

# CITY OF WISCONSIN DELLS MEETING AGENDA

**MEETING DESCRIPTION:** LEGISLATIVE COMMITTEE  
**DATE:** MONDAY, APRIL 11, 2016 **TIME:** 6:00PM **LOCATION:** MUNICIPAL BUILDING COUNCIL CHAMBERS - 300 LA CROSSE STREET, WISCONSIN DELLS, WI 53965

|  |                          |                 |  |
|--|--------------------------|-----------------|--|
|  | <b>COMMITTEE MEMBERS</b> |                 |  |
|  | Ald. Mike Freel, Chair   | Ald. Ed Wojnicz |  |
|  | Mayor Brian Landers      | Ald. Ed Fox     |  |

**AGENDA ITEMS**

|   |   |
|---|---|
| 1 | CALL TO ORDER AND ATTENDANCE NOTED  |
| 2 | APPROVAL OF THE MARCH 21, 2016 MEETING MINUTES  |
| 3 | DISCUSSION/DECISION ON APPLICATIONS FOR RENEWAL OF FIREWORK SALES LICENSES RECEIVED FROM THE FOLLOWING FOR THE LICENSING PERIOD OF MAY 1, 2016 THROUGH APRIL 30, 2017: <ul style="list-style-type: none"> <li>• RICHARD CHRISTENSEN FOR 4 TRAVEL MART LOCATIONS</li> <li>• BRIAN HOLZEM FOR 2 RETAIL LOCATIONS</li> <li>• DAN ZINKE FOR ZINKE'S VILLAGE MARKET</li> </ul> |
| 4 | DISCUSSION/DECISION ON APPLICATION FOR RENEWAL OF RIDING STABLE/HORSES FOR HIRE LICENSE RECEIVED FROM DELLS ADVENTURE DEVELOPMENT FOR BEAVER SPRINGS RIDING STABLES FOR THE LICENSING PERIOD OF MAY 1, 2016 THROUGH APRIL 30, 2017  |
| 5 | DISCUSSION/POSSIBLE DECISION ON PROPOSED CHANGED TO MUNICIPAL CODE CHAPTER 18 – OFFENSES  |
| 6 | ITEMS FOR REFERRAL TO SUBSEQUENT MEETING  |
| 7 | ADJOURNMENT   |

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ALD. MIKE FREEL  
 POSTED & DISTRIBUTED: 04/08/2016

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**Open Meetings Notice: If this meeting is attended by one or more members of the Common Council who are not members of this committee, their attendance may create a quorum of another city commission, board or committee under the Wisconsin Open Meetings Law; However, no formal action will be taken by any governmental body at the above stated meeting other than the body, committee, commission, or board identified in this meeting notice.**

**Please be advised that upon reasonable notice, the City of Wisconsin Dells will furnish appropriate auxiliary aids and services to afford individuals with disabilities an equal opportunity to participate in meeting activities.**

# City of Wisconsin Dells

ITEM 3

## Application for: FIREWORK SALES

Date Submitted: 3-23-2016 Fee: \$275 for First Site, \$60.00 for Add'l Sites 455<sup>00</sup> Receipt No. 54523

Name of Applicant: Richard Christensen

Address of Applicant: 646 Gillette Dr, Wisconsin Dells, WI 53965

Daytime Telephone Number: (608.) 393-6081

Driver's License Number: C623-7486-8350-08 State: \_\_\_\_\_

Business Name(s) and Address(s) of where Fireworks are to be sold:

Lower Dells Travel Mart 710 Trout Rd, Broadway Travel Mart  
802 Broadway, Shell Travel 2415 Wisconsin Dells Parkway,  
Rt 69 Travel Mart 611 Frontage Rd Wisconsin Dells WI

Name and Address of property owner if different than above: \_\_\_\_\_

Itemization of Fireworks to be sold: bonobombs, not exceeding 75 grams in weight, designed to sit  
on the ground, emits sparks + smoke. Caps containing not more than 1/4 grain of explosive  
Mixture. Toy snakes containing no mercury. Sparklers not exceeding 36 inches in  
lengths + not containing magnesium, chlorate or perchlorate. Devices that  
spray out paper confetti or streamers and contain less than 1/4 grain of (on back)



Signature of Applicant

License subject to compliance with Wisconsin Dells Code Section 16.20

Date Approved: \_\_\_\_\_ Conditions (if any): \_\_\_\_\_

Date Denied: \_\_\_\_\_ Reason(s): \_\_\_\_\_

\* License valid from \_\_\_\_\_, 20\_\_ through April 30, 20\_\_

Note: Incomplete, false, or misleading information on the application form can delay the review process and/or be grounds for denial of permit or license. Rev. 01/07

**CITY OF WISCONSIN DELLS  
APPLICATION FOR LICENSE  
FIREWORK SALES**

Date Submitted: 03/18/2016 Fee: \$275.00 1st Site, \$60.00 add'l Sites \$335.00 Receipt No. 54514

Name of Applicant: Brian K. Holzem

Address of Applicant: 505 Bowman Road, Wisconsin Dells, WI 53965

Daytime Telephone Number: (608) 254-4101

Driver's License Number: H425-0715-6138-08 State: WI

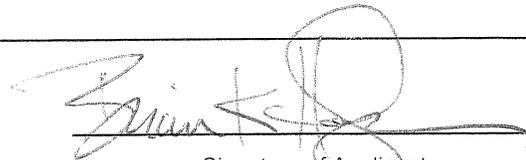
Business Name(s) and Address(es) of where Fireworkds are to be sold: \_\_\_\_\_

Native Sun - 302 Broadway, WI Dells

38 Broadway - 38 Broadway, WI Dells

Name and Address of property owner if different than above: \_\_\_\_\_

Itemization of Fireworks to be sold: Cone fountains not exceeding 75 grams in weight designed to sit on the ground; emits sparks and smoke. Caps containing not more than 1/4 grain of explosive mixture. Toy snakes containing no mercury. Sparklers not exceeding 36 inches in length and do not contain magnesium, chlorate, or per chlorate. Devices that spray-out paper confetti or streamers and contain less than 1/4 grain of explosive mixture. Devices that produce an audible sound but don't explode, spark, move, or emit an external flame after ignition and does not exceed 3 grams in weight. Devices that emit smoke with no external flames and do not leave the ground. Cylindrical fountains not exceeding 100 grams in weight with a diameter not exceeding .75 inches, designed to sit on the ground.

  
Signature of Applicant

License subject to compliance with Wisconsin Dells Code Section 16.20

\_\_\_\_ Date Approved: \_\_\_\_\_ Conditions (if any): \_\_\_\_\_

\_\_\_\_ Date Denied: \_\_\_\_\_ Reason(s): \_\_\_\_\_

\* License valid from May 1, 2016, through April 30, 2017

Note: Incomplete, false, or misleading information on the application form can delay the review process and/or be grounds for denial of permit or license. Rev. 01/07

# City of Wisconsin Dells

## Application for: FIREWORK SALES

Date Submitted: 3-16-16 Fee: \$275 for First Site, \$60.00 for Add'l Sites \$275<sup>00</sup> Receipt No. 54449

Name of Applicant: DANIEL G. ZINKE

Address of Applicant: 1105 ARROWHEAD CT Wis Dells WI 53965

Daytime Telephone Number: (608) 254-8313

Driver's License Number: 2520-1675-8172-00 State: WI

Business Name(s) and Address(s) of where Fireworks are to be sold:

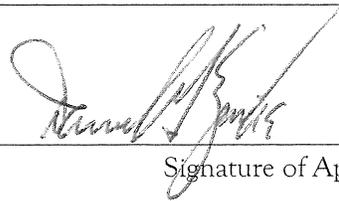
ZINKE'S VILLAGE MARKET

216 WASHINGTON AVE.

WISCONSIN DELLS WI 53965

Name and Address of property owner if different than above: SAME AS ABOVE

Itemization of Fireworks to be sold: only authorized items that the City of Wis Dells approves per the Fireworks Code.



