point, WI 54482
41. Bernhagen, Jesse C. 924 Songbird Lane, Stevens Point, WI 54482
42. Bruni, Katy E. 1904 Woodridge Circle, Custer, WI 54423
43. Dieringer, Sara E. 1428 College Ave, Stevens Point, WI 54481
44. Hansen, Daniel G. 4040 B Cty Hwy E, Junction City, WI 54443
45. Mory, Sydney L. 3610 Simonis Street, Stevens Point, WI 54481
46. Norfleet, Geoffry R. 753 Franklin Street, Stevens Point, WI 54481

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| 47. | Hoffmann, Jake D.    | 2100 McCulloch Street, Stevens Point, WI 54481 |
| 48. | Klish, Tammi L.      | 4711 Juniper Lane, Wisconsin Rapids, WI 54494  |
| 49. | Longueil, Allison K. | 1117 Edgewood Avenue, Stevens Point, WI 54481  |
| 50. | Marquard, Gary T.    | 1916 Robert's Drive, Stevens Point, WI 54481   |
| 51. | Becker, Maxwell A.   | 2123 Church Street, Stevens Point, WI 54481    |
| 52. | Ciseski, John G.     | 2610 River Road, Junction City, WI 54443       |
| 53. | Conrady, James M.    | 1709 Reserve Street, Stevens Point, WI 54481   |
| 54. | Lechner, Tina M.     | 3368 Howard Avenue, Stevens Point, WI 54481    |
| 55. | Luce, Taylor C.      | 1932 Prairie Street, Stevens Point, WI 54481   |
| 56. | Miller, Karen A.     | 2809 Heffron Street, Stevens Point, WI 54481   |
| 57. | Scott, Sarah E.      | 1808 College Avenue, Stevens Point, WI 54481   |

**TEMPORARY CLASS "B" / "CLASS B" LICENSE (PICNIC):**

1. **Portage County Democratic Party**, 2220 Division Street, Stevens Point, for Portage County Democratic Party Picnic on August 27, 2017 at the Pfiffner Building. Licensed operator on premise: Jan Way. (Beer only)
2. **Holy Spirit Parish**, 838 Fremont Street, Stevens Point, for Spiritfest Holy Spirit Parish Picnic on July 22 and July 23, 2017 at 838 Fremont Street. Licensed operator on premise: Gerald Check. (Beer and Wine)
3. **Holy Spirit Parish Holy Name Society**, 838 Fremont Street, Stevens Point, for Holy Spirit Parish Holy Name Society Steak Feed on August 8, 2017 at the Bukolt Park Lodge. Licensed operator on premise: Gerald Check. (Beer only)
4. **Big Brothers Big Sisters of Central Wisconsin**, 1000A Division Street, Stevens Point, for Taste of the Town on August 12, 2017 at Pfiffner Park. Licenses operator on premise: Stacey Robertson. (Beer and Wine)
5. **Stevens Point Area Catholic Schools**, 1004 First Street, Stevens Point, for Panacea on September 8, 9 and 10, 2017 at 1301 Maria Drive. Licensed operator on premise: Ken Raflik. (Beer and Wine)

**"CLASS B" COMBINATION BEER AND LIQUOR LICENSE:**

1. **Wicked Willow LLC**, for Wicked Willow LLC, 1137 Main Street, Stevens Point; Cassandra DeWitt, agent for license period beginning August 1, 2017.

**COMMERCIAL ANIMAL ESTABLISHMENT (RENEWAL):**

1. Country Paws Bed & Biscuit, 2107 Country Club Drive, Stevens Point, WI; Laura Bronk, 2107 Country Club Drive, owner.
2. The Barking Lot, 3432 Minnesota Ave, Stevens Point, WI; Pamalla Schneider, 1937 Plover Street, owner.

**JUNK DEALER/RECYCLING LICENSE (RENEWAL):**

1. Express Recycling LLC, 2608 Water Street, Stevens Point; Matt and Tim Zacher, owners.

**\*\*ISSUANCE OF ANY LICENSE IS CONTINGENT UPON APPLICANTS COMPLIANCE WITH THE TRAINING REQUIREMENTS OF SEC. 125.17(16), WISCONSIN STATUTES.**

**CITY OF STEVENS POINT  
APPLICATION FOR SPECIAL EVENT PERMIT**

City of Stevens Point, 1515 Strongs Ave. Stevens Point, WI 54481

Answer all questions completely. Please print clearly.  
This application must be on file in the City Clerk's Office at least **60 days** prior to the event.

