

CHAPTER 10

OFFENSES AND MISCELLANEOUS PROVISIONS

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## 10.01 OFFENSES AGAINST PUBLIC HEALTH AND SAFETY AND PUBLIC AND PRIVATE PROPERTY.

(Cr. Nov. 1, 1954) (Am. Oct. 7, 1981) (Am. 1986) (Am. June 13, 2017).

(1) State Laws Adopted by Reference. The following statutes, as amended, are adopted by reference in this section as if fully set forth in this section:

Wis. Stat. § 101.123	Smoking Prohibited
Wis. Stat. § 118.15	Compulsory School Attendance
Wis. Stat. § 939.22	Words and Phrases Defined
Wis. Stat. § 940.19	Battery
Wis. Stat. § 941.01	Negligent Operation of a Vehicle
Wis. Stat. § 941.10	Negligent Handling of Burning Materials
Wis. Stat. § 941.11	Unsafe Burning of Buildings
Wis. Stat. § 941.12	Interfering with or Failing to Assist in Fire Fighting
Wis. Stat. § 941.13	False Alarms
Wis. Stat. § 941.20	Reckless Use of Weapon
Wis. Stat. § 941.21	Disarming a Police Officer
Wis. Stat. § 941.23	Carrying a Concealed Weapon
Wis. Stat. § 941.231	Carrying a Concealed Knife
Wis. Stat. § 941.235	Carrying Firearm in Public Building
Wis. Stat. § 941.299	Restriction on the use of Laser Pointers
Wis. Stat. § 941.35	Emergency Phone Calls
Wis. Stat. § 941.36	Fraudulent Tapping of Electric Wires or Gas or Water Meters or Pipes
Wis. Stat. § 943.01(1)	Damage to Property
Wis. Stat. § 943.06	Molotov Cocktails
Wis. Stat. § 943.065	Injury Caused by Arson
Wis. Stat. § 943.11	Entry into locked vehicle
Wis. Stat. § 943.125	Entry into locked coin box
Wis. Stat. § 943.13	Trespass to Land
Wis. Stat. § 943.14	Criminal Trespass to Dwellings
Wis. Stat. § 943.15	Entry Onto a Construction Site or Into a Locked Building, Dwelling or Room
Wis. Stat. § 943.21	Fraud on hotel or restaurant keeper
Wis. Stat. § 943.23	Operating Vehicle without owner's consent
Wis. Stat. § 943.32	Robbery
Wis. Stat. § 943.34	Receiving Stolen Property
Wis. Stat. § 943.37	Alteration of Property Identification Marks
Wis. Stat. § 943.38(3)	Forgery
Wis. Stat. § 943.065	Theft of Cable Television Service

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Wis. Stat. § 943.50	Retail Theft; Theft of Services
Wis. Stat. § 944.20	Lewd and Lascivious Behavior
Wis. Stat. § 944.21	Lewd, Obscene or Indecent Matter, Pictures and Performances
Wis. Stat. § 944.23	Making Lewd, Obscene or Indecent Drawings
Wis. Stat. § 944.25	Sending Obscene or Sexually Explicit Electronic Messages
Wis. Stat. § 944.30	Prostitution
Wis. Stat. § 944.31	Patronizing Prostitutes
Wis. Stat. § 944.32	Soliciting Prostitutes
Wis. Stat. § 944.33	Pandering
Wis. Stat. § 944.34	Keeping a Place of Prostitution
Wis. Stat. § 945.01	Definitions Relating to Gambling
Wis. Stat. § 945.02	Gambling
Wis. Stat. § 945.03	Commercial Gambling
Wis. Stat. § 945.04	Permitting Premises to be Used for Commercial Gambling
Wis. Stat. § 946.40	Refusing to Aid Officer
Wis. Stat. § 946.41	Resisting or Obstructing Officer
Wis. Stat. § 946.415	Failure to Comply with Officer's Attempt to Take Person Into Custody
Wis. Stat. § 946.42	Escape test
Wis. Stat. § 946.44	Assisting or Permitting Escape
Wis. Stat. § 946.65	Obstructing Justice
Wis. Stat. § 946.70	Personating Peace Officer
Wis. Stat. § 946.72	Tampering with Public Records and Notices
Wis. Stat. § 947.01	Disorderly Conduct
Wis. Stat. § 947.012	Unlawful Use of Telephone
Wis. Stat. § 947.0125	Unlawful Use of Computerized Communication Systems
Wis. Stat. § 947.013	Harassment
Wis. Stat. § 947.015	Bomb Scares
Wis. Stat. § 947.02	Vagrancy
Wis. Stat. § 947.06	Unlawful Assemblies and Their Suppression
Wis. Stat. § 948.01	Definitions
Wis. Stat. § 948.015	Other Offenses Against Children
Wis. Stat. § 948.07	Child Enticement
Wis. Stat. § 948.10	Exposing Genitals or Pubic Area
Wis. Stat. § 948.11	Exposing a Child to Harmful Material
Wis. Stat. § 948.40	Contributing to the Delinquency of a Child
Wis. Stat. § 948.45	Contributing to Truancy
Wis. Stat. § 948.51	Hazing
Wis. Stat. § 948.55	Leaving or Storing Loaded Firearm Within the Real or Easy Access of a Child
Wis. Stat. § 948.605	Gun-Free School Zones
Wis. Stat. § 948.61	Dangerous Weapons Other than Firearms on School Premises

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Wis. Stat. § 948.62	Receiving Stolen Property From a Child
Wis. Stat. § 948.63	Receiving Property From a Child
Wis. Stat. § 948.70	Tattooing of Children
Wis. Stat. § 951.01	Definitions
Wis. Stat. § 951.02	Mistreating Animals
Wis. Stat. § 951.025	Decompression Prohibited
Wis. Stat. § 951.03	Dog napping and Catnapping
Wis. Stat. § 951.04	Leading Animal from Motor Vehicle
Wis. Stat. § 951.05	Transportation of Animals
Wis. Stat. § 951.08	Instigating Fights Between Animals
Wis. Stat. § 951.09	Shooting at Caged or Staked Animals
Wis. Stat. § 951.18	Penalties

## 10.02 Reserved

## 10.03 THROWING OR SHOOTING OF ARROWS, STONES AND OTHER MISSILES PROHIBITED. (Cr. 1986, Am. 12-12-2017).

No person shall throw or shoot any object, arrow, stone, snowball or other missile or projectile, by hand or by any other means at any person or at, in or into any building, street, sidewalk, alley, highway, park, playground or other public place within the Village, except as followed in 10.03(1)

(1) Shooting of arrows will be allowed ONLY in the designated area north of the Ridgeway Park:

(a) The purpose of target shooting shall be for practice, league or planned shoots by the Ghost Ridge Sportsman's Club.

## 10.04 REGULATION OF FIREWORKS. (Cr. Nov. 1, 1954).

Wis. Stat. § 167.10, regulating the sale and use of fireworks, exclusive of any penalty imposed thereby, is adopted by reference and made a part of this section as though set forth in full.

## 10.05 OBSTRUCTING STREETS AND SIDEWALKS PROHIBITED. (Cr. 1986).

No person shall stand, sit, loaf or loiter or engage in any sport or exercise on any public street, sidewalk, bridge or public ground within the Village in such 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.

## 10.06 DISORDERLY CONDUCT. (Cr. Nov. 1, 1954).

(1) It shall be unlawful for any person to commit any of the following offenses within the limits of the Village of Ridgeway:

(a) Profane Language. No person shall use any profane, vulgar, or obscene language or gestures tending to excite a breach of the peace or being inimical to the public peace and good order.

(b) Fright and Violence. No person shall make any threats of violence or resort to violence or frighten any other person, within the Village of Ridgeway.

(c) Assault and Disorderly Assemblage. No person shall commit or participate in, or being present, aid abet or encourage any assault, affray, riot or disorderly assemblage of any kind.

(d) Disturbance of Peace. No person shall commit any breach of peace or disturb the peace and good order of the Village.

(e) No person shall, within any public or private place, engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance or tends to disturb or annoy any other person or persons. No person shall intentionally cause, provoke or engage in any fight, brawl, riot or noisy altercation other than a bona fide athletic contest.

(2) Loud or Unnecessary Noises.

(a) No person shall make or cause to be made any loud, disturbing or unnecessary sounds or noises such as may tend to annoy or disturb another in or about any public street, alley or park or any private residence.

(b) Operation of Motor Vehicles. It shall be a violation of this section for a person to operate a motor vehicle so as to cause the tires thereof to squeal, the horn to blow excessively or the motor to race excessively.

(c) Operation of Motor Vehicles. No person shall operate a Motor vehicle so as to make any loud, disturbing or unnecessary noise in or about any public street, alley, park or private residence, which, may tend to annoy or disturb another by causing the tires of said vehicle to squeal, horn to blow excessively or motor to race excessively.

(d) Any person violating this section shall be subject to a forfeiture of not less than \$10 nor more than \$200.

## 10.07 LOITERING PROHIBITED. (Cr. 1986).

(1) Loitering or Prowling. 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 fakes flight upon appearance of a police officer, refuses to identify himself/herself or manifestly endeavors to conceal himself/herself or any object. Unless flight by the person or other circumstances makes it impracticable, a police or peace officer shall prior to any arrest for an offense under this section afford the person an opportunity to dispel any alarm which would otherwise be warranted, by requesting him to identify himself and explain his presence and conduct. No person shall be convicted of an offense under this subsection if the police or peace officer did not comply with the preceding sentence, or if it appears at trial that the explanation given by the person was true and, if believed by the police or peace officer at the time, would have dispelled the alarm.

(2) Obstruction of Traffic Loitering. No person shall loaf or loiter in groups or crowds upon the public streets, alleys, sidewalks, street crossings or bridges or in any other public places within the Village in such manner as to prevent, interfere with or obstruct the ordinary free use of such public streets, sidewalks, street crossings and bridges or other public places by persons passing along and over the same.

(3) Loitering After Being Requested to Move. No person shall loaf or liter in groups or crowds upon the public streets, sidewalks or adjacent doorways or entrances, street crossings or bridges or in any other public place or on any private premises without invitation from the owner or occupant, after being requested to move by a police officer or by a person in authority at such places.

(4) Loitering in Public Places. No person shall loiter in or about any depot, theater, dancehall, restaurant, store, public sidewalk, public parking lot or other place of assembly or public use after being requested to move by any police officer. Upon being requested to move, a person shall immediately comply with such request by leaving the premises or area thereof at the time of the request.

## 10.08 EXPLOSIVES. (Cr. Nov. 1, 1954).

(1) Limitation on Quantity. Not more than sixty (60) gallons of gasoline, and thirty (30) pounds of black powder, and no dynamite, nitroglycerine or other explosive shall be handled, stored or kept for sale within the Village of Ridgeway, except as herein provided.

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(2) Storage Regulations. All explosives of whatever name or nature, except as above provided, shall be stored in magazines or tanks, and no magazine or tank for keeping or storing any such explosives shall be built or located within five hundred (500) feet of any dwelling house or other building within the said Village.

**10.09 BURNING OF GRASS, TRASH OR GENERAL BONFIRES RESTRICTED.** (Cr. Nov. 1, 1954).

(1) Grass Fires Regulated. No person shall kindle any fire within the Village without first securing a written permit from the Fire Chief. The Fire Chief may issue such permit subject to any conditions he deems necessary for the protection of life and property.

(2) Trash Burning Restricted. No person shall kindle or cause to be kindled any fire in or upon any street, alley, public way, park or any public or private property within the Village within 15 feet of any building or within 10 feet of any property line or within any fire lane unless same be confined within a refuse burner, basket or metal enclosure with a metal cover attached to prevent the escape of sparks and burning material and unless so authorized by the Fire Chief. No such permit shall be valid for more than one year from its date.

(3) Bonfires Restricted. No person shall start any bonfire within the Village limits without first securing the written permission of the Fire Chief.

**10.10 GASOLINE AND OIL STORAGE.** (Cr. June 7, 1960) (Am. Nov. 1, 1954).

No bulk storage tank with a capacity of over 300 gallons for the storage of gasoline, kerosene, fuel oil, naphtha, benzene, benzyl or compounds thereof, shall hereafter be erected or placed above ground within the limits of the Village of Ridgeway, at any point within one hundred fifty (150) feet of the center line of Main Street, also known as old U. S. Highway No. 151 and 18, or at any point within the limits of said Village o Ridgeway within one hundred fifty (150) feet of any building or structure.



**10.11 KEEPING OF LIVESTOCK AND POULTRY REGULATED.** No person shall keep or maintain any poultry or fowl except as permitted under s. 10.11.1 of this Code, or any livestock such as horses, cattle, sheep or goats, in any zoning district except agricultural districts (Cr. 1986, Am. Oct. 2017, adopted 11-17-17).

(1) Except as herein provided, the housing, pasturing or keeping of cattle, livestock, hogs, horses, and sheep within the Village of Ridgeway is hereby declared a public nuisance, detrimental to the public health and welfare of the citizens of the Village of Ridgeway.

(2) No cattle, livestock, hogs, horses, and sheep shall be housed, pastured or kept within the Village limits within four hundred (400) feet of any dwelling house without written consent of all adjoining property owners, said written consent to be filed with the Village Clerk, and at no time will they be allowed within two hundred (200) feet of any dwelling house.

(3) Any person who desires to comply with the terms of this chapter and to keep any of the foregoing animals shall, in addition to complying with the foregoing sections of this chapter, make application for permission to the Village Board, and supply such information thereon as shall be required, with respect to the location of the animals, the type and number of the animals to be maintained thereon, and such other information as shall be required.

(4) The Village Board shall refer such application to the Board of Health or Health Committee of said Village and to such other officer or officers as they may designate, who shall inspect the site of the proposed premises and shall make such recommendations to the Village Board as they may deem advisable from the information obtained.

(5) The Village Board, on receiving the recommendations referred to in sec. (4) of this chapter, shall either issue or deny the issuance of such permit on such terms and conditions as are stated therein, basing their decision on whether or not the terms of this chapter are complied with and whether or not the keeping of such animals in the proposed location would be detrimental to the public health and welfare of the citizens of the Village.

(6) Sections (2), (3), and (4) of this chapter shall not apply to any person presently housing, keeping or pasturing any cattle, livestock, hogs, poultry, horses and sheep while at their present location.

(7) Any person presently housing, pasturing or keeping within the Village limits of the Village of Ridgeway any cattle, livestock, hogs, poultry, horses and sheep

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must keep all housing, pastures and premises in a clean and sanitary way, subject to the Board of Health or Committee on Health of the Village of Ridgeway. Housing must be cleaned daily.

(8) No person having in his/her possession or under his/her control any animal or fowl shall allow the same to run at large within the Village.

(9) In issuing a permit to allow such animals as mentioned in this chapter to be housed, pastured or kept within the Village, the Board shall consider the number of such animals expected to be kept, the location and the likelihood of a public or private nuisance being created.

### 10.11.1 KEEPING OF CHICKENS WITHIN THE VILLAGE LIMITS (Cr. Oct. 2017)

**(1) Effective November 17, 2017 30 days after posting date of October 18, 2017**

(2) Chickens Allowed. Within the Village of Ridgeway, hens (female chickens) are allowed on residential lots with single-family dwellings.

(3) Roosters Not Allowed. Within the Village of Ridgeway, roosters (male chickens) shall not be allowed.

(4) Maximum number of Hens. No more than five (5) hens may be kept on any property.

(5) No Slaughtering. There will be no slaughtering of chickens within the Village.

(6) No Selling of Products Produced. No individual may sell any products produced from the chicken hens.

(7) Bird Fighting. Raising or keeping hens for fighting and the fighting of hens is not allowed within the Village as prohibited under Wis. §951.08.

(8) Chicken Feed. All food must be kept in airtight containers that are out of reach of wild animals.

(9) Chicken Coops. Hens must be provided with a building structure that houses them and that is constructed in accordance with the following rules:

- a. Hens must be provided at least three square feet of floor space each.
- b. A coop must have minimum dimensions of two feet long by two feet wide by four feet tall.
- c. There must be at least one nesting box per hen.
- d. Coops must include elevated perches to ensure chickens are able to rest in their natural position.
- e. Coops must be structurally sound and insulated, moisture proof and kept in good repair.
- f. Coops must have vents to insure proper ventilation during all times of the year.
- g. There must be a minimum of one foot of window for each ten feet of wall space.
- h. Coops must be cleaned daily and waste must be properly disposed of. All stored manure shall be covered by a fully enclosed structure with a roof or lid over the entire structure. No more than three cubic feet of manure shall be stored on the

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premises. All other manure not used for composting or fertilizing shall be removed. The henhouse or chicken coop and surrounding area must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.

- i. During the winter months:
    - i. Windows must be covered with plastic to minimize drafts.
    - ii. Heating lamps or other technology may need to be provided to keep the coop at the proper temperature of no less than 40 degrees F.
    - iii. Water must not be frozen in the winter.
  - j. Coops must provide access to the chicken run.
  - k. No coop shall be located closer than 25 feet from any residential structure and 15 feet from the property line on an adjacent lot. Coops must be located in the rear yard of the property or non-address side yard on corner lots.
- (9) Chicken Runs. The chickens must be provided with an outdoor fenced structure in which to run around.
- a. Hens must be provided with at least six square feet of space each to run.
  - b. The minimum dimensions are two feet wide by two feet long by three feet tall.
  - c. The fencing must have spacing of no more than one inch.
  - d. The top of the run must be covered with fencing with spacing of one inch or less.
  - e. The fencing should be buried one foot under the ground if the run is NOT mobile.
  - f. During the winter months:
    - i. The run must be surrounded by heavy plastic on all sides.
    - ii. The top of the run must be covered in heavy plastic.
- (10) General Care Requirements. Chickens must be cared for properly.
- a. Food must be provided daily and must be proper for chickens in accordance with Wis. §951.13(2).
- (11) Premises Registration. Registration through Wisconsin Department of Agriculture, Trade & Consumer Protection required to be filed with the Village Clerk.
- (12) Application Process. Applications will be submitted to the Village Clerk's office and must contain the following information:
- a. The desired location for the coop and run on a scaled drawing of the lot. The drawing shall include dwelling units on properties within 100 feet of the proposed coop location and shall be approved by the Building Inspector.

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- b. The design for the desired coop along with proof of the building permit for the building of the same.
  - c. A copy of the proof of having obtained a site number and proof of registration with the Wisconsin Department of Agriculture, Trade and Consumer Protection. Where required, a copy
- (13) Licenses and Fees.
- a. Licenses are for a one year term, beginning January 1 of each year.
  - b. License fee is \$10.00 annually and will not be prorated for any portion of the year.
  - c. Licenses not renewed by March 1<sup>st</sup> will be assessed a late fee of \$10.00.
- (14) Renewal Process. All licenses must be renewed on an annual basis, prior to January 1 of each year. License renewals will be submitted to the Village Clerk's office and shall include:
- a. Current proof of registration with the Wisconsin Department of Agriculture, Trade and Consumer Protection and site number.
  - b. Annual Fee.
- (15) Exemption. The provisions of this section shall not apply to chickens maintained in the agricultural zoning sections of the Village.
- (16) Penalties.
- a. General violations:
    - i. First offense: a warning will be given to the license holder that if similar complaints continue, a forfeiture of \$50.00 will be assessed and license may be revoked.
    - ii. Second offense: a forfeiture of \$75.00 will be assessed and the license will be revoked for 12 months.
    - iii. Third offense: a forfeiture of \$100.00 will be assessed and the license will be permanently revoked.
  - b. Animal Cruelty violations. These consist of but are not limited to inadequate food or water, dirty coop, improper temperature conditions for the birds, sick or unhealthy birds, and improper size coop.
    - i. Permit revoked permanently
  - c. Nothing in this section shall prohibit the Village from pursuing violations of this section as public nuisances or referring violations of this section to the district attorney's office when the Village deems it appropriate to do so.

## 10.12 BEE KEEPING. (Cr. Nov. 1, 1954).

(10) Swarms Limited. It shall be unlawful to keep, harbor, or set out more than thirty (30) swarms of bees within the Village limits, and then only upon the conditions hereinafter set forth. The maximum number of swarms permitted upon any premises shall not exceed thirty (30) in number.

(11) Location Restricted. The hives of all bees kept within the Village limits shall be located not less than two hundred (200) feet from any residence other than the one situated upon the premises where the bees are kept.

## 10.13 STORAGE OF JUNK REGULATED. (Cr. 1986).

(1) No person shall accumulate or store any junked motor vehicle, scrap iron, junked machinery, wrecked machinery, junked trailers, wrecked trailers, bottles, jugs, broken glass or scrap metal or anything pertaining to a junk yard including unlicensed wrecked or inoperative motor vehicles outside of any building or property located in the Village. Excluded from the above are wrecked or inoperable motor vehicles bearing valid, current license plates and wrecked or inoperative motor vehicles on the premises of a licensed automobile dealer.

(2) Clutter shall be determined by signed or verified complaint about materials being left lying around a house.

(3) If the police department finds any inoperable motor vehicle which does not bear a valid license plate placed or stored in the open upon public property within the Village, the department shall cause such vehicle to be removed to a junk or salvage yard and stored there for 10 days, at the end of which time the junk or salvage yard shall dispose of such vehicle, unless claimed by the owner thereof.

(4) If the department shall find any such vehicle placed or stored in the open upon private property, the department shall notify the owner of the property to remove such vehicle within 10 days. If such vehicle is not removed within such time, the department shall cause the vehicle to be removed and the cost charged to the property as a special tax.

(5) If the owner of any such vehicle shall claim the vehicle, the junk or salvage yard may charge a reasonable fee for towing and store.

## 10.14 ABANDONED VEHICLES. (Cr. 1986).

(1) Vehicle Abandonment Prohibited. No person shall leave unattended any motor vehicle, trailer, semi-trailer or mobile home on any public street or highway or public or private property, for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. When any such vehicle has

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been left unattended on any Village street or highway or on any public or private property within the Village without the permission of the owner for more than 48 hours, the vehicle is deemed abandoned and constitutes a public nuisance.

(2) Removal and Impoundment of Abandoned Vehicles. Any vehicle in violation of this section shall be impounded until lawfully claimed or disposed of under sub. (3), except that if the Chief of Police or his/her duly authorized representative determines that the cost of towing and storage charges for the impoundment would exceed the value of the vehicle, the vehicle may be junked by the Village prior to expiration of the impoundment period upon determination by the Chief of Police or his/her duly authorized representative that the vehicle is not wanted for evidence or some other reason.

(3) Disposal of Abandoned Vehicles.

(a) Vehicle Value Exceeds \$100.00.

1. If the Officer in Charge or his/her duly authorized representative determines that the value of the abandoned vehicle exceeds \$100.00, he/she shall notify the owner and lien holders of record by certified mail that the vehicle has been deemed abandoned and impounded by the Village and may be reclaimed within 15 days upon payment of accrued towing, storage, and notice charges, and if not so reclaimed, shall be sold.

2. If an abandoned vehicle determined to exceed \$100.00 in value is not reclaimed within the period and under the conditions as provided above, it may be sold at private sale.

3. After deducting the expense of impoundment and sale, the balance of the proceeds, if any, shall be paid to the Village Treasury.

(b) Any abandoned vehicle which is determined by the Chief of Police or his/her duly authorized representative to have a value of less than \$100.00 may be disposed of by direct sale to a licensed salvage dealer upon determination that the vehicle is not reported stolen.

(4) Owner Responsible for Impoundments and Sale Costs. The owner of any abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all costs of impounding and disposing of the vehicle. Costs not recovered for the sale of the vehicle may be recovered in a civil action by the Village against the owner.

(5) Notice of Sale or Disposition. Within five (5) days after the sale or disposal of a vehicle as provided in sub. (3) (a) or (b), the Chief of Police or his/her authorized representative shall advise the Wisconsin Department of Transportation, Division of Motor Vehicles, of such sale or disposition on a form supplied by the Division. A copy of

such form shall also be given to the purchaser of the vehicle. A copy shall also be retained on file in the Village.

### **10.15 LITTERING PROHIBITED.** (Cr. Oct. 7, 1981).

No person shall throw any glass, refuse or waste, filth or other litter upon the streets, alleys, highways, public parks or other property of the Village or upon private property or upon the surface of any body of water within the Village.

### **10.16 ROLLERSKATING, COASTING AND BICYCLING.** (Cr. Nov. 1, 1954).

(1) Roller-skating. Roller-skating on the sidewalk on Main Street in the Village of Ridgeway is prohibited.

(2) Coasting. Coasting, sliding with hand sleighs, or skating on any street in the Village is prohibited, except in areas designated by the Officer in Charge.

(3) Bicycle. The operation of a bicycle on any sidewalk in the Village is prohibited.

### **10.17 LIQUOR RESTRICTIONS ON VILLAGE PROPERTY.** (Cr. Oct. 7, 1981).

No person shall possess any open intoxicating liquor or fermented malt containers on Village property nor shall any person drink any intoxicating liquors or fermented malt beverages on Village property; property specifically including the Village Green and the streets and sidewalks of the 500, 600, and 700 blocks of Main Street. Such property shall not include the Village Park and ball diamond area.

### **10.18 VILLAGE GREEN CLOSED.** (Cr. Oct. 7, 1981).

The Village Green shall be closed to all persons from 1:30 a.m. to 6:00 a.m.

### **10.19 GLASS CONTAINERS RESTRICTED.** (Cr. Aug. 6, 1985).

All glass containers on Village of Ridgeway property are prohibited.

### **10.20 CURFEW.** (Cr. Nov. 1, 1981).

It shall be unlawful for any minor under the age of 18 years to loiter idle, wander, play, stroll or be found upon the public streets, alleys, public grounds or public places in the Village between the hours of 11:00 p.m. and 5:00 a.m., unless accompanied by his/her parent or guardian or unless upon some errand for, or with the permission of



said parent or guardian. Said errand or permission to be evidenced by a written document carried upon said minor's person. Exception will be made for a minor en route to or actually engaged in his/her regular employment.

#### **10.21 RADIO OR TELEVISION INTERFERENCE PROHIBITED.** (Cr. 1986).

No person shall operate any machine or equipment which causes interference with radio or television reception, when such interference can be prevented by repairs, adjustments, and the installation of corrective appliances or other practicable alterations, at a reasonable expense.

#### **10.22 WELLS, CISTERNS AND EXCAVATIONS.** (Cr. Nov. 1, 1954).

(1) Open Cisterns, Wells, Basements or Other Dangerous Excavations Prohibited. No person shall have or permit on any premises owned or occupied by any open cisterns, cesspools, wells, unused excavations or other dangerous openings. All be filled, securely covered or fastened, to prevent injury to any person and any a design, size and weight that the same by small children.

(2) Damage to Wells and Cisterns. No person shall abuse, damage, befoul or corrupt any public or private wells, cisterns or other public or private property belonging to the Village or to any individual.

#### **10.23 ABANDONED OR UNATTENDED ICE BOXES PROHIBITED.**

No person shall leave or permit to remain outside of any dwelling, building or other structure, or within any unoccupied or abandoned building, dwelling or other structure under his/her control in a place accessible to children, any abandoned, unattended or discarded ice box, refrigerator or other container which has an airtight door or lid, snap lock or other locking device which may not be released from the inside without first removing such door or lid, snap lock or other locking device from such ice box, refrigerator or container unless such container is displayed for sale on the premises of the owner or his/her agent and is securely locked or fastened.

#### **10.24 USE OF MILITARY RIDGE BICYCLE TRAIL.** (Cr. Aug. 6, 1985).

Wisconsin Administrative Code Adopted. Except as otherwise specifically provided in this Chapter, the provisions of Chapter NR 45 of the Wisconsin Administrative Code, entitled Use of Department Properties, describing and defining regulations with respect to use of lands, structures and property owned, under easement, leased or administered by the State of Wisconsin, are hereby adopted and by reference made a part of this Chapter as if fully set forth herein. Any act required to be performed or prohibited by any Administrative Code section incorporated herein by reference is required or prohibited by this section.

## 10.25 REGULATING SNOWMOBILES. (Cr. 1986).

The Village Board of the Village of Ridgeway ordains that pursuant to Wis. Stat. Chapter 350, the following statutory provisions be adopted by reference, in the regulation of snowmobiles:

- (1) 350.01 (Definitions)
- (2) 350.102 (Operation of Snowmobiles on or in the Vicinity of Highways)
- (3) 350.03 (Right-of-Way)
- (4) 350.04 (Snowmobile Races, Derbies and Routes)
- (5) 350.045 (Public Utility Exemption)
- (6) 350.047 (Local Ordinance to be Filed)
- (7) 350.05 (Operation by Youthful Operators Restricted)
- (8) 350.07 (Driving Animals)
- (9) 350.08 (Owner Permitting Operation)
- (10) 350.09 (Head Lamps, Tail Lamps and Brakes)
- (11) 350.095 (Noise Level Requirements)
- (12) 350.10(3) (Miscellaneous Provisions for Snowmobile Operation)
- (13) 350.11 (Penalties)

a. Any person who violates any provision of this section except Wis. Stat. §§ 350.07, 350.08 and 350.10(3) shall forfeit not more than \$250.00.

b. Any person who violates Wis. Stat. §§ 350.07, 350.08 or 350.10(3), shall forfeit not more than \$200.00.

- (14) 350.12 (Registration of Snowmobiles)
- (15) 350.135 (Interference with Uniform Trail Sign and Standards)
- (16) 350.15 (Accidents and Accident Reports)
- (17) 350.99 (Parties to a Violation)

## 10.26 BARBED WIRE. (Cr. Nov. 1, 1954).

The placing, affixing or maintaining of barbed wire or barbed wires on, in or upon any fence along side of and within four (4) feet of any sidewalk in any public street or alley of this Village is hereby declared to be a common and public nuisance.

## 10.27 FAIR HOUSING.

(1) Declaration of Policy. The Village, in the exercise of its police power for the public safety, health and general welfare, assures equal opportunity to all persons to live in decent housing facilities regardless of race, color, religion, sex or national origin and, to that end, prohibits discrimination in housing by any person.

(2) Definitions. When used herein, the following words shall mean:

a. Discrimination or Discriminatory Housing Practice. Any difference in treatment based upon, race, color, religion, sex or national origin; or any act that is prohibited under this section.

b. Financial Institution. Any person, as defined herein, engaged in the business of lending money or guaranteeing loans.

c. Housing Accommodation or Dwelling. Any building, mobile home or trailer, structure or portion thereof which is occupied, or designed or intended for occupancy, as a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, mobile home or trailer, structure or portion thereof or any real property, as defined herein, used or intended to be used for any of the purposes set forth in this subsection.

d. Mortgage Broker. An individual who is engaged in or performs the business or services of a mortgage broker as the same are defined by Wisconsin Statutes.

e. Open Market. The market which is informed of the availability for sale, purchase, rental or lease of any housing accommodation, whether informed through a real estate broker, advertising by publication, signs or by any other advertising methods directed to the public, or any portion thereof, indicating that the property is available for sale, purchase, rental or lease.

f. Owner. A lessee, sub-lessee, co-tenant, assignee, managing agent or other person having the right of ownership or possession, or the right to sell, rent or lease any housing accommodation.

g. Person. Individuals, children, firms, associations, joint ventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations and all other groups or combinations.

h. Real Estate Broker or Real Estate Salesperson. Any individual, qualified by law, who, for a fee, commission, salary or for other valuable consideration, or who, with the intention or expectation of receiving or collecting same, lists, sells, purchases, rents or leases any housing accommodations, including options thereupon, or who negotiates or attempts to negotiate a loan, secured by a mortgage or other

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encumbrance, upon transfer of any housing accommodation; or who is engaged in the business of charging an advance fee or contracting for collection of a fee in connection with a contract whereby he undertakes to promote the sale, purchase, rental or lease of any housing accommodation through its listing in a publication issued primarily for such purpose; or an individual employed by or acting on behalf of any of these.

i. Real Property. Buildings, structures, lands tenements, leaseholds, cooperatives and condominiums.

(3) Prohibited Practices. In connection with any of the transactions set forth in this section which affect any housing accommodation on the open market, or in connection with any public sale, purchase, rental or lease of any housing accommodation, it shall be prohibited within the Village for a person, owner, financial institution, real estate broker or real estate salesman, or any representative of the above to:

a. Refuse to sell, purchase, rent or lease, or deny to or withhold any housing accommodation from a person because of his/her race, color, religion, ancestry, national origin, sex or place of birth; or

b. To discriminate against a person in the terms, conditions or privileges of the sale, purchase, rental or lease of any housing accommodation, or in the furnishing of facilities of services in connection therewith; on the basis of race, color, religion, ancestry, national origin, sex or place of birth; or

c. To refuse to receive or transmit a bona fide offer to sell, purchase, rent or lease any housing accommodation from or to a person because of his/her race, color, religion, ancestry, national origin, sex or place of birth; or

d. To refuse to negotiate for the sale, purchase, rental or lease of any housing accommodation to a person because of his/her race, color, religion, ancestry, national origin, sex or place of birth; or

e. To represent to a person that any housing accommodation is not available for inspection, sale, purchase, rental or lease when in fact it is so available, or to refuse to permit a person to inspect any housing accommodation because of his/her race, color, religion or national origin, sex or place of birth; or

f. To make public, print, circulate, post or mail, or cause to be made, published, printed, circulated, posted or mailed, any notice, statement or advertisement, or to announce a policy or sign or use a form of application for the sale, purchase, rental, lease or financing of any housing accommodation, or to make a record of inquiry in connection with the prospective sale, purchase, rental, lease or financing of any housing accommodation, which indicated any discrimination or any intent to make a discrimination.

g. To offer, solicit, accept or use a listing of any housing accommodation for sale, purchase, rental or lease with the understanding that a person

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may be subjected to discrimination in connection with such sale, purchase, rental, or lease, or in the furnishing of facilities or services in connection therewith;

h. To induce directly or indirectly, or attempt to induce directly or indirectly, the sale, purchase, rental or lease, or the listing for any of the above, of any housing accommodation by representing that the presence or anticipated presence of persons of any particular race, color, religion, sex or national origin or place of birth in the area to be affected by such sale, purchase, rental or lease will or may result in either;

1. The lowering of property values in the area.
2. An increase in criminal or anti-social behavior in the area; or
3. A decline in the quality of schools serving the area.

i. To make any misrepresentations concerning the listing for sale, purchase, rental or lease, or the anticipated listing of any housing accommodation in any area in the Village for the purpose of including or attempting to induce and such listing or any of the above transactions; or

j. To engage in, hire to be done, or conspire with others to commit acts or activities of any nature, the purpose of which is to coerce, cause panic, incite unrest or create or play upon fear, with the purpose of either discouraging or inducing, or attempting to induce, the sale, purchase, rental or lease, or the listing for any of the above, of any housing accommodation; or

k. To retaliate or discriminate in any manner against a person because he/she has opposed a practice declared unlawful by this section, or because he/she has filed a complaint, testified, assisted or participated in any manner in any investigation, proceeding, hearing or conference under this section; or

l. To aid, abet, incite, compel or coerce any person to engage in any of the practices prohibited by this section; or to obstruct or prevent any person from complying with the provisions of this section; or any order issued there under; or

m. By canvassing, to commit any unlawful practice prohibited by this section; or

n. Otherwise to deny to or withhold any housing accommodation from a person because of his/her race, color, religion, ancestry, national origin, sex or place of birth; or

o. For any bank, building and loan association, insurance company or other corporation, association, firm, or enterprise whose business consists in whole or in part, in the making of commercial real estate loans, to deny a loan or other financial assistance to a person applying therefore for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling, or to discriminate against him/her in the

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fixing of the amount, interest rate, duration or other terms or conditions of such loans or other financial assistance, because of the race, color, religion, sex or national origin of such person or of any person associated with him/her in connection with such loan or other financial assistance is to be made or given; or

p. To deny any qualified person access to or membership or participation in any multiple listing service, real estate brokers organization or other service, organization or facility relating to the business of selling or renting dwelling, or to discriminate against him/her in their terms or condition of such access, membership or participation on account of race, color, religion, sex or national origin.