Signature of Applicant

License subject to compliance with Wisconsin Dells Code Section 16.20

Date Approved: \_\_\_\_\_ Conditions (if any): \_\_\_\_\_

Date Denied: \_\_\_\_\_ Reason(s): \_\_\_\_\_

\* License valid from \_\_\_\_\_, 20\_\_ through April 30, 20\_\_

Note: Incomplete, false, or misleading information on the application form can delay the review process and/or be grounds for denial of permit or license. Rev. 01/07

# City of Wisconsin Dells

## Application for: RIDING STABLE/HORSES FOR HIRE

ITEM 4

Date Submitted: 3/29/16 Fee \$200 Plus \$25 per horse \$575<sup>00</sup> Receipt No. 54565  
Name of Applicant: Dells Adv. Dubat Inc Date of Birth: 06-12-1966 *tjs*  
Address of Applicant: 600 TROUT RD WIS DELLS  
Daytime Telephone Number: (608) 254 2735 Email Address: \_\_\_\_\_  
Applicant's Drivers License Number: 7425 0776 6212 04 State: WI

Name and Address of Business: Beaver Springs Riding Stable

Number of Horses: 15

Proposed hours of Operation: 9am - 7pm

Description of Route: (Attach map) o.v file - Same as previous year

\*Attach written permission from property owners if applicable.



Description of the manner and location in which the horses will be feed, sheltered, stabled or transported within the City:

o.v file, same as previous years

Safety and Sanitation Methods: same as last year.

Printed Name of Applicant: Dells Adv. Dubat Inc by: Brent Tollaker

pres. [Signature] 3/29/16

Signature of Applicant

License subject to compliance with Wisconsin Dells Code Section 16.01

Date Approved: \_\_\_\_\_ License Valid from \_\_\_\_\_, 20\_\_\_\_ through April 30, 20\_\_\_\_

Conditions (if any): \_\_\_\_\_

Date Denied: \_\_\_\_\_ Reason(s): \_\_\_\_\_

CHAPTER 18 - OFFENSES

ITEM 5

18.01 OFFENSES AGAINST STATE LAWS SUBJECT TO FORFEITURE ..... 2

18.02 TRUANCY AND SCHOOL DROPOUTS ..... 9

18.03 ALCOHOLIC BEVERAGES..... 12

18.04 SMOKING..... 13

18.05 WEAPONS ..... 15

18.06 DISORDERLY CONDUCT TO POLICE OR EMERGENCY PERSONNEL ..... 16

18.07 DISTURBING CEMETARY PROPERTY..... 16

18.08 ENTRY INTO UNLOCKED VEHICLE..... 16

18.09 LITTERING PROHIBITED ..... 17

18.10 LOITERING PROHIBITED..... 17

18.11 SOLICITING PROHIBITED..... 19

18.12 DISTURBANCE OF THE PEACE, MOTOR VEHICLES ..... 20

18.13 REGULATION OF BURNING OF MATERIALS..... 20

18.14 CRUISING PROHIBITED..... 20

18.15 PUBLIC URINATION OR DEFECATION PROHIBITED..... 21

18.16 ESTABLISHING POLICE LINES..... 21

18.17 CURFEW FOR JUVENILES..... 22

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## 18.01 OFFENSES AGAINST STATE LAWS SUBJECT TO FORFEITURE

Except as otherwise specifically provided in this Code, the current and future statutory provisions in the following Wisconsin Statutes, as amended, defining offenses against the peace and good order of the State, excluding the punishments for such violations, but including any Wisconsin Statute not specifically enumerated below but necessary for meaningful construction and enforcement of said adopted statutes, and following the prefix "18" are adopted by reference to define offenses against the peace and good order of the City and are made a part of this Code as if fully set forth herein:

### (1) Preliminary Provisions

- 18.990.01(26) Construction of Laws; Words and Phrases: Person. **"Person" includes all partnerships, associates and bodies politic or corporate.**
- 18.939.05 Parties to Crime
- 18.939.22 Words and Phrases Defined

### (2) Juvenile Offenses

- 18.938.02 Definitions
- 18.938.17 Jurisdiction – Traffic, Vehicle, Civil Law and Ordinance Violations
- 18.938.343 Dispositions – Traffic, Vehicle, Civil Law and Ordinance Violations
- 18.938.344 Dispositions – Intoxicating Liquor, Beer and Drug Violations
- 18.938.345 Disposition of Child in Need of Protection or Services

### (3) Offenses against Bodily Security

- 18.940.19 Battery
- 18.940.201 Battery or Threat to Witnesses
- 18.940.203 Battery or Threat to Judge, Prosecutor, or Law Enforcement Officer
- 18.940.225(3m) 4<sup>th</sup> Degree Sexual Assault
- 18.940.24 Injury by Negligent Handling of Dangerous Weapon, Explosives or Fire
- 18.940.315 Global Positioning Devices
- 18.940.32 Stalking
- 18.940.34 Duty to Aid Victim or Report Crime

### (4) Offenses against Public Health and Safety

- 18.941.01 Negligent Operation of Vehicle
- 18.941.10 Negligent Handling of Burning Material
- 18.941.11 Unsafe Burning of Buildings
- 18.941.12 Interfering with Fire Fighting
- 18.941.13 False Alarms
- 18.941.20 Endangering Safety by Use of Dangerous Weapon

|             |  |
|-------------|--|
| 18.941.21   | Disarming a Police Officer   |
| 18.941.23   | Carrying Concealed Weapon  |
| 18.941.231  | Carrying a Concealed Knife   |
| 18.941.235  | Carrying Firearm in Public Building  |
| 18.941.237  | Carrying Handgun where Alcohol Beverages may be Sold and Consumed                                |
| 18.941.26   | Machine Guns and Other Weapons   |
| 18.941.27   | Machine Guns   |
| 18.941.28   | Possession of Short-Barreled Shotgun or Short-Barreled Rifle                                     |
| 18.941.29   | Possession of a Firearm  |
| 18.941.291  | Possession of Body Armor   |
| 18.941.292  | Possession of a Weaponized Drone   |
| 18.941.295  | Possession of Electric Weapon  |
| 18.941.2965 | Restrictions on Use of Facsimile Firearms  |
| 18.941.297  | Sale or Distribution of Imitation Firearms   |
| 18.941.298  | Firearm Silencers  |
| 18.941.299  | Restrictions on the Use of Laser Pointers  |
| 18.941.30   | Recklessly Endangering Safety  |
| 18.941.31   | Possession of Explosives   |
| 18.941.315  | Possession, Distribution or Delivery of Nitrous Oxide  |
| 18.941.316  | Abuse of Hazardous Substance   |
| 18.941.32   | Administering Dangerous or Stupefying Drug   |
| 18.941.325  | Placing Foreign Objects in Edibles   |
| 18.941.327  | Tampering with Household Products  |
| 18.941.34   | Fluoroscopic Show-Fitting Machines   |
| 18.941.35   | Emergency Telephone Calls  |
| 18.941.36   | Fraudulent Tapping of Electric Wires or Gas or Water Meters or Pipes                             |
| 18.941.347  | Obstructing Emergency or Rescue Personnel  |
| 18.941.375  | Throwing or Discharging Bodily Fluids at Public Safety Workers                                   |
| 18.941.38   | Gang Member Solicitation and Contact   |
| 18.941.39   | Victim, Witness, or Co-Actor Contact   |
| 18.941.40   | Injury to Wires by Removal of Building, etc.; Tampering with Telecommunication or Electric Wires |

