



9/9/2015

City of Wisconsin DellsORDINANCE NO. \_\_\_\_\_  
(City Plan Commission)

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

This ordinance modifies the composition of the City Plan Commission.

SECTION II: PROVISIONS AFFECTED

- A. Wisconsin Dells Code sec. 1.04(2) is repealed and recreated.
- B. Wisconsin Dells Code sec. 19.203 is repealed and recreated.

SECTION III: PROVISION AS AFFECTED:

- A. **1.04(2) City Plan Commission.** See Code sec. 19.203
- B. **19.203 City Plan Commission; composition and appointment of members.**
  - (1) **Members and appointment.** The commission shall consist of seven (7) members appointed by the mayor and confirmed by the common council as follows:
    - (a) The mayor, who shall serve as chair,
    - (b) a member of the common council,
    - (c) the fire chief, and
    - (d) four (4) citizen members.
  - (2) **Terms.** The citizen members shall serve staggered terms of three (3) years. The mayor and fire chief shall serve during their terms. The council member shall serve a term of one (1) year.
  - (3) **Considerations in making citizen appointments.** Citizen members shall be persons of recognized experience and qualifications and shall be residents of the city. (See Wis. Stat. sec. 62.23(1)(d))

- (4) Conditions for removal. A citizen member shall be removed from the commission and the member's office declared vacant when the member (1) fails to attend three (3) successive meetings without excused absences; or (2) moved outside of the city.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapters 1 and 19.

\_\_\_\_\_  
Brian L. Landers, Mayor

\_\_\_\_\_  
Nancy R. Holzem, Clerk

INTRODUCED: \_\_\_\_\_  
PUBLISHED: \_\_\_\_\_  
PASSED: \_\_\_\_\_

*Wis. Stat. § 62.23*

Currency Statement Missing

*LexisNexis® Wisconsin Annotated Statutes > Functions and Government of Municipalities > Chapter 62. Cities > Subchapter I General Charter Law*

**62.23. City planning.**

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**(1) COMMISSION.**

- (a) The council of any city may by ordinance create a "City Plan Commission," to consist of 7 members. The commission shall also include, as a nonvoting member, a representative from a military base or installation, with at least 200 assigned military personnel or that contains at least 2,000 acres, that is located in the city, if the bases or installations commanding officer appoints such a representative. All members of the commission, other than the representative appointed by the commanding officer of a military base or installation, shall be appointed by the mayor, who shall also choose the presiding officer. The mayor may appoint himself or herself to the commission and may appoint other city elected or appointed officials, except that the commission shall always have at least 3 citizen members who are not city officials. Citizen members shall be persons of recognized experience and qualifications. The council may by ordinance provide that the membership of the commission shall be as provided thereunder.
- (d) The members of the commission shall be appointed to hold office for a period of 3 years. Appointments shall be made by the mayor during the month of April for terms that expire in April or at any other time if a vacancy occurs during the middle of a term.
- (e) The city plan commission shall have power and authority to employ experts and a staff, and to pay for their services and such other expenses as may be necessary and proper, not exceeding, in all, the appropriation that may be made for such commission by the legislative body, or placed at its disposal through gift, and subject to any ordinance or resolution enacted by the governing body.
- (f) Any city may by ordinance increase the number of members of the city plan commission so as to provide that the building commissioner or building inspector shall serve as a member thereof.

- (2) FUNCTIONS.** It shall be the function and duty of the commission to make and adopt a master plan for the physical development of the city, including any areas outside of its boundaries that in the commissions judgment bear relation to the development of the city provided, however, that in any county where a regional planning department has been established, areas outside the boundaries of a city may not be included in the master plan without the consent of the county board of supervisors. The master plan, with the accompanying maps, plats, charts, and descriptive and explanatory matter, shall show the commissions recommendations for such physical development, and shall, as described in sub. (3) (b), contain at least the elements described in *s. 66.1001 (2)*. The commission may from time to time amend, extend, or add to the master plan or carry any part or subject matter into greater detail. The commission may adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which record shall be a public record.