(4) Exemptions. This section shall not apply to:

a. A religious organization, association or society, or any non-profit institution or organization operating, supervised or controlled by or in conjunction with a religious organization, association or society which limits the sale, rental or occupancy of dwellings which it owns or operates for other than commercial purpose to persons of the same religion, or which give preference to such persons, unless membership in such a religion is restricted on account of race, color, sex or national origin.

b. A private club not in fact open to the public, which as an incident to its primary purpose or purposes, provided lodgings which it owns or operates for other than a commercial purpose, and which limits the rental or occupancy of such lodgings to its members or give preference to its members.

c. Any single family house sold or rented by an owner, with the following provisions:

1. Such private individual owner does not own more than three (3) such single family houses at any one time.

2. In the case of the sale of any such single family house by a private individual owner not residing in such house at the time of such sale, or who was not the most recent resident of such house prior to such sale, the exemption granted by this sub-section shall apply only with respect to one such sale within any 24-month period.

3. That such bona fide private individual owner does not own any interest in, nor is there owned or served on his/her behalf, under any express or voluntary agreement, title to or any right to all or a portion of the proceeds from the sale or rental of, more than three (3) such single family houses at any one time.

4. The sale or rental of any such single family house shall be exempted from the application of this section only if such house is sold or rented.

i. Without the use in any manner of the sales or rental facilities or the sales or rental services of any real estate broker, agent or

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salesman, or of such facilities or services of any person in the business of selling or renting dwelling, or of any employee or agent of any such broker, agent, salesperson or person.

ii. Without the publication, posting or mailing, after notice, of any advertisement or written notice in violation of the provisions of 42 USC§3604(c) or sub. (3) above, but nothing in this provision shall prohibit the use of attorneys, escrow agents, abstractors, title companies and other such professional assistance as necessary to perfect or transfer the title; or

iii. Rooms or units in dwellings containing living quarters occupied or intended to be occupied by nor more than 4 families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his/her residence.

5. Procedure. Any person aggrieved by an unlawful practice prohibited by this section may file a complaint with the Village Attorney within thirty (30) days after the aggrieved person becomes aware of the alleged unlawful practice, and in no event more than sixty (60) days after the alleged unlawful practice occurred. The Village Attorney or his/her duly authorized representative shall investigate each complaint and attempt to resolve each complaint. Failure to achieve a resolution acceptable to both parties in compliance with this section shall cause the Village Attorney to forward the complaint and his/her findings to appropriate State and Federal officials.

6. Other Remedies. Nothing herein contained shall prevent any person from exercising any right or seeking any remedy to which he might otherwise be entitled or from filing his/her complaint with any appropriate governmental agency.

## 10.28 PENALTIES

Any person who shall violate any provision of this chapter shall be subject to a penalty as provided in this code under Chapter 12. In addition to any penalty imposed for violation of Wis. Stat. § 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 or parents of any un-emancipated minor child who violates § 10.943.02(1) may also be held liable for the cost of replacing or repairing such damaged or destroyed property in accordance with Wis. Stat. § 895.035.

## 10.29 ALL-TERRAIN AND UTILITY-TERRAIN VEHICLE ROUTES. (Cr. June 20, 2014) (Am. June 13, 2017)(Am. September 12, 2017).

(1) Introduction.

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(a) Authority. Following due consideration of the recreational and economic value to connect with trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density, and history of automobile traffic, this ordinance has been created pursuant to the Village Board authority under Wis. Stat. §§ 61.34(1), 23.33(8)(b) and 23.33(11).

(b) State ATV/UTV Laws Adopted. Statutory provisions found in Wis. Stat. § 23.33 are adopted by reference as a part of this Chapter as if fully set forth herein. Any act required to be performed or prohibited by the provisions of any statute incorporated by reference herein is required or prohibited by this Chapter.

(c) Definitions.

1. "All-terrain vehicle" or "ATV" has the meaning specified under Wis. Stat. § 340.01(2g).

2. "Utility-terrain vehicle" or "UTV" has the meaning specified under Wis. Stat. § 23.33(1)(ng).

(d) Severability. If any provision of this Ordinance or the application to any person or circumstance is held invalid, the remainder of the Ordinance and the application of such provisions to other persons and circumstances shall not be deemed affected.

(2) Designation of ATV/UTV Routes.

(a) The village streets designated as ATV/UTV routes shall be proposed by the Village Board for approval and adoption. The Village Board shall develop policies and procedures for designation of ATV/UTV routes including appropriate criteria for making a designation. Any modification to be designated ATV/UTV route shall be approved by the Village Board.

(b) A copy of ATV/UTV routes, along with a map showing their location, shall be kept on file at the Village of Ridgeway Clerk/Treasure Office. The Village Board shall have the authority to temporarily close or terminate any ATV/UTV route in the Village of Ridgeway enacted by this Ordinance for a period of ninety (90) days due to emergency situation or condition. Closures for duration of greater than ninety (90) days shall be reviewed by the Village Board.

(c) Streets included in the ATV/UTV route (See Appendix A for map):

- a. Grove St (Cty Hwy HHH south)
- b. Cretney St.
- c. Kirby St.
- d. Main St.
- e. Weaver St.
- f. Richard St.
- g. W. Farwell St.
- h. Ternes Ct.



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- i. Quinn St.
- j. Bier St.

(3) Conditions Applicable to ATV/UTV Routes.

(a) Signage of ATV/UTV Routes.