(5) Offenses against Reputation, Privacy and Civil Liberties

|           |  |
|-----------|--|
| 18.942.01 | Defamation                               |
| 18.942.03 | Giving False Information for Publication |
| 18.942.05 | Opening Letters                          |
| 18.942.06 | Use of Polygraphs and Similar Tests      |
| 18.942.07 | Use of Genetic Tests                     |
| 18.942.08 | Invasion of Privacy                      |
| 18.942.09 | Representations Depicting Nudity         |
| 18.942.10 | Use of a Drone                           |

(6) Offenses against Property

|            |  |
|------------|--|
| 18.943.01  | Damage to Property   |
| 18.943.011 | Damage or Threat to Property of Witness  |
| 18.943.013 | Damage or Threat to Property of Judge  |
| 18.943.014 | Demolition of Historic Building without Authorization  |
| 18.943.017 | Graffiti   |
| 18.943.02  | Arson of Buildings; Damage of Property by Explosives   |
| 18.943.03  | Arson of Property other than Building  |
| 18.943.04  | Arson with Intent to Defraud   |
| 18.943.05  | Placing of Combustible Materials an Attempt  |
| 18.943.06  | Molotov Cocktails  |
| 18.943.07  | Damage to Railroads  |
| 18.943.10  | Burglary   |
| 18.943.11  | Entry Into Locked Vehicle  |
| 18.943.12  | Possession of Burglarious Tools  |
| 18.943.125 | Entry into Locked Coin Box   |
| 18.943.13  | Trespass to Land   |
| 18.943.14  | Trespass to Dwellings  |
| 18.943.145 | Trespass to a Medical Facility   |
| 18.943.15  | Entry onto a Construction Site or into a Locked Building, Dwelling or Room                     |
| 18.943.20  | Theft  |
| 18.943.201 | Unauthorized Use of an Individual's Personal Identifying Information or Documents              |
| 18.943.203 | Unauthorized Use of an Entity's Identifying Information or Documents                           |
| 18.943.205 | Theft of Trade Secrets   |
| 18.943.207 | Transfer of Recorded Sounds for Unlawful Use   |
| 18.943.208 | Recording Performance without Consent of Performance Owner                                     |
| 18.943.209 | Failure to Disclose Manufacturer of Recording  |
| 18.943.21  | Fraud on Hotel or Restaurant Keeper, Recreational Attraction, Taxicab Operator, or Gas Station |
| 18.943.215 | Absconding without Paying Rent   |
| 18.943.22  | Use of Cheating Tokens   |
| 18.943.225 | Refusal to Pay for a Motor Bus Ride  |
| 18.943.23  | Operating Vehicle without Owner's Consent  |
| 18.943.24  | Issue of Worthless Check   |
| 18.943.26  | Removing or Damaging Encumbered Real Property  |
| 18.943.27  | Possession of Records of Certain Usurious Loans  |
| 18.943.28  | Loan Sharking Prohibited   |
| 18.943.30  | Threats to Injure or Accuse of Crime   |
| 18.943.31  | Threats to Communicate Derogatory Information  |
| 18.943.32  | Robbery  |
| 18.943.34  | Receiving Stolen Property  |
| 18.943.37  | Alteration of Property Identification Marks  |
| 18.943.38  | Forgery  |

18.943.39 Fraudulent Writings  
18.943.392 Fraudulent Data Alteration  
18.943.40 Fraudulent Destruction of Certain Writings  
18.943.41 Financial Transaction Card Crimes  
18.943.45 Theft of Telecommunications Service  
18.943.455 Theft of Commercial Mobile Service  
18.943.46 Theft of Video Service  
18.943.47 Theft of Satellite Cable Programming  
18.943.49 Unlawful Use of Recording Device in Motion Picture Theater  
18.943.50 Retail Theft; Theft of Services  
18.943.55 Removal of Shopping Cart  
18.943.61 Theft of Library Material  
18.943.70 Computer Crimes  
18.943.74 Theft of Farm-Raised Fish  
18.943.75 Unauthorized Release of Animals  
18.943.76 Infecting Animals with a Contagious Disease

(7) Offenses against Sexual Morality

18.944.15 Public Fornication  
18.944.17 Sexual Gratification  
18.944.20 Lewd and Lascivious Behavior  
18.944.23 Making Lewd, Obscene or Indecent Drawings  
18.944.25 Sending Obscene or Sexually Explicit Electronic Messages  
18.944.30 Prostitution  
18.944.31 Patronizing Prostitutes  
18.944.32 Soliciting Prostitutes  
18.944.33 Pandering  
18.944.34 Keeping Place of Prostitution  
18.944.36 Solicitation of Drinks Prohibited

(8) Gambling

18.945.01 Definitions  
18.945.02 Gambling  
18.945.03 Commercial Gambling  
18.945.035 Certain Slot Machines on Licensed Premises  
18.945.04 Permitting Premises to be used for Commercial Gambling  
18.945.05 Dealing in Gambling Devices  
18.945.07 Gambling by Participants in Contest  
18.945.08 Bribery of Participant in Contest  
18.945.09 Commercial Printing  
18.945.12 Endless Sales Chains

(9) Offenses against Government and its Administration

- 18.946.06 Improper Use of the Flag
- 18.946.10 Bribery of Public Officers and Employees
- 18.946.31 Perjury
- 18.946.32 False Swearing
- 18.946.40 Refusing to Aid Officer
- 18.946.41 Resisting or Obstructing Officer
- 18.946.415 Failure to Comply with Officer's Attempt to take Person into Custody
- 18.946.42 Escape
- 18.946.43 Assault by Prisoners
- 18.946.44 Assisting or Permitting Escape
- 18.946.46 Encouraging Violation of Probation, Extended Supervision or Parole
- 18.946.465 Tampering with a Global Positioning System Tracking Device
- 18.946.47 Harboring or Aiding Felons
- 18.946.48 Kidnapped or Missing Persons; False Information
- 18.946.49 Bail Jumping
- 18.946.52 Failure to Submit Biological Specimen
- 18.946.60 Destruction of Documents Subject to Subpoena
- 18.946.61 Bribery of Witnesses
- 18.946.65 Obstructing Justice
- 18.946.66 False Complaints of Police Misconduct
- 18.946.67 Compounding Crime
- 18.946.68 Simulating Legal Process
- 18.946.69 Falsely Assuming to Act as a Public Officer or Employee or a Utility Employee
- 18.946.70 Impersonating Peace Officers, Fire Fighters, or other Emergency Personnel
- 18.946.71 Unlawful Use of License for Carrying Concealed Weapons
- 18.946.72 Tampering with Public Records and Notices
- 18.946.78 False Statement Regarding Military Service

(10) Offenses against Public Peace, Order and Other Interests

- 18.947.01 Disorderly Conduct
- 18.947.011 Disrupting a Funeral or Memorial Service
- 18.947.012 Unlawful Use of Telephone
- 18.947.0125 Unlawful Use of Computerized Communication Systems
- 18.947.013 Harassment
- 18.947.015 Bomb Scares
- 18.947.017 Threats to Release Chemical, Biological, or Radioactive Substances
- 18.947.04 Drinking in Common Carriers
- 18.947.06 Unlawful Assemblies and their Suppression
- 18.947.07 Causing Violence or Breach of the Peace by Damaging or Destroying a U.S. Flag