**(3) THE MASTER PLAN.**

- (a) The master plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the municipality which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development.
- (b) The commission may adopt the master plan as a whole by a single resolution, or, as the work of making the whole master plan progresses, may from time to time by resolution adopt a part or parts of a master plan. Beginning on January 1, 2010, or, if the city is exempt under *s. 66.1001 (3m)*, the date under *s. 66.1001 (3m) (b)*, if the city engages in any program or action described in *s. 66.1001 (3)*, the master plan shall contain at least all of the elements specified in *s. 66.1001 (2)*. The adoption of the plan or any part, amendment, or

ORDINANCE NO. \_\_\_\_\_

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

This ordinance adopts by reference the following state law violations as municipal code offenses: Wis. Stat. secs: 192.32-Trespassing on railroad; 940.32-Stalking; and, 948.45-Contributing to truancy. Copies of the underlying statutes are attached.

SECTION II: PROVISION REPEALED AND RECREATED

Wisconsin Dells Code Secs. 18.03 (4), 18.07(7) and 18.09(24) are created.

SECTION III: PROVISION RECREATED

Code Secs created:

- A. 18.03(4) Contributing to truancy. Wis. Stat. sec. 948.45 is adopted.
- B. 18.07(7) Stalking. Wis. Stat. sec. 940.32 is adopted.
- C. 18.09 (24) Trespassing on railroad. Wis. Stat. sec. 192.32 is adopted.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

August 20, 2015

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 1.

\_\_\_\_\_  
Brian L. Landers, Mayor

\_\_\_\_\_  
Nancy R. Holzem, Clerk

INTRODUCED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

PASSED: \_\_\_\_\_

**A**  
**1**

**Wis. Stat. § 948.45**

This document is current through Act 380, dated April 24, 2014 (All 2014 legislation)

**LexisNexis® Wisconsin Annotated Statutes > Criminal Code > Chapter 948. Crimes Against Children**

**948.45. Contributing to truancy.**

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- (1) Except as provided in sub. (2), any person 17 years of age or older who, by any act or omission, knowingly encourages or contributes to the truancy, as defined under s. 118.16 (1) (c), of a person 17 years of age or under is guilty of a Class C misdemeanor.
- (2) Subsection (1) does not apply to a person who has under his or her control a child who has been sanctioned under s. 49.26 (1) (h).
- (3) An act or omission contributes to the truancy of a child, whether or not the child is adjudged to be in need of protection or services, if the natural and probable consequences of that act or omission would be to cause the child to be truant.

**History**

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1987 a. 285; 1989 a. 31 s. 2835m; Stats. 1989 s. 948.45; 1995 a. 27.

**Annotations**

**Research References & Practice Aids**

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**Notes supplied by the State of Wisconsin.**

Cross-reference: See definitions in s. 939.22.

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**B**

**Wis. Stat. § 940.32**

This document is current through Act 380, dated April 24, 2014 (All 2014 legislation)

**LexisNexis® Wisconsin Annotated Statutes > Criminal Code > Chapter 940. Crimes Against Life and Bodily Security > Subchapter II Bodily Security**

**940.32. Stalking.**

(1) In this section:

