

ORDINANCE NO. 15-2020

AN ORDINANCE CREATING SECTION 9.21 OF THE
GERMANTOWN MUNICIPAL CODE PROHIBITING RESIDENTIAL PICKETING

WHEREAS, the Village Board finds that the protection and preservation of the home is the keystone of democratic government; and

WHEREAS, the practice of picketing before or about residences and dwellings causes emotional disturbance and distress to the occupants, obstructs and interferes with the free use of public sidewalks and public ways of travel and such practice has as its object the harassing of such occupants; and

WHEREAS, reasonable time, place and manner restrictions on speech activities are appropriate where the public health and welfare and the good order of the community require such restrictions so that members of the community feel secure in their homes and dwellings insuring a feeling of well-being, tranquility, and privacy; and

WHEREAS, the Village Board finds that this ordinance is the least restrictive method of regulating speech activities while also ensuring the public's health and welfare as identified above;

NOW, THEREFORE, the Village Board of the Village of Germantown, Wisconsin, do ordain as follows:

SECTION I

Section 9.21 of the Municipal Code of Germantown is hereby created to read as follows:

9.21 RESIDENTIAL PICKETING PROHIBITED.

(1) DECLARATION.

(a) It is hereby declared that the protection and preservation of the home is the keystone of democratic government. Therefore, the following rights of the public shall be protected:

1. That the public health and welfare and the good order of the community require that members of the community feel

secure in their homes and dwellings insuring a feeling of well-being, tranquility, and privacy.

2. That the public carry with them the sense of security inherent in the assurance that they may return to the enjoyment of their homes and dwellings without harassment.

3. That the practice of picketing before or about residences and dwellings causes emotional disturbance and distress to the occupants, obstructs and interferes with the free use of public sidewalks and public ways of travel and such practice has as its object the harassing of such occupants.

4. That, without resort to such practice, full opportunity exists for the exercise of freedom of speech and other constitutional rights.

5. That the provisions hereinafter enacted are necessary for the public interest to avoid the detrimental results.

(b) These provisions are enacted by the Village Board pursuant to the provisions of Wis. Stat. § 61.34(1).

(2) No person shall engage in picketing before or about the residence or dwelling of any individual. Nothing herein shall be deemed to prohibit:

(a) Picketing in any lawful manner during a labor dispute.

(b) The holding of a meeting or assembly on any premises commonly used for the discussion of subjects of general public interest.

SECTION II

The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION III

All ordinances or parts of ordinances contravening the terms of this ordinance are hereby to that extent repealed.

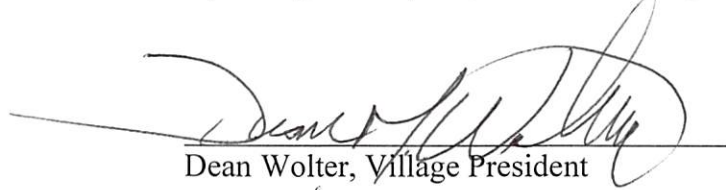
SECTION IV

SECTION IV

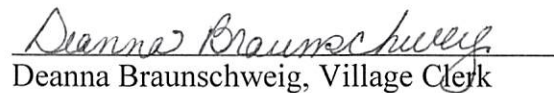
This ordinance shall take effect and be in full force upon its passage and the day after publication.

Introduced by Trustee Baum on October 17, 2020.

Adopted: October 17, 2020 Vote: Ayes: 8 Nays: 1 Absent: 0


Dean Wolter, Village President

ATTEST:


Deanna Braunschweig, Village Clerk

Approved as to form:


Brian C. Sajdak, Village Attorney

Published: