

## Chapter 22 OFFENSES

[Sec. 22-1. Offenses against state laws subject to forfeiture.](#)

[Sec. 22-2. Penalties.](#)

[Sec. 22-3. Destruction of village property.](#)

[Sec. 22-4. Spilling loads.](#)

[Sec. 22-5. False fire and police alarms.](#)

[Sec. 22-6. Offenses endangering public peace and good order.](#)

[Sec. 22-7. Offenses endangering public morals and decency.](#)

[Sec. 22-8. Offenses against public and private property.](#)

[Sec. 22-9. Interference with law enforcement officers.](#)

[Sec. 22-10. Unauthorized presence in school buildings or school grounds.](#)

[Sec. 22-11. Unlawful substances, items, and property.](#)

[Sec. 22-12. Possession of marijuana.](#)

[Sec. 22-13. Possession of fireworks.](#)

[Sec. 22-14. Roller skating/in-line skating or skateboarding on roadway.](#)

[Sec. 22-15. Purchase or possession of tobacco products prohibited.](#)

[Sec. 22-16. Improper use of 9-1-1 emergency telephone system.](#)

[Sec. 22-17. Firearms in public buildings.](#)

[Sec. 22-18. Discharge of firearms.](#)

[Sec. 22-19. Curfew for minors.](#)

**CHAPTER 22 OFFENSES**

**Sec. 22-1. Offenses against state laws subject to forfeiture.**

The following statutes defining offenses against the peace and good order of the state are adopted by reference to define offenses against the peace and good order of the village. Any future amendments, revisions or modifications of the statutes incorporated in this section are intended to be made part of this chapter.

Wis. Stats. § 939.22	Words and phrases defined
Wis. Stats. § 939.32	Attempt
Wis. Stats. § 940.19(1)	Battery
Wis. Stats. § 941.01	Negligent operation of vehicle
Wis. Stats. § 941.10	Negligent handling of burning material
Wis. Stats. § 941.12	Interfering with firefighting
Wis. Stats. § 941.20	Endangering safety by use of dangerous weapon
Wis. Stats. § 941.23	Carrying concealed weapon
Wis. Stats. § 941.237	Carrying handgun where alcohol beverages may be sold and consumed
Wis. Stats. § 941.2965	Restrictions on use of facsimile firearms
Wis. Stats. § 941.297	Sale or distribution of imitation firearms
Wis. Stats. § 943.012	Criminal damage to or graffiti on religious and other property
Wis. Stats. § 943.017	Graffiti
Wis. Stats. § 943.11	Entry into locked vehicle
Wis. Stats. § 943.125	Entry into locked coin box
Wis. Stats. § 943.14	Criminal trespass to dwelling

Chapter 22 OFFENSES

Wis. Stats. § 943.20	Theft (\$2,500.00 or less)
Wis. Stats. § 943.21	Fraud on hotel or restaurant keeper (\$1,000.00 or less)
Wis. Stats. § 943.22	Use of cheating tokens
Wis. Stats. § 943.23(4m)	Operate auto without owner's consent
Wis. Stats. § 943.24	Issue of worthless checks (less than \$2,500.00)
Wis. Stats. § 943.34(1)	Receiving stolen property (value less than \$2,500.00)
Wis. Stats. § 943.37	Alteration of property identification marks
Wis. Stats. § 943.41(2), (3)(a)—(d), or (4)(b)	Credit card crimes, value less than \$1,000.00
Wis. Stats. § 943.50	Retail theft (shoplifting, value less than \$2,500.00)
Wis. Stats. § 944.20	Lewd and lascivious behavior
Wis. Stats. § 944.23	Making lewd, obscene or indecent drawings
Wis. Stats. § 944.30	Prostitution
Wis. Stats. § 944.31	Patronizing prostitutes
Wis. Stats. § 944.33(1)	Pandering
Wis. Stats. § 943.34(1)	Receiving stolen property
Wis. Stats. § 943.37	Alteration of property identification marks
Wis. Stats. § 943.41(2), (3)(a)—(d), (4)(b), (5), (6)(a), (b), (d)	Financial transaction card crimes
Wis. Stats. § 943.46(2)(a)—(f)	Theft of cable television service
Wis. Stats. § 943.47(2), (3)(a), (b)	Theft of satellite cable programming