- (a) "Course of conduct" means a series of 2 or more acts carried out over time, however short or long, that show a continuity of purpose, including any of the following:
  - 1. Maintaining a visual or physical proximity to the victim.
  - 2. Approaching or confronting the victim.
  - 3. Appearing at the victims workplace or contacting the victims employer or coworkers.
  - 4. Appearing at the victims home or contacting the victims neighbors.
  - 5. Entering property owned, leased, or occupied by the victim.
  - 6. Contacting the victim by telephone or causing the victims telephone or any other persons telephone to ring repeatedly or continuously, regardless of whether a conversation ensues.
  - 6m. Photographing, videotaping, audiotaping, or, through any other electronic means, monitoring or recording the activities of the victim. This subdivision applies regardless of where the act occurs.
  - 7. Sending material by any means to the victim or, for the purpose of obtaining information about, disseminating information about, or communicating with the victim, to a member of the victims family or household or an employer, coworker, or friend of the victim.
  - 8. Placing an object on or delivering an object to property owned, leased, or occupied by the victim.
  - 9. Delivering an object to a member of the victims family or household or an employer, coworker, or friend of the victim or placing an object on, or delivering an object to, property owned, leased, or occupied by such a person with the intent that the object be delivered to the victim.
  - 10. Causing a person to engage in any of the acts described in subds. 1. to 9.
- (am) "Domestic abuse" has the meaning given in s. 813.12 (1) (am).
- (ap) "Domestic abuse offense" means an act of domestic abuse that constitutes a crime.
- (c) "Labor dispute" includes any controversy concerning terms, tenure or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.
- (cb) "Member of a family" means a spouse, parent, child, sibling, or any other person who is related by blood or adoption to another.
- (cd) "Member of a household" means a person who regularly resides in the household of another or who within the previous 6 months regularly resided in the household of another.
- (cg) "Personally identifiable information" has the meaning given in s. 19.62 (5).
- (cr) "Record" has the meaning given in s. 19.32 (2).
- (d) "Suffer serious emotional distress" means to feel terrified, intimidated, threatened, harassed, or tormented.

## Wis. Stat. § 940.32

- (2) Whoever meets all of the following criteria is guilty of a Class I felony:
- (a) The actor intentionally engages in a course of conduct directed at a specific person that would cause a reasonable person under the same circumstances to suffer serious emotional distress or to fear bodily injury to or the death of himself or herself or a member of his or her family or household.
  - (b) The actor knows or should know that at least one of the acts that constitute the course of conduct will cause the specific person to suffer serious emotional distress or place the specific person in reasonable fear of bodily injury to or the death of himself or herself or a member of his or her family or household.
  - (c) The actors acts cause the specific person to suffer serious emotional distress or induce fear in the specific person of bodily injury to or the death of himself or herself or a member of his or her family or household.
- (2e) Whoever meets all of the following criteria is guilty of a Class I felony:
- (a) After having been convicted of sexual assault under s. 940.225, 948.02, 948.025, or 948.085 or a domestic abuse offense, the actor engages in any of the acts listed in sub. (1) (a) 1. to 10., if the act is directed at the victim of the sexual assault or the domestic abuse offense.
  - (b) The actor knows or should know that the act will cause the specific person to suffer serious emotional distress or place the specific person in reasonable fear of bodily injury to or the death of himself or herself or a member of his or her family or household.
  - (c) The actors act causes the specific person to suffer serious emotional distress or induces fear in the specific person of bodily injury to or the death of himself or herself or a member of his or her family or household.
- (2m) Whoever violates sub. (2) is guilty of a Class H felony if any of the following applies:
- (a) The actor has a previous conviction for a violent crime, as defined in s. 939.632 (1) (e) 1., or a previous conviction under this section or s. 947.013 (1r), (1t), (1v), or (1x).
  - (b) The actor has a previous conviction for a crime, the victim of that crime is the victim of the present violation of sub. (2), and the present violation occurs within 7 years after the prior conviction.
  - (c) The actor intentionally gains access or causes another person to gain access to a record in electronic format that contains personally identifiable information regarding the victim in order to facilitate the violation.
  - (d) The person violates s. 968.31 (1) or 968.34 (1) in order to facilitate the violation.
  - (e) The victim is under the age of 18 years at the time of the violation.
- (3) Whoever violates sub. (2) is guilty of a Class F felony if any of the following applies:
- (a) The act results in bodily harm to the victim or a member of the victims family or household.
  - (b) The actor has a previous conviction for a violent crime, as defined in s. 939.632 (1) (e) 1., or a previous conviction under this section or s. 947.013 (1r), (1t), (1v) or (1x), the victim of that crime is the victim of the present violation of sub. (2), and the present violation occurs within 7 years after the prior conviction.
  - (c) The actor uses a dangerous weapon in carrying out any of the acts listed in sub. (1) (a) 1. to 9.
- (3m) A prosecutor need not show that a victim received or will receive treatment from a mental health professional in order to prove that the victim suffered serious emotional distress under sub. (2) (c) or (2e) (c).
- (4)

## Wis. Stat. § 940.32

- (a) This section does not apply to conduct that is or acts that are protected by the persons right to freedom of speech or to peaceably assemble with others under the state and U.S. constitutions, including, but not limited to, any of the following:
1. Giving publicity to and obtaining or communicating information regarding any subject, whether by advertising; speaking or patrolling any public street or any place where any person or persons may lawfully be.
  2. Assembling peaceably.
  3. Peaceful picketing or patrolling.
- (b) Paragraph (a) does not limit the activities that may be considered to serve a legitimate purpose under this section.
- (5) This section does not apply to conduct arising out of or in connection with a labor dispute.
- (6) The provisions of this statute are severable. If any provision of this statute is invalid or if any application thereof is invalid, such invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application.

## History

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1993 a. 96, 496; 2001 a. 109; 2003 a. 222, 327; 2005 a. 277.

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## Wis. Stat. § 192.32

This document is current through Act 380, dated April 24, 2014 (All 2014 legislation)



**LexisNexis® Wisconsin Annotated Statutes > Partnerships and Corporations; Transportation; Utilities; Banks; Savings Associations > Chapter 192. Railroads; Regulations and Liabilities**

### **192.32. Trespassing on railroad.**

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- (1) No person, other than a licensee, authorized newspaper reporter or person connected with or employed upon the railroad, may walk, loiter or be upon or along the track of any railroad. The provisions of this subsection shall not be construed to do any of the following:
  - (a) To interfere with the lawful use of a public highway by any person.
  - (b) To prevent any person from driving across any railroad from one part of that persons land to another part thereof.
  - (d) To interfere with the use of the right-of-way or track by any person in connection with, either directly or indirectly, the shipping, loading or unloading of freight, seeking employment, the investigation or securing of evidence with respect to any accident or wreck or in conducting or transacting any other business for or with the railroad.
  - (e) To interfere with the entry of any employee during or on account of labor disputes by employees.
- (2) Each railroad corporation shall post notices containing substantially the provisions and penalties of this section, in one or more conspicuous places in or about each railroad station.

### **History**

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1993 a. 482, 490; 1997 a. 254; 2001 a. 38; 2005 a. 179.

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ITEM 5  
DRAFT

City of Wisconsin Dells

ORDINANCE NO. \_\_\_\_\_  
(Animals at Large and Exercise)

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

This ordinance updates and clarifies city code provisions which regulate animals at large and exercise. It was suggested by the assistant city attorney who handles city prosecutions in municipal court.

SECTION II: PROVISION REPEALED AND RECREATED

Wisconsin Dells Code Sec. 25.05 and 25.06 is repealed and recreated as Code Sec. 25.05.

SECTION III: PROVISION AS REPLEAED AND RECREATED

**25.05 Animals at Large and Exercise**

- (1) Dogs, cats, or other domestic animals shall not be permitted to run at large within the city limits. A dog, cat or other domestic animal shall be considered to be running at large if it is off the premises of its owner and not under the control of the owner or some other person.
- (2) Dogs, cats or other domestic animals shall be kept on a leash no longer than six (6) feet at all times when off the premises of their owner; and, the person in physical control of the animal shall be competent to supervise and physically capable to restrain the animal.
- (3) The owner or person in control shall not allow or permit the animal to defecate upon the property not owned by such person or without such other property owner's consent or upon any public property, without immediately removing and disposing the excrement in a sanitary manner.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.