

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 7th 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- Removed out of date and/or currently superfluous language.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.