- 1.) Please Check One:  New Event  As Previously Presented  Changed Since Last Event
- 2.) Request is for:  Parade  Run/Walk  Exhibition  Other \_\_\_\_\_
- 3.) Name of Event: UWSP Pink game day on campus Date of Event: 9/27/17
- 4.) Name of Sponsoring Organization: Team Schierl Co / UWSP athletics  
Address: 2201 Madison St City: St. Point State: WI Zip Code: 54481
- 5.) Contact Person: Kathy Ostrowski  
Phone: 715-345-5060 Fax: 715-345-6999 Email: kathyo@teamschierl.com  
Address: 2201 Madison St City: St. Point State: WI Zip Code: 54481
- 6.) Assembly Time: 10:00 am Start Time: 11:00 am End Time: 2pm  
Specific Location of Event: 4th Avenue, in front of Ovardt Fieldhouse
- 7.) Map of the Event Attached?  Yes  No Street Closures Required?  Yes  No  
List of Street Blocks that will need to be closed: 4th Avenue between Isadore + Reserve
- 8.) Estimated Number of Participants: 100-200 Spectators: 30 Vehicles: 4 Animals: 0
- 9.) Food Prepared/Served at event? Bret Jyl  Yes  No If so, contact Portage Cty Health Dept. and Fire Dept.
- 10.) Will alcoholic beverages be served?  Yes  No If so, contact City Clerk's Office
- 11.) Will the event utilize any City Facilities?  Yes  No Note: Park facilities handled by Parks Dept.
- 12.) Check which services are needed:  Police  Auxiliary Officer

Please explain: \_\_\_\_\_

- 13.) Will any fireworks or other pyrotechnic devices be used during the event?  Yes\*  No

\*If yes, Please explain: \_\_\_\_\_

- 14.) Will tents as described below\* or other temporary structures be erected?  Yes\*  No

\*If yes, you will need a permit from the Fire Department. Please contact them at 715-344-1833 and ask for the officer on duty.

\*You will be erecting a tent or other temporary structure over 400 square feet or the aggregate area of smaller tents installed within 12 feet of each other is greater than 400 square feet. A tent is defined as a structure, enclosure, or shelter with or without sidewalls or drops, constructed of fabric or pliable material supported by any manner except air.

\*You will be erecting a canopy over 700 square feet or the aggregate area of smaller canopies installed within 12 feet of each other is greater than 700 square feet. A canopy is defined as a tent that is open on all sides.

- 15.) Will smaller tents or other temporary structures be erected?  Yes  No Pop up tents  
16.) Are Inflatables or Bounce Houses part of your event?  Yes\*  No on grass / street

\*If yes, you must have a certificate of insurance on file. Contact the Treasurer's Office (715-346-1573) for more information.

**\*APPLICATION CONTINUED ON THE BACK\***

17.) Briefly describe your Event (you may attach additional pages):

Please reference letter to Mayor Wiza

18.) Is any other special assistance from the City needed?

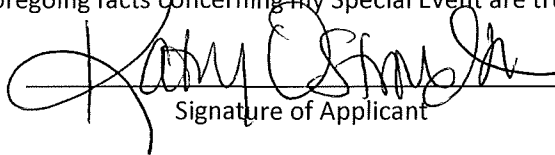
- ① Clarification on renting barricades for street closing - who do I rent from
- ② Brat fry is supported via the CWSP cafeteria, do I need to contact health dept?

I understand the filing of this application does not ensure the issuance of this permit. I also understand that all Special Event organizers and participants must comply with all applicable city ordinances, traffic rules, park rules, state health laws, fire codes and liquor licensing regulations. Additional fees such as park facilities, tent, and firework permits are in addition to the fees submitted for the Special Event Application.

**HOLD HARMLESS INDEMNIFICATION AND DEFENSE**

THE APPLICANT AND/OR THE ORGANIZATION AGREES TO INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF STEVENS POINT AND ITS OFFICERS, OFFICIALS, EMPLOYEES AND AGENTS FROM AND AGAINST ANY AND ALL LIABILITY, LOSS, DAMAGE, EXPENSES, COSTS, INCLUDING ATTORNEY FEES ARISING OUT OF THE ACTIVITIES PERFORMED AS DESCRIBED HERIN, CAUSED IN WHOLE OR IN PART BY ANY NEGLIGENT ACT OR OMISSION OF THE APPLICANT/ORGANIZATION, ANYONE DIRECTLY OR INDIRECTLY EMPLOYED BY ANY OF THEM OR ANYONE WHOSE ACTS ON BEHALF OF THEM MAY BE LIABLE, EXCEPT WHERE CAUSED BY THE SOLE NEGLIGENCE OR WILLFUL MISCONDUCT OF THE CITY.

I hereby certify that the foregoing facts concerning my Special Event are true to the best of my knowledge:

  
Signature of Applicant

7/5/17  
Date

June 30, 2017

Mayor Mike Wiza  
1515 Strong's Avenue  
Stevens Point, WI 54481

Dear Mayor Wiza,

As part of the promotion of the Team Schierl & Mada Pink game for cancer with UWSP Pointers Athletics, we are requesting to close 4<sup>th</sup> Avenue from Isadore Street to Reserve street **on Wednesday, September 27<sup>th</sup> from 10am-2pm**. During this time, we will be hosting a campus wide promotion for the UWSP students and faculty to promote Pink week and the Pink Game which will be held on Saturday, September 30th.