Chapter 22 OFFENSES

Wis. Stats. § 943.50	Retail theft
Wis. Stats. § 943.55	Removal of shopping cart
Wis. Stats. § 943.61	Theft of library material
Wis. Stats. § 945.01	Definitions relating to gambling
Wis. Stats. § 945.02	Gambling
Wis. Stats. § 945.04	Permitting premises to be used for commercial gambling
Wis. Stats. § 946.40	Refusing to aid officer
Wis. Stats. § 946.42(1)	Escape
Wis. Stats. § 946.70(1)	Impersonating peace officer
Wis. Stats. § 946.72(2)	Tampering with public records and notices
Wis. Stats. § 947.012	Unlawful use of telephone
Wis. Stats. § 947.013(1m)	Harassment
Wis. Stats. § 947.06	Unlawful assemblies
Wis. Stats. § 948.10	Exposing genitals or pubic area
Wis. Stats. § 948.45(1)	Contributing to truancy
Wis. Stats. § 948.55(2)	Leaving or storing a loaded firearm within the reach or easy access of a child
Wis. Stats. § 948.60(2a)	Possession of a dangerous weapon by a person under 18
Wis. Stats. § 948.605(2)	Gun-free school zones
Wis. Stats. § 948.61(2a)	Dangerous weapons other than firearms on school premises

## Chapter 22 OFFENSES

Wis. Stats. § 948.63	Receiving property from children
Wis. Stats. §§ 951.01—951.16	Crimes against animals
Wis. Stats. § 961.571	Definitions related to drug paraphernalia
Wis. Stats. § 961.572	Determining whether object is drug paraphernalia
Wis. Stats. § 961.573(2)	Possession of drug paraphernalia
Wis. Stats. § 961.574(2)	Manufacture or delivery of drug paraphernalia
Wis. Stats. § 961.575(2)	Delivery of drug paraphernalia to a minor

### **Sec. 22-2. Penalties.**

Except as otherwise provided, any person who shall violate any provision of this chapter shall be subject to a penalty as provided in section 1-12. In addition to any penalty imposed for violation of Wis. Stats. § 943.01(1), any person who shall cause physical damage to or destroy any public property shall be liable for the costs of replacing or repairing such damaged or destroyed property. The parent of any unemancipated minor child who violates Wis. Stats. § 943.01(1) may also be held liable for the cost of replacing or repairing such damaged or destroyed property in accordance with Wis. Stats. § 895.035.

### **Sec. 22-3. Destruction of village property.**

No person shall willfully and unlawfully break any street lamp, outdoor lamp, or any window in this village, or shall willfully and unlawfully destroy or injure any flower or vegetable bed or garden, fruit or shade tree, or other property in said village.

(Prior Code, § 15.02)

### **Sec. 22-4. Spilling loads.**

No person or persons shall carry or transport any coal, stone, brick, ashes, sand, dirt, manure, garbage, or any rubbish or other substance whatsoever, in a wagon or other vehicle of any kind, on any street or other public ground in said village, unless the same shall be so constructed as to prevent the contents from falling during the transportation thereof.

(Prior Code, § 15.03)

### **Sec. 22-5. False fire and police alarms.**

- (a) *False fire alarms.* It shall be unlawful for any person by any means or in any manner to give or make, or cause anyone else to give or make, any false, misleading, or untruthful call or alarm of a fire which causes, or which is given under such circumstances as likely to cause, any fire department to respond with men and equipment as if to attend an actual fire.

## Chapter 22 OFFENSES

- (b) *False police alarms.* If the police department responds to a burglary alarm or fire alarm at a property and investigation reveals there has been no break-in or fire, the owner of the property shall pay a fee to the village for the police department's response, except that there shall be no fee charged for the first two false alarms at each property per calendar year. The village clerk shall assess and collect fees, as provided in the village fee schedule.

(Prior Code, § 15.04; Ord. No. 16-03, § 1, 5-12-2016)

**State Law reference**— False alarms, Wis. Stats. § 941.13; bomb scares, Wis. Stats. § 947.015.

### **Sec. 22-6. Offenses endangering public peace and good order.**

- (a) *Disorderly conduct prohibited.* No person shall within the village:
  - (1) In any public or private place engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct which tends to cause or provoke an immediate disturbance of public order or tends to disturb or annoy any other person or persons.
  - (2) Intentionally cause, provoke or engage in any fight, brawl, riot or noisy altercation other than in a bona fide athletic contest.
- (b) *Unreasonable noise.*
  - (1) No person or persons shall engage in any noisy activity on public or private property that tends to annoy, disturb or otherwise irritate any neighboring tenant or person legally entitled to possession thereof, except for the reasonable noise which occurs in the normal course of reasonable human activity.
  - (2) No person shall operate a snow vehicle, or any recreational vehicle such as dirt bike or trail bike, without a functioning muffler or in such a manner so as to create unreasonable noise.