(11) Offenses against Children

- 18.948.01 Definitions
- 18.948.09 Sexual Intercourse with a Child Age 16 or Older
- 18.948.10 Exposing Genitals, Pubic Area, or Intimate Parts
- 18.948.11 Exposing a Child to Harmful Materials or Harmful Descriptions or Narrations
- 18.948.20 Abandonment of a Child
- 18.948.21 Neglecting a Child
- 18.948.40 Contributing to the Delinquency of a Child
- 18.948.45 Contributing to Truancy
- 18.948.50 Strip Search by School Employee
- 18.948.51 Hazing
- 18.948.53 Child Unattended in Child Care Vehicle
- 18.948.55 Leaving or Storing a Loaded Firearm within the Reach or Easy Access of a Child
- 18.948.60 Possession of a Dangerous Weapon by a Person Under 18
- 18.948.605 Gun-free School Zones
- 18.948.61 Dangerous Weapons other than Firearms on School Premises
- 18.948.62 Receiving Stolen Property from a Child
- 18.948.63 Receiving Property from a Child
- 18.948.70 Tattooing of Children

(12) Offenses against Animals

- 18.951.01 Definitions
- 18.951.015 Construction and Application
- 18.951.02 Mistreating Animals
- 18.951.025 Decompression Prohibited
- 18.951.03 Dognapping and Catnapping
- 18.951.04 Leading Animal from Motor Vehicle
- 18.951.05 Transportation of Animals
- 18.951.06 Use of Poisonous and Controlled Substances
- 18.951.07 Use of Certain Devices Prohibited
- 18.951.08 Instigating Fights Between Animals
- 18.951.09 Shooting at Caged or Staked Animals
- 18.951.095 Harassment of Police and Fire Animals
- 18.951.097 Harassment of Service Dogs
- 18.951.10 Sale of Baby Rabbits, Chicks and other Fowl
- 18.951.11 Artificially Colored Animals; Sale
- 18.951.13 Providing Proper Food and Drink to Confined Animals
- 18.951.14 Providing Proper Shelter
- 18.951.15 Abandoning Animals

(13) General Municipal Offenses

|                   |  |
|-------------------|--|
| 18.66.0113        | Citations for Certain Ordinance Violations   |
| 18.86.01          | Materials Left in Highway  |
| 18.86.02          | Injury to Highway  |
| 18.86.021         | Highways, Cultivation of; Injury by Farm Machinery                                     |
| 18.86.022         | Obstructing Highway with Embankment or Ditch   |
| 18.86.025         | Camping on Highways  |
| 18.86.03          | Trees On or Adjacent to Highway  |
| 18.86.04          | Highway Encroachments  |
| 18.86.06          | Highways Closed to Travel  |
| 18.86.07          | Digging in Highways or Using Bridges for Advertising                                   |
| 18.86.17          | Taking Water from Highway Streams  |
| 18.86.19          | Highway Signs  |
| 18.86.192         | Injuring Guide Board, Markers, Etc.  |
| 18.118.09(3)      | Safety Zones, Loading and Unloading  |
| 18.134.01         | Injury to Business; Restraint of Will  |
| 18.134.03         | Preventing Pursuit of Work   |
| 18.134.05         | Bribery of Agent, Etc.   |
| 18.134.245-134.31 | Misbranding of Metals  |
| 18.134.65         | Cigarette and Tobacco Products Retailer License  |
| 18.134.66         | Restrictions on Sale or Gift of Cigarettes or Nicotine or Tobacco Products             |
| 18.167.10         | Regulation of Fireworks  |
| 18.167.20         | Stairway Guards  |
| 18.167.25         | Refrigerators and Iceboxes   |
| 18.167.30         | Use of Firearms, etc., Near Park, etc.   |
| 18.167.31         | Safe Use and Transportation of Firearms and Bows                                       |
| 18.167.32         | Safety at Sporting Events  |
| 18.167.33         | Snow Sports  |
| 18.175.25         | Storage of Junked Automobiles  |
| 18.192.29         | Train Bells and Crossing Signs at Street and Highway Crossings                         |
| 18.192.292        | Trains Obstructing Highways  |
| 18.192.32         | Trespassing on Railroad  |
| 18.192.35         | Interference with Fences; Trespassers on Track   |
| 18.194.33         | Common Motor Carrier; Municipal Consent  |
| 18.254.76         | Causing Fire by Tobacco Smoking  |
| 18.254.92         | Purchase or Possession of Cigarettes or Tobacco Products by Person Under 18 Prohibited |
| 18.256.35(10)(a)  | Dialing "911"  |
| 18.287.81         | Littering ( <i>see also</i> §18.08(1) of this Code)                                    |

(14) Alcohol and Drug Offenses

|           |                                |
|-----------|--------------------------------|
| 18.125.02 | Definitions                    |
| 18.125.04 | General Licensing Requirements |
| 18.125.06 | License and Permit Exceptions  |

|                      |   |
|----------------------|---|
| 18.125.07            | Underage and Intoxicated Persons; Presence on Licensed Premises; Possession   |
| 18.125.075           | Injury or Death by Providing Alcohol Beverages to a Minor   |
| 18.125.085           | Proof of Age  |
| 18.125.09            | General Restrictions  |
| 18.125.10            | Municipal Regulation  |
| 18.125.105           | Impersonating an Officer  |
| 18.125.12            | Revocations, Suspensions, Refusals to Issue or Renew  |
| 18.125.13            | Report of Suspension, Revocation or Imposition of Penalty   |
| 18.125.315           | Evading Provisions of Law by Giving Away Fermented Malt Beverages   |
| 18.125.33            | Restrictions on Dealings Between Brewers, Brewpubs, Wholesalers, and Retailers  |
| 18.125.34            | Distribution Restrictions on Wholesalers, Brewers, Brewpubs, and Out-of-State Shippers  |
| 18.125.66            | Sale without License; Failure to Obtain Permit  |
| 18.125.67            | Evading Provisions of Law by Giving Away Intoxicating Liquor  |
| 18.125.68            | General Restrictions and Requirements   |
| 18.125.69            | Restrictions on Dealings Between Manufacturers, Rectifiers, Wholesalers and Retailers   |
| 18.450.11(7)(h)      | Unlawful Possession of a Prescription Drug  |
| 18.961.01            | Definitions   |
| 18.961.14(4)(t)-(tb) | Tetrahydrocannabinols; Synthetic cannabinoids   |
| 18.961.41(3g)        | Controlled Substances; Possession of 25 grams or less of marijuana or possession of synthetic cannabinoids (1 <sup>st</sup> offense only) |
| 18.961.571           | Definitions   |
| 18.961.572           | Determination   |
| 18.961.573(1)&(2)    | Possession of Drug Paraphernalia  |
| 18.961.574(1)&(2)    | Manufacture of Delivery of Drug Paraphernalia   |
| 18.961.575(1)&(2)    | Delivery of Drug Paraphernalia to a Minor   |
| 18.961.577           | Municipal Ordinances  |

- (15) **Forfeitures.** Except as otherwise provided, any person found to be in violation of any provision of this section shall be subject to forfeiture as provided in s. 18.19 of this Code.