We do understand that in case of an emergency, we would need to move all promotional materials out of the way for an emergency vehicle to go through.

In addition, from previous correspondence last year, Team Schierl is responsible for renting the barricades for both intersections as well as providing staff to set up and tear them down. Please confirm this is still correct.

Finally, the last few years, through a mayoral proclamation, we changed the name of 4<sup>th</sup> Avenue to PINK street. Could we have it changed the week of Pink Week (September 25-30) as well as the month of October, will that be possible? The city has graciously installed, provided the street signs and took down the signs, can you provide this service again this year?

Please let me know your decision.

If you need anything else, please call me at 715-345-5060.

Thank you,

Kathy Ostrowski  
Team Schierl Companies



**ORDINANCE AMENDING THE REVISED MUNICIPAL CODE OF THE CITY OF  
STEVENS POINT, WISCONSIN**

The Common Council of the City of Stevens Point do ordain as follows:

**SECTION I:** That a portion of Subsection 24.27 of the Revised Municipal Code of the City of Stevens Point, Exhibit A Schedule of Cash Deposits, is hereby **amended** to read as follows:

24.01(3) Disorderly Conduct with Motor Vehicle .....	40.00
Second offense within 2 years .....	100.00
Third offense within 2 years.....	200.00

**SECTION II:** This ordinance shall take effect upon passage and publication, as provided by law.

APPROVED: \_\_\_\_\_  
Mike Wiza, Mayor

ATTEST: \_\_\_\_\_  
John Moe, City Clerk

Dated: July 5, 2017  
Approved: July 17, 2017  
Published: July 21, 2017

**ORDINANCE AMENDING THE REVISED MUNICIPAL CODE OF THE CITY OF  
STEVENS POINT, WISCONSIN**

The Common Council of the City of Stevens Point do ordain as follows:

**SECTION I:** That Subsection 24.54 of the Revised Municipal Code, Sexting, is hereby **created** to read as follows:

24.54: **SEXTING PROHIBITED**

(1) **FINDINGS.** The Common Council of Stevens Point has determined that the sharing of explicit images and related activities between minors represents a concern for the health, safety, welfare, peace and order to the citizens of the City of Stevens Point. The Council has further determined that prohibiting sharing of explicit images and related activities between minors will serve to deter such activities within the City.

(2) **DEFINITIONS.** For the purposes of this Subsection:

- (a) “Nudity” means the showing of the human male or female genitals, pubic area, or buttocks with less than a fully opaque covering; or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple; or the depiction of covered male genitals in a noticeably erect state. A mother’s breastfeeding of her baby does not under any circumstance constitute “nudity,” irrespective of whether or not the nipple is covered during or incidental to feeding.
- (b) “Harmful to Minors” means any reproduction, imitation, characterization, description, exhibition, presentation, or representation of whatever kind or form, depicting nudity, sexual conduct, or sexual excitement when it:
  - a. Predominantly appeals to an indecent, shameful, or morbid interest;
  - b. Is blatantly offensive to prevailing standards in the adult community as a whole with respect to what is suitable material or conduct for minors;
  - c. Taken as a whole, is without serious literary, artistic, political, or scientific value for minors.
- (c) “Minor” means any person under the age of 18 years.

(3) A minor commits the offense of sexting if he or she knowingly:

- (a) Uses a computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another minor any photograph or video of any person which depicts nudity, as defined in this subsection, and is harmful to minors as defined in this subsection.
- (b) Possesses a photograph or video of any person that was transmitted or distributed by another minor which depicts nudity, as defined above, and is harmful to minors, as defined above. A minor does not violate this paragraph

if all of the following apply:

- i. The minor did not solicit the photograph or video.
  - ii. The minor took reasonable steps to report the photograph or video to a school or law enforcement official.
  - iii. The minor did not transmit or distribute the photograph or video to a third party other than a law enforcement official.
- (c) Uses a computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another minor any text message, correspondence or message of a sexual nature when it:
- i. Predominantly appeals to an indecent, shameful, or morbid interest;
  - ii. Is blatantly offensive to prevailing standards in the adult community as a whole with respect to what is suitable material or conduct for minors;
  - iii. Taken as a whole, is without serious literary, artistic, political, or scientific value for minors.
- (d) Solicits the transmission or distribution of any text, correspondence, message, photograph or video from another minor that would itself be prohibited under this Subsection.

**SECTION II:** This ordinance shall take effect upon passage and publication, as provided by law.

APPROVED: \_\_\_\_\_  
Mike Wiza, Mayor

ATTEST: \_\_\_\_\_  
John Moe, City Clerk

Dated: July 5, 2017  
Approved: July 17, 2017  
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