(Prior Code, § 15.08)

### **Sec. 22-7. Offenses endangering public morals and decency.**

No person shall use any indecent, vile, profane or obscene language or conduct himself in any indecent, lewd, lascivious or obscene manner within the village.

(Prior Code, § 15.09)

### **Sec. 22-8. Offenses against public and private property.**

- (a) *Destruction of property prohibited.* No person shall willfully injure or intentionally deface, destroy or unlawfully remove, take or meddle with any property of any kind or nature belonging to the village or its departments or to any private person without the consent of the owner or proper authority.
- (b) *Littering prohibited.* No person shall throw any glass, rubbish, waste or filth upon the streets, highways, public parks or other property of the village or upon any private property not owned by him or upon the surface of any body of water within the village.
- (c) *Trespassing.*
  - (1) No person shall be in or on any private property, land, dwelling or business establishment without the consent, express or implied, of the owner of said private property, land, dwelling or business establishment, or his agent or representative.

## Chapter 22 OFFENSES

- (2) No person shall remain in or on any private property land, dwelling or business establishment after consent to remain has been expressly withdrawn, by the owner of said private property, land, dwelling or business establishment, or by his agent or representative.
- (3) No person shall be in or on any public property, land, dwelling or business establishment owned by the village for any purposes other than those specific purposes and during the hours for which the area is held open to the public.

(Prior Code, § 15.10)

### **Sec. 22-9. Interference with law enforcement officers.**

No person shall knowingly resist or obstruct a law enforcement officer while such officer is doing any act in his official capacity and with lawful authority. The term "obstructs" includes, without limitation, knowingly giving false information to the officer with intent to mislead him in the performance of his duty including the service of any summons or civil process.

(Prior Code, § 15.11)

### **Sec. 22-10. Unauthorized presence in school buildings or school grounds.**

It shall be unlawful for any person to loiter in or about public or private school buildings or grounds within the village. This section shall not apply to the following persons:

- (1) Students who are regularly enrolled in said schools, except that it shall apply to an enrolled student who is ordered from said school building or grounds by the principal, custodian or other person in charge.
- (2) Persons who are present in buildings or grounds with permission from the principal, custodian or other person in charge.

(Prior Code, § 15.12)

### **Sec. 22-11. Unlawful substances, items, and property.**

It shall be unlawful for any person to carry, possess, use or sell within the village any substance, item or property, if it is unlawful under the laws of the state for such person to carry, possess, use or sell such substance, item or property.

(Prior Code, § 15.13)

### **Sec. 22-12. Possession of marijuana.**

It shall be unlawful for any person to carry, possess or use marijuana as that substance is defined in Wis. Stats. § 961.01(14) unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner filled out in the course of his professional practice, or except as otherwise authorized by Wis. Stats. ch. 961.

(Prior Code, § 15.14)

## Chapter 22 OFFENSES

### **Sec. 22-13. Possession of fireworks.**

Wis. Stats. § 167.10, regulating the sale and use of fireworks, is adopted by reference and made a part of this chapter as though set forth in full.

(Prior Code, § 15.15)

### **Sec. 22-14. Roller skating/in-line skating or skateboarding on roadway.**

- (a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*In-line skates* means skates with wheels arranged singly in a tandem line.

*Roller skates* means skates with wheels arranged in tandem pairs.

*Skateboard* means any board with wheels arranged single or in tandem upon which a person may stand.

- (b) Pursuant to the authority vested in the village by Wis. Stats. § 349.235, no person may ride upon, skate or utilize to propel themselves "skateboards," "roller skates" or "in-line skates" within the boundaries and under the jurisdiction of the village on the following roadways: Three Mile Road, Four Mile Road, North Main Street, and Lighthouse Drive.
- (c) This section does not restrict any person from utilizing the above described conveyances while crossing any roadway, including those described above, at a crosswalk.

(Prior Code, § 15.19)

### **Sec. 22-15. Purchase or possession of tobacco products prohibited.**

- (a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Cigarette* has the meaning given in Wis. Stats. § 139.30(1).

*Law enforcement officer* has the meaning given in Wis. Stats. § 30.50(4s).