## 18.02 TRUANCY AND SCHOOL DROPOUTS

- (1) **Definitions.** In this section the following terms shall have the following meanings:
- (a) “Child”, when used without further qualification, means a person who is less than 18 years of age.
  - (b) “Dropout” means a child who ceased to attend school, does not attend a public or private school, technical college or home-based private educational program on a full-time basis, has not graduated from high

school and does not have an acceptable excuse under s. 118.15, Wis. Stat.

- (c) “Habitual Truant” means a pupil who is absent from school without an acceptable excuse under s. 118.15, Wis. Stat., for part or all of five (5) or more days on which school is held during a school semester.
- (d) “Operating Privilege” means, in the case of a person who is licensed under Ch. 343, Wis. Stat., the license, including every endorsement and authorization to operate vehicles of specific vehicle classes or types, instruction permit, and temporary, restricted or occupational license granted to such person, in the case of a resident of this state who is not so licensed, it means the privilege to secure a license under Ch. 343, Wis. Stat.; in the case of a nonresident, it means the operating privilege granted by ss. 343.05(2)(a) or (4)(b)(1), Wis. Stat.
- (e) “Pupil” means a child who is assigned to attend a school in the City.
- (f) “Truant” means a pupil who is absent from school without an acceptable excuse under ss. 118.15 and 118.16(4), Wis. Stat., for part or all of any day on which school is held during a school semester.

(2) Truants.

- (a) Prohibition. A pupil shall not be a truant.
- (b) Dispositions. When a pupil is found to be a truant, the following dispositions shall be available to the court:
  - (i) An order for the person to attend school.
  - (ii) A forfeiture of not more than \$50 plus costs for a first violation, or a forfeiture of not more than \$100 plus costs for any 2nd or subsequent violation committed within 12 months of a previous violation, subject to s. 938.37, Wis. Stat., and subject to a maximum cumulative forfeiture amount of not more than \$500 for all violations committed during school semester. All or part of the forfeiture plus costs may be assessed against the person, the parents or guardian of the person, or both.
  - (iii) An order for the person to report to a youth report center after school, in the evening, on weekends, on other non-school days, or at any other time that the person is not under immediate adult supervision, for participation in the social, behavioral, academic, community service, and other programming of the center as described in s. 938.342(1d)(c), Wis. Stat.

(3) Habitual Truants.

- (a) Prohibition. A person under the age of eighteen (18) who is assigned to attend a school in the City shall not be a habitual truant.
- (b) Dispositions. When a person is found to be a habitual truant, the following dispositions shall be available to the court:
  - (i) Suspension of the person’s operating privilege for not less than thirty (30) days nor more than one (1) year. The court shall

- immediately take possession of any suspended license and forward it to the department of transportation together with a notice stating the reason for and the duration of the suspension.
- (ii) An order for the person to participate in counseling or a supervised work program or other community service work as described in s. 938.34(5g), Wis. Stat. The costs of any such counseling, supervised work program or other community work may be assessed against the person, the parents or guardian of the person, or both. Any county department of human services or social services, community agency, public agency or nonprofit charitable organization administering a supervised work program or other community service work to which the person is assigned pursuant to an order under this paragraph acting in good faith has immunity from any civil liability in excess of \$25,000 for any act or omission by or impacting on that person.
  - (iii) An order for the person to remain at home except during hours in which the person is attending religious worship or a school program, including travel time required to get to or from the school program or place of worship. The order may permit a person to leave his or her home if the person is accompanied by a parent or guardian.
  - (iv) An order for the person to attend an educational program as described in s. 938.34(7d), Wis. Stat.
  - (v) An order for the department of workforce development to revoke under s. 103.72, Wis. Stat., a permit under s. 103.70, Wis. Stat., authorizing the employment of the person.
  - (vi) An order for the person to be placed in a teen court program as described in s. 938.342(1g)(f), Wis. Stat.
  - (vii) An order for the person to attend school.
  - (viii) A forfeiture of not more than \$500 plus costs, subject to s. 938.37, Wis. Stat. All or part of the forfeiture plus costs may be assessed against the person, the parents or guardian of the person, or both.
  - (ix) Any other reasonable conditions consistent with this subsection, including a curfew, restrictions as to going or remaining on specified premises and restrictions on associating with other children or adults.
  - (x) An order placing the person under formal or informal supervision, as described in s. 938.34(2), Wis. Stat., for up to one (1) year.
  - (xi) An order for the person's parent, guardian or legal custodian to participate in counseling at the parent's, guardian's or legal custodian's own expense or to attend school with the person, or both.

- (xii) An order for the person to report to a youth report center after school, in the evening, on weekends, on other non-school days, or at any other time that the person is not under immediate adult supervision, for participation in the social, behavioral, academic, community service, and other programming of the center as described in s. 938.342(1d)(c), Wis. Stat.
- (4) Dropouts.
- (a) Prohibition. No person shall be a dropout.
  - (b) Disposition. The court may suspend the operating privilege of a person who is at least sixteen (16) years of age but not more than eighteen (18) years of age and a dropout. Such suspension shall terminate when the person reaches the age of eighteen (18). The court shall immediately take possession of the suspended license and forward it to the department of transportation with a notice stating the reason for and duration of the suspension.

### 18.03 ALCOHOLIC BEVERAGES

- (1) Reference to State Statutes Adopted. See generally Code of Ordinances ss. 18.125.02 to 18.125.69.
- (2) Definitions. In this section the following terms shall have the following meanings:
  - (a) “Public Place” means any public street, highway, alley, sidewalk, parking lot, government building, park, or other public property.
- (3) Alcoholic Beverages in Public Places.
  - (a) Consumption of Alcoholic Beverages in Public Places. No person shall consume any intoxicating liquor, wine, or fermented malt beverage while in or upon any public place.
  - (b) Consumption of Alcoholic Beverages to be on Premises. No person who purchases wine, alcoholic or fermented malt beverages by the glass or in open containers shall consume the same other than upon the premises where served, and they shall not remove the same to public places in the City of Wisconsin Dells.
  - (c) Possession of Alcoholic Beverages in Public Places. No person shall be in possession of any glass or open container containing wine, alcoholic or fermented malt beverages in any public place.
  - (d) Permits Issued. Fraternal and service organizations and clubs may apply for a permit to have meetings, festivals, and activities held in a public place so that alcoholic and fermented malt beverages may be consumed during the time permitted as designated on the permit and within the area specified in the permit.
  - (e) Notices to be Posted. All premises licensed for the sale of fermented malt beverages, wine, or intoxicating liquor shall post a notice at each

exit stating that "No beer, liquor, or wine may be carried in an open container out of this building."

- (4) Pedal Pubs. No person shall drink from or have in their possession an open container of fermented malt beverage or intoxicating liquor while on a commercial quadricycle as defined by s. 340.01(8m), Wis. Stat.; or while on any other type of commercial cycle.

#### 18.04 SMOKING

(1) Definitions.

- (a) Except as otherwise provided in this section, the definitions from s. 101.123(1), Wis. Stat., as amended, are hereby adopted by reference as if fully set forth herein.
- (b) "Electronic delivery device" and "e-cigarette" mean any product containing or delivering nicotine, lobelia, or any other substance intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of vapor from the product. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device does not include any product that has been approved or certified by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is marketed, sold, and used for such an approved purpose.
- (c) "Smoking" means burning, activating or holding, or inhaling or exhaling smoke or vapor from, any lighted, activated or otherwise in-use tobacco-related device.
- (d) "Tobacco-related device" means any tobacco product as well as a cigar, cigarette, pipe, rolling papers, or other device intentionally designed or intended to be used in a manner which enables the chewing, sniffing, or smoking of tobacco or tobacco-related products. The term "tobacco-related device" includes electronic delivery devices and e-cigarettes.

