

ORDINANCE No. 2015-02

**AN ORDINANCE REGARDING
CRIMINAL HISTORY RECORD
INFORMATION SEARCHES**

The Town Board of the Town of Lucas, Dunn County, Wisconsin, do ordain as follows:

SECTION I. ADOPTION OF PROVISIONS.

Section 7-9-3 of the Town of Lucas Code of Ordinances is created to read as follows:

Sec. 7-9-3 Criminal History Record Information Searches.

- (a) **General Provisions; Purpose.**
- (1) **Purpose.** This Section is adopted for the purpose of providing the Town of Lucas and law enforcement agencies serving the Town of Lucas with the authority to request criminal history record information from the State of Wisconsin or the federal government when required by ordinance or if requested by the Town Clerk, Town Treasurer or a Town department head.
 - (2) **State Requirements.** The Town of Lucas is a municipal corporation which provides government services to its citizens and the general public, and in order to efficiently provide services, it is necessary to conduct criminal history record searches concerning certain persons. This Section is enacted in order to comply with any applicable State of Wisconsin requirement that a municipality that requests that the state provide them with criminal history record information concerning an individual under certain circumstances have an ordinance, resolution or department policy enacted authorizing such requests.
- (b) **Authority.** If required by ordinance or if requested by the Town Clerk, Town Treasurer or a Town department head, law enforcement agencies serving the Town of Lucas shall conduct a criminal history records information search concerning the following persons:
- (1) Alcohol license and permit applicants.
 - (2) Transient merchant license applicants.

- (3) Applicants for Town employment.
 - (4) Firefighter applicants when requested by the Fire Chief of the department serving the Town.
 - (5) Rescue squad applicants when requested by the Emergency Medical Service serving the Town.
 - (6) Hunting permit applicants.
 - (7) Ride-along participants.
 - (8) Applicants for all other licenses and permits which may be issued by the Town.
 - (9) An officer or partner of any corporate or partnership applicant for licenses or permits from the Town.
 - (10) Any other person for whom a department head or the Town Clerk or Town Treasurer requests criminal history information due to interaction with municipal services. A request under this Subsection must be based on a reasonable belief that the criminal history information is necessary to assist in the safe and efficient operation of local government and/or to safeguard the public health and safety.
- (c) **Fees.** The cost of the criminal history record information search shall be paid as provided by ordinance, or if not specifically specified in an ordinance, as directed by the Town Clerk or Town Treasurer.

SECTION II. SEVERABILITY.

If any provision of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or applications.

SECTION III. CONFLICTING PROVISIONS REPEALED.

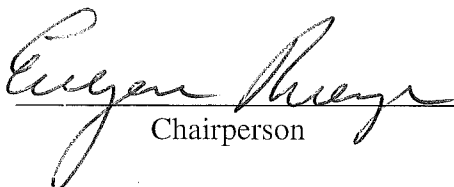
All Ordinances in conflict with any provision of this Ordinance are hereby repealed.

SECTION IV. EFFECTIVE DATE.

This Ordinance shall take effect upon passage and publication as provided by law.

ADOPTED this 12th day of May, 2014⁵.

TOWN OF LUCAS, WISCONSIN


Chairperson


Town Clerk

INTRODUCED: May 12th 2015

ADOPTED: May 12th 2015

PUBLISHED: _____

State of Wisconsin:
County of Dunn:

I hereby certify that the foregoing ordinance is a true, correct, and complete copy of an ordinance duly and regularly enacted by the Lucas Town Board on the 12th day of May, 201~~4~~⁵ and that said ordinance has not been repealed or amended and is now in full force and effect.

Dated this 12th day of May, 201~~4~~⁵


Town Clerk