*Tobacco products* has the meaning given in Wis. Stats. § 139.75(12).

- (b) Except as provided in subsection (c) of this section, no person under 18 years of age may do any of the following:
- (1) Buy or attempt to buy any cigarette or tobacco product.
  - (2) Falsely represent his age for the purpose of receiving any cigarette or tobacco product.
  - (3) Possess any cigarette or tobacco product.
- (c) A person under 18 years of age may purchase or possess cigarette or tobacco products for the sole purpose of resale in the course of employment during his working hours if employed by a retailer licensed under Wis. Stats. § 134.65(1).
- (d) A law enforcement officer shall seize any cigarette or tobacco product involved in any violation of subsection (b) of this section committed in his presence.

(Prior Code, § 15.20)



## Chapter 22 OFFENSES

### **Sec. 22-16. Improper use of 9-1-1 emergency telephone system.**

- (a) *Definition.* As used in this section, the term "9-1-1 emergency telephone system" has the meaning specified in Wis. Stats. § 256.35(1)(c).
- (b) *Use regulated.*
  - (1) No person shall use the 9-1-1 emergency telephone system for regular business or non-emergency telephone calls. If the identity of the caller is not or cannot be determined, the person or entity to whom the 9-1-1 service is billed shall be deemed to be in violation of this section.
  - (2) No person shall intentionally dial the telephone number "9-1-1" to report an emergency, knowing that the situation which he reports does not exist.

(Prior Code, § 15.21)

### **Sec. 22-17. Firearms in public buildings.**

- (a) Pursuant to Wis. Stats. § 943.13(1m)(c)4, no person shall enter or remain in any part of a building owned, occupied or controlled by the state or local governmental unit if the state or local governmental unit has notified the person not to enter or remain in the building while carrying a firearm or a specific type of firearm.
- (b) The village administrator or designee shall cause signs to be erected at all entrances to all buildings owned, occupied or under the control of the village providing notice that no person is to enter or remain in any such building while carrying a firearm. Such signs shall be five inches by seven inches or larger.
- (c) Nothing in this section shall be construed to apply to prohibit a peace officer or armed forces or military personnel armed in the line of duty or any person duly authorized by the police chief to possess a firearm in any public building. Notwithstanding Wis. Stats. § 939.22(22), for purposes of this section, peace officer does not include a commission warden who is not a state certified commission warden.
- (d) Nothing in this section shall be construed to authorize the carrying of any firearm or dangerous weapon contrary to Wis. Stats. § 941.23 or 941.235.

(Prior Code, § 15.23)

### **Sec. 22-18. Discharge of firearms.**

No person, except in connection with his official duties as a police officer or an officer of the peace, shall discharge within the village any firearm or air rifle.

(Prior Code, § 15.01)

**State Law reference**— Local regulation of firearms restricted, Wis. Stats. § 66.0409; license to carry a concealed weapon, Wis. Stats. § 175.60.

### **Sec. 22-19. Curfew for minors.**

- (a) *Hours.* A minor under the age of 18 years shall not loiter, idle, wander, stroll or play either on foot or in a vehicle upon the street, parks, playgrounds, public grounds, vacant lots or other unsupervised places in the village between the hours of 11:00 p.m. and 6:00 a.m. This section does not apply to a minor accompanied by his parent, guardian or other adult person having legal custody or control of the minor, or where the minor is upon an emergency errand or legitimate business directed by his parent, guardian or other adult person having legal custody or control of the minor, or where the minor

## Chapter 22 OFFENSES

is pursuing the duties of his employment, or where the minor is proceeding in an expeditious and orderly manner to his home.

- (b) *Responsibilities of parents and guardians.* A parent, guardian or other adult person having legal custody and control of any person under the age of 18 years shall not knowingly allow or permit such minor to violate this section nor suffer or permit or by inefficient control allow such person to congregate, loiter, wander, stroll, stand or play in or upon the public streets, highways, roads, parks, public buildings, places of amusement and entertainment, vacant lots or any public places in the village between the hours of 11:00 p.m. and 6:00 a.m., unless the said person under the age of 18 years is accompanied by his parent, guardian or other adult person having his care, custody or control.
- (c) *Penalties.* Any person under the age of 18 years violating the provisions of subsection (a) of this section shall be referred to the proper authorities as provided by state law and shall be subject to a forfeiture pursuant to section 1-12.

(Prior Code, § 15.05)