(2) Prohibition Against Smoking.

- (a) Smoking Prohibited. Ss. 101.123(2)-(9), Wis. Stat., and 254.92, Wis. Stat., as amended, are hereby adopted by reference as if fully set forth herein.
- (b) Tobacco on school property. The use of all tobacco products and tobacco-related devices on premises owned or rented by, or under the control of, a school board, except that the school board may allow the use of tobacco products on premises owned by the school district and rented to another person for noneducational purposes.
- (c) Minors.

- (i) Definitions in this subsection:
  - 1. “Cigarette” has the meaning given in s. 139.30(1m), Wis. Stat.
  - 2. “Minor” means a person who is less than eighteen (18) years of age.
  - 3. “Law Enforcement Officer” has the meaning given in s. 30.50(4s), Wis. Stat.
  - 4. “Tobacco Products” has the meaning given in s. 139.75(12), Wis. Stat.
  - 5. “Nicotine Product” has the meaning given in s. 134.66(1)(f), Wis. Stat.
- (ii) Except as provided in subsection (iii), no minor may do any of the following:
  - 1. Buy or attempt to buy any cigarettes, tobacco product, nicotine product, or tobacco-related device.
  - 2. Falsely represent their age for the purposes of receiving any cigarette, tobacco product, nicotine product, or tobacco-related device.
  - 3. Possess any cigarette, tobacco product, nicotine product, or tobacco-related device.
- (iii) A minor may purchase or possess cigarettes, tobacco products, nicotine products, or tobacco-related devices for the sole purpose of resale in the course of employment during their working hours if employed by a retailer licensed under s. 134.65(1), Wis. Stat.
- (iv) A law enforcement officer shall seize any cigarette, tobacco product, nicotine product, or tobacco-related device involved in any violation of subsection (b) committed in their presence.
- (v) No person may procure for, sell, dispense, furnish, or give away any cigarette, tobacco product, nicotine product, or tobacco-related device to a minor.

(3) Outdoor Smoking in Public Places.

- (a) Smoking prohibited. To protect the health and comfort of the public, outdoor smoking is prohibited in the following public property under the jurisdiction of the city:
  - (i) Bowman Park
  - (ii) Rotary Park
  - (iii) Veterans Park
  - (iv) Jenkins Park
  - (v) Deerwood Glen Park
  - (vi) Weber Park
  - (vii) RiverWalk
  - (viii) Library Park

## 18.05 WEAPONS

- (1) Reference to State Statutes Adopted. See generally Code of Ordinance ss. 18.941.20 to 18.941.299.
- (2) Sale of Certain Weapons. No Person shall sell any firearm, blackjack, billy, bludgeon, crossknuckles, or knuckles of any metal, to any minor in the City of Wisconsin Dells.
- (3) Possession/Sale/Manufacture of Certain Weapons Prohibited.
  - (a) No person shall sell, manufacture, purchase, possess or carry a "Numchuk" (also called a "Nunchaku"), a "Shuriken" (also called a "Throwing Star"), a "cestus," a "manrikigusari," or a "Suchai" (also called a "Ticchu") or similar weapons within the City of Wisconsin Dells.
  - (b) Definitions. For the purpose of this Section, the following definitions shall apply:
    - (i) "Cestus" means an instrument worn on the hand and weighted with metal or other substance.
    - (ii) "Manrikigusari" means an instrument consisting of a length of chain or other material with a weight attached to each end.
    - (iii) "Numchuk" or "Nunchaku" means an instrument consisting of two (2) or more sticks, clubs or rods connected by a rope, cord, wire or chain.
    - (iv) "Shuriken" or "throwing star" means a round throwing knife consisting of several sharp points protruding from a rounded disc.
    - (v) "Suchai" or "Ticchu" means a short length of wood or metal or similar material which when gripped in the hand protrudes on either side of the fist. Such prohibited instrument may or may not have spikes or short pointed protrusions from either end.
  - (c) Any such device shall be seized by a law enforcement officer and destroyed or turned over to the State of Wisconsin Crime Laboratory for destruction.
- (4) Discharge of Weapons.
  - (a) Generally. No person shall, within the limits of the City of Wisconsin Dells, commit any of the following offenses, namely: discharge any pistol, gun, air rifle, air pistol, firearm or other weapon for the discharge of bullets, projectiles or pellets, whether the bullets, projectiles or pellets be propelled by an explosion of a gun powder or other explosion or by a spring, air pressure or other mechanical device or whether the bullets, projectiles or pellets be propelled in any other manner within the City limits unless granted a permit to do so by the Police Department.

- (b) Permits. Permits shall be granted only to discharge any such weapons on land owned or leased by the applicant or some members of his/her family and then only when the circumstances are such that the discharge of such weapons on such land may be accomplished with safety. Permits may also be granted to persons sixteen (16) years of age or over to hunt on lands within the City limits if such persons have the consent of the owner or tenants on the property on which such hunting will be done.
  - (c) Ranges Excepted. It is provided, however, that nothing in this Section shall be construed to prevent shooting on duly supervised rifle or pistol ranges, duly supervised shooting galleries and shooting of bows of less than fifteen (15) pounds pull, which activities are specifically hereby exempted from the restrictions of this Section.
- (5) Throwing or Shooting of Arrows, Stones and Other Missiles Prohibited. It shall be unlawful for any persons to discharge or throw by any means any dangerous missile, object, arrow, stone, snowball or other missile within the City of Wisconsin Dells, provided, however, upon written application to the Chief of Police and City Council, a person may be granted permission by the City Council to construct and maintain supervised archery ranges if, in the opinion of the City Council, the construction or maintenance of such ranges will not endanger the public health and safety.

#### **18.06 DISORDERLY CONDUCT TO POLICE OR EMERGENCY PERSONNEL**

- (1) It shall be a violation of this section for any person, in a public or private place, to engage in any violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct directed towards a police officer, fire fighter, or emergency personnel.

#### **18.07 DISTURBING CEMETARY PROPERTY**

- (1) Disturbing Cemetery Property. No person except the owner of the cemetery lot or a cemetery employee shall cut, remove, injure or carry away flowers, trees, plants or vines from any cemetery lot or property; nor shall any person deface, injure or mark upon any cemetery markers, headstones, monuments, fences or structures; nor shall any person other than the owner injure carry away or destroy any vases, flower pots, urns or other objects which have been placed on any cemetery lot.

#### **18.08 ENTRY INTO UNLOCKED VEHICLE**

- (1) Entry into Unlocked Vehicle. No person shall intentionally enter the unlocked and enclosed portion or compartment of a vehicle without the owner's consent and with the intent to steal.

## 18.09 LITTERING PROHIBITED

- (1) Reference to State Statutes Adopted. See Code of Ordinance s. 18.287.81.
- (2) In General. It shall be unlawful for any person or legal entity, in person, or by its agents, employees or servants, to deposit or discharge in any manner upon any public street, highway, sidewalk, alley, building, park or other public place in the City any kind of dirt, rubbish, waste, articles, thing or substance, whatsoever, whether liquid or solid. Nor shall any person or legal entity deposit or discharge any of the aforementioned items anywhere within the jurisdiction of the City in such a manner that it may be carried or deposited in whole or in part, by action of the sun, wind, rain, water, or snow, into any of the aforementioned places.
- (3) Exceptions. This section shall not apply to the deposit of material under a permit authorized by any ordinance of the City; or to leaves during leaf pick-up period or to goods, wares of merchandise deposited upon any public way or any other public place temporarily, in the necessary course of trade and remove therefrom within two (2) hours after being so deposited; or to articles or things deposited in or conducted into the City sewer system through lawful drainage in accordance with the ordinances of the City relating thereto.

## 18.10 LOITERING PROHIBITED

- (1) Loitering Prohibited.
  - (a) No person shall loiter or prowl in a place, at a time or in a manner not usual for law abiding individuals under circumstances that warrant alarm for the safety of persons or property in the vicinity. Among the circumstances which may be considered in determining whether such alarm is warranted is the fact that the person takes flight upon appearance of a police or peace officer, refuses to identify himself/herself or manifestly endeavors to conceal himself/herself or any object. Unless flight by the actor or other circumstances makes it impracticable, a police officer shall prior to any arrest for an offense under this section, afford the actor an opportunity to dispel any alarm which would otherwise be warranted, by requesting him or her to identify him-or herself and explain his or her presence and conduct. No person shall be convicted of an offense under this section if the police officer did not comply with the preceding sentence, or if it appears at trial that the explanation given by the actor was true and, if believed by the police officer at the time, will have dispelled the alarm.
  - (b) No person shall engage in the following activities:
    - (i) After due warning, unreasonably hinder or obstruct the free passage of pedestrians or vehicular traffic;
    - (ii) Engage in conduct which creates danger or breach of peace;
    - (iii) Engage in conduct which disturbs the comfort and repose of persons acting lawfully; or,

- (iv) Engage in conduct causing obstruction, molestation, or interference with persons so as to cause them to fear for their safety.

(2) Loitering on School Grounds.

- (a) It shall be unlawful for any person, except as provided in Subsection (b) hereof, to be present or loiter in any school building or on any public school grounds without the permission of the school principal, custodian or other person in charge thereof.
- (b) This Ordinance shall not apply to students regularly enrolled in public schools who have not been properly ordered by the school principal, custodian or other persons in charge thereof, to leave the school grounds nor shall it apply to parents or legal guardians of a regularly enrolled student. However, such parent or legal guardian may be required to register at the school office.
- (c) As used in this Ordinance, the term "loiter" means to stay aimlessly and idly in a public school building or on public school grounds without proper permission; or to be present in the public school building or on public school grounds for some illegal purpose.
- (d) Any person under the age of eighteen (18) years old who shall violate the provisions of subsection (a) hereof may be referred to the proper juvenile authorities as provided in Ch. 48, Wis. Stat., and in the case of repeated violations by the same person, both the person and the parents or legal guardian of such person shall be referred to the juvenile authorities.
- (e) Any person age eighteen (18) or older who shall violate subsection (a) hereof shall upon conviction thereof pay a forfeiture of not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00), together with the costs of prosecution, and in the event of failure to pay such forfeiture and costs shall be imprisoned in the county jail until said forfeiture and costs are paid but not to exceed thirty (30) days.

(3) Obstructing Streets and Sidewalks Prohibited.

- (a) Obstructing Streets. No person shall stand, sit, loaf or loiter or engage in any sport or exercise on any public street, bridge or public ground within the City in such a manner as to prevent or obstruct the free passage of pedestrian or vehicular traffic thereon or to prevent or hinder free ingress or egress to or from any place of business or amusement, church, public hall or meeting place.
- (b) Blocking Sidewalk. No person shall block any sidewalk by obstructing the same so that it is impossible for a pedestrian to travel along the sidewalk without leaving the sidewalk and walking on adjacent property or on the street.
- (c) Free Speech. This Section shall not be interpreted as prohibiting any person from stopping on any sidewalk to talk or to make a speech,

provided that such person shall not stand in such a location that it is impossible for any pedestrian to travel along the sidewalk without leaving the sidewalk and walking on adjacent property or on the street. If two (2) or more persons are engaged in talking while stopped on a sidewalk, they shall not stand in such locations as to completely prevent any pedestrian from passing them on the sidewalk.

- (d) Definitions. As used in this Section, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:
  - (i) Block. To interfere with unobstructed travel by any means, including, but not limited to, standing on the part of the walk that is fit for travel, or placing any object or vehicle whatsoever on such walk.
  - (ii) Sidewalk. Any sidewalk owned or maintained by the City. The term shall not include sidewalks or walkways on private property in shopping centers, apartment complexes, offices, building sites or any other private property.

## 18.11 SOLICITING PROHIBITED

- (1) Soliciting on Streets and Sidewalks.
  - (a) Soliciting Prohibited.
    - (i) No person shall solicit tourists, travelers or other persons to patronize or to do business with any boat owners and operators, hotel, rooming house, restaurant, resort or other place for the entertainment of tourists and travelers, upon any of the highways, sidewalks and other public places within the City of Wisconsin Dells.
    - (ii) No person shall solicit tourists, travelers or other persons to patronize or to do business with any boat owners and operators, hotel, rooming house, restaurants, resort or other place for the entertainment of tourists and travelers by calling, whistling, signaling, waving, diverting or in any other manner vexing, annoying or disturbing pedestrians or passengers of vehicles.
    - (iii) This Section shall apply to sales of all types of merchandise and service and hereafter no one shall solicit the sale of any services or merchandise upon the streets of the City of Wisconsin Dells.
  - (b) Separate Offenses. Each and every act of soliciting prohibited under this Code shall constitute a separate and distinct violation of this Code.
  - (c) Soliciting Defined. Soliciting within the meaning of this Section shall be defined as any loitering, lingering or loafing upon any public street, highway, alley, sidewalk, parking lot, government building, park, or other public property, for the purpose of attracting the attention of tourists and others who are thereby induced to purchase tickets or rides on boats or to engage accommodations at hotels, rooming houses or

resorts. Anyone who shall then linger and loiter upon any public street, highway, alley, sidewalk, parking lot, government building, park, or other public property, and as a result of such loitering shall have sold boat rides, boat tickets or accommodations for hotels, resorts or rooming houses shall be guilty of a violation of this Section. This Section is for the purpose of protecting the public from the inconvenience, harm and menace of solicitors and is not to be construed as an abrogation of any individual's right to transact legitimate business; such Section is to prevent any one group of business people from using any public street, highway, alley, sidewalk, parking lot, government building, park, or other public property as business places from which to transact their private business, which constitutes annoyance, hazard and inconvenience to the public and a commercial detriment to the City.

- (d) Penalties. Any person who shall violate any of the provisions of this section of this Code shall, upon conviction, forfeit not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) together with the costs of prosecution, and in the event of failure to pay such forfeiture, shall be imprisoned in the county jail, not to exceed sixty (60) days.

#### **18.12 DISTURBANCE OF THE PEACE, MOTOR VEHICLES**

- (1) Use of Motor Vehicles to Disturb Peace. No person may, on public or private property, operate a motor vehicle in a disorderly manner. The conduct prohibited by this provision includes, but is not limited to, the following: deliberate or intentional spinning of wheels; causing a vehicle, while commencing to move or in motion, to have one or more wheels off the ground; operation in a manner that would tend to cause a disturbance; negligent operation; operation that endangers or damages property; operation that endangers or injures the health or safety of a person; operation that causes annoying or disturbing dust, noise, smoke, odor, or gas; and reckless operation.

#### **18.13 REGULATION OF BURNING OF MATERIALS**

- (1) Burning of Materials. No materials shall be burned in the open in the City of Wisconsin Dells, except that the burning of leaves, brush, weeds and other organic material shall be allowed, provided that only leaves, brush or other organic material grown on the owner's lot may be burned and only if the burning is done on the owner's property and not on any part of City property and not upon black top roads.

#### **18.14 CRUISING PROHIBITED**

- (1) Cruising is prohibited on Broadway between Wisconsin Dells Parkway and the intersection of STH 13/23 and USH 16.

- (2) "Cruising" means driving a motor vehicle in the same direction past a traffic control point on a street in the designated area three (3) or more times within a two (2) hour period between the hours of 8:00 p.m. and 4:00 a.m. in a manner and under circumstances manifesting a "purpose" of unnecessary, repetitive driving in such area. Among the circumstances which may be considered in determining whether such purpose is manifested are that such person or any other person present in the vehicle attempts to gain the attention of other motorists or pedestrians or engages them in conversation, whether by hailing, arm waving, horn blowing, or another action or device, that such person or any other person present in the vehicle enters or exits the vehicle directly from or to another vehicle in or parked in close proximity to the designated area, that such person or any other person present in the vehicle violates state or municipal traffic regulations or municipal ordinances, or that such person has declared his or her purpose for driving to be that of cruising. The violator's conduct must be such as to demonstrate a specific intent to cruise. No arrest shall be made for a violation of this section unless the arresting officer first affords an opportunity to explain such conduct, and no person shall be convicted of violating this section if it appears at trial that the explanation given was true and disclosed a lawful purpose, not unnecessary, repetitive driving. Lawful purposes include traveling to a specific destination by a person whose residence address is in the designated area or by a person whose business or employment requires driving in the designated area, and operating an official emergency or police vehicle in the designated area.
- (3) Any person who violates this ordinance shall, upon conviction thereof, forfeit no less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00) together with the costs of prosecution, and, in the event of failure to pay said forfeiture and costs, shall be imprisoned in the county jail, not to exceed ninety (90) days.

#### **18.15 PUBLIC URINATION OR DEFECATION PROHIBITED**

- (1) Defecating or Urinating in Public Areas. It shall be unlawful for any person to defecate or urinate outside of designated sanitary facilities, upon any sidewalk, street alley, public parking lot, park, playground, cemetery or other public area with the City, or upon any private property in open view of the public, or in the halls, rooms without restroom facilities, stairways or elevators or public or commercial buildings, or to indecently expose his person.

#### **18.16 ESTABLISHING POLICE LINES**

- (1) Definition. A "Police Line" is defined as the boundary of an area which has been temporarily isolated or set apart by tape, ropes, barricades or other methods by the police in pursuance of official duties, and which boundary or line is plainly marked.
- (2) A law enforcement, public safety, fire or emergency management officer may establish a police line when it is necessary to protect an area or restrict public

access to an area. The location and duration of the police line shall be reasonably related to its intended purpose and shall be identified in a manner that gives reasonable notice of its presence.

- (3) No person may cross a police line without permission of the authority that established the line.

### **18.17 CURFEW FOR JUVENILES**

- (1) Prohibited Hours. No person under the age of eighteen (18) years shall be or remain in or upon any public street, highway, alley, sidewalk, parking lot, park, or other public property of the City between the hours of 10:00 o'clock P.M. on any Sunday, Monday, Tuesday, Wednesday and Thursday until 5:00 o'clock A.M. the following day, and between the hours of 11:00 o'clock P.M. on Friday and Saturday until 5:00 o'clock A.M. the following day, unless such person is accompanied by his/her parent, guardian or other individual having custody of such person.
- (2) Travel to and from Work. This Section shall not apply to any person Under the age of eighteen (18) years of age who is required to use the streets, alleys, or public places of the City during the hours named for the purposes of going to or returning from his/her place of employment, but no more than reasonable time shall be allowed for going to and returning from such employment.
- (3) Defenses. It is a defense to prosecution under this Section that the minor was:
  - (a) accompanied by the minor's parent or guardian;
  - (b) on an errand at the direction of the minor's parent or guardian, without any detour or stop;
  - (c) in a motor vehicle involved in interstate travel;
  - (d) engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;
  - (e) involved in an emergency;
  - (f) on the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the police department about the minor's presence;
  - (g) attending an official school, religious, or other recreational activity supervised by adults and sponsored by the City of Wisconsin Dells, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the City of Wisconsin Dells, a civic organization, or another similar entity that takes responsibility for the minor; and,
  - (h) exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly
- (4) Enforcement. Before taking any enforcement action under this section, a police officer shall ask the apparent offender's age and reason for being in the public place. The officer shall not issue a citation or make an arrest under this

section unless the officer reasonably believes that an offense has occurred and that, based on any response or other circumstances, no defense in subsection (3) is present.

- (5) Juvenile to be Returned Home on First Offense. Upon first violation of this Ordinance by any person under the age of eighteen (18) years who is found in any public street, highway, alley, sidewalk, parking lot, park, or other public property in the City, such person may be taken into custody by any police officer of the City and forthwith taken to his/her home. If the juvenile is not a resident of the City of Wisconsin Dells, the police department shall instruct the person to return to his/her home wherever located. It shall be the duty of the police department to cause such a record of such offense to be recorded at the department, and to notify the parent, guardian, or individual having custody of the person violating the Ordinance of this violation. Notice may be made either in person, by telephone or by letter.
- (6) Applicability of Chapter 48, Wisconsin Statutes. Any person under the age of eighteen (18) years who has been once taken into custody and returned to his/her home under the provisions of this preceding Subsection and thereafter violates the provisions of this Section shall be subject to referral to Juvenile Court Intake under Chapter 48 of the Wisconsin Statutes.
- (7) Special Penalty Section.
  - (a) It shall be unlawful for any person under the age of eighteen (18) years to violate the provisions of this section. Upon the second offense of this section by such person, in addition to the provisions of subsection (6), such person shall forfeit and pay not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for each offense, together with the cost of prosecution.
  - (b) It shall be unlawful for any parent, guardian or other individual having custody of any person under the age of eighteen (18) years, to allow or permit such person to violate the provisions of this Section. Upon the second offense of this Section by a person under the age of eighteen (18) years, the parent, guardian, or other individual having custody shall be in violation of this section of the Code and shall forfeit and pay not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for each offense, together with the cost of prosecution, and in lieu of payment thereof shall be confined to the county jail not to exceed five (5) days.

#### **18.18 REGULATION OF POLITICAL SIGNS**

- (1) Political Signs. Political signs may be erected, installed or placed on any property within the City provided the erection, installation and placement of such signs is done with the approval of the owner or occupant of such property. As provided in s. 86.19, Wis. Stat., no political sign shall be erected, installed or placed within the right-of-way of any public street or highway within the City. No signs shall be attached or fixed to any utility pole, tree or other structure within the right-of-way of any public street or highway within the City. Any political sign erected, installed or placed within the right-of-way

of any public street or highway shall be summarily removed by the City. All political signs erected, installed or placed shall be removed within five (5) days after the date of the election relating to such political signs by the owner or occupant of the land upon which such signs are located. No permit shall be required and no permit fee charged for the installation of any political sign as provided in this section.

**18.19 PENALTIES**

- (1) Unless otherwise provided herein, any person or legal entity who violates any provisions of this ordinance shall be subject to a forfeiture as set forth in Municipal Code 30.04(1)(c) as adopted by Resolution of the Common Council and kept on file at the City Clerk's Office.