1. Routes shall be marked with uniform all-terrain vehicle route signs in accordance with s. NR 64.12 (7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking ATV/UTV routes:

a. Intentionally remove damage, deface move, or obstruct any uniform ATV/UTV route or trail sign or standard or intentionally interfere with effective operation of any uniform ATV/UTV route or trail sign or standards if the sign or standard is legally placed by the state, any municipality, or any authorized individual.

b. Possess any uniform ATV/UTV route or trail sign or standard of the type established by the department for the warning, instruction or information of the public, unless he or she obtained the uniform ATV/UTV route or Trail sign or standard in a lawful manner. Possession of a uniform ATV/UTV route or trail sign or standard creates a rebuttable presumption of illegal possession.

2. All required designated route signs shall be paid for, installed, and maintained by an ATV/UTV club, approved and under the direction of the Village Board. The Village is responsible for providing sign posts.

3. The quantity and location the ATV/UTV route or trail signs shall be reviewed and approved by the Village Board where appropriate, placed at the beginning of a n all-terrain vehicle route or trail within the Village and at such locations and intervals deemed necessary to enable the ATV/UTV operators to follow the route.

4. No sign may be mounted in the Village without the proper authorization. Posts shall be suitably sized for mounting the necessary amount of signs at the location.

5. No person shall operate an ATV/UTV contrary to any authorized and official posted sign.

(b) Rules of Operation.

1. Operation shall be subject to all provisions of Wis. Stat. § 23.33, which is adopted as a part of this ordinance by reference, pursuant to § 23.33(11).

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2. In addition to the provisions of Wis. Stat. § 23.33 the following restrictions are in place for operators on the village ATV/UTV routes designed by this Ordinance:

a. No ATV/UTV shall be operated with open intoxicants on any village street.

b. All ATV/UTVs shall operate only on the paved portion of the village streets. Operation on the gravel shoulders, grassy in-slope, ditches, or other village streets' right-of-way area is prohibited.

c. No ATV/UTV shall be operated at the speed greater than 10 miles per hour (MPH), unless on a posted route. No ATV/UTV shall be operated in excess of posted speed limit on any village street.

d. No ATV/UTV may be operated between the hours of 10:00PM and 7:00AM daily.

e. All ATV/UTV operators shall ride in single file on the extreme right hand side of the paved portion of the road except that left turns may be made from any part of the roadway which is safe given prevailing conditions.

f. All ATV/UTV operators must have the lights on at all times.

g. All ATV/UTV operators who are born after January 1, 1988 are required to have a valid state issued ATV Safety Certificate. Children under the age of 15 must be directly supervised by the parent or legal guardian when riding on village streets.

h. All ATV/UTV operators and passengers under the age of 18 shall wear protective headgear while operating on village streets.

(4) Enforcement and Penalties.

(a) Enforcement. This ordinance shall be enforced by any officer employed by the Village of Ridgeway Police Department or any other law enforcement official as set forth in Wis. Stat. § 23.33(12).

(b) Penalties. The penalties under Wis. Stat. § 23.33(13) are adopted by reference.

### 10.30 ISSUANCE OF WORTHLESS CHECKS. (Cr. 2007).

(1) Checks Less Than \$500.00. Whoever issues any check or other order for the payment of money less than five hundred dollars (\$500.00) which, at the time of issuance, he or she intends shall not be paid, may be penalized as provided in Section 12.03(1)(a) of this Code.

(2) Checks Greater than \$500.00. Whoever issues any single check or other order for the payment of five hundred dollars (\$500.00) or more or whoever, within a fifteen (15) day period, issues more than one check or other order amounting in the aggregate to five hundred dollars (\$500.00) or more which, at the time of issuance, the person intends shall not be paid, may be penalized as provided in Section 12.03(1)(b) of this Code.

(3) Proof of Intent. Any of the following is prima facie evidence that the person, at the time he or she issued the check or other order for the payment of money, intended it should not be paid:

a. Proof that, at the time of issuance, the person did not have an account with the bank or drawee; or

b. Proof that, at the time of issuance, the person did not have sufficient funds or credit with the bank or drawee and that the person failed within five (5) days after receiving notice of insufficient funds, nonpayment or dishonor to pay the check or other order; or

c. Proof that, when presentment was made to the bank or drawee, that the person did not have sufficient funds or credit with the bank or drawee and the person failed within five (5) days after receiving notice of insufficient funds, nonpayment or dishonor to pay the check or other order. This includes a check that is returned from a bank stamped NSF.

(4) Order for Restitution. In addition to the other penalties provided for a violation of this section, if the violation is against the Village, the judge may order a violator to pay restitution to the Village in the amount of the check pursuant to Wis. Stat. § 800.093. Non-payment of restitution authorizes the Village to institute any collection proceedings authorized by law to recover the amount of restitution at the expense of the violator.

(5) Village Administrative Fee for Returned Checks. In addition to the other penalties provided for a violation of this section, any check made payable to the Village and returned to the Village due to insufficient or non-sufficient funds shall be subject to a \$50.00 per check processing fee.

(6) Village Collection Action. The Village is authorized to institute any collection proceeding authorized by law to collect payment of any check made payable to the Village and returned to the Village due to insufficient or non-sufficient funds. Such

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collection action shall include the face amount of the check, the administrative fee and any other banks fees or other costs charged to the Village.

10.31 DRUG PARAPHERNALIA (adopted 01-15-2017).

(1) Definitions. The definition of "drug paraphernalia" stated in Wis. Stat. § 961.571 is adopted and incorporated by reference as the definition of "drug paraphernalia" for purposes of this ordinance.

(2) Determination. In determining whether an object is drug paraphernalia under this ordinance, a court or other authority shall consider, in addition to all other legally relevant factors, those factors stated in Wis. Stat. § 961.572.

(3) Use or Possession of Drug Paraphernalia. No person may use, or possess with the primary intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance or controlled substance analog in violation of this chapter and Wis. Stat. Ch. 961.

10.32 MARIJUANA AND CONTROLLED SUBSTANCES  
PROHIBITED (adopted 01-15-2017).

(1) Possession Generally. It shall be unlawful for any person to possess a controlled substance contrary to the Uniform Controlled Substances Act, Wis. Stats. Ch. 961.

(2) Possession of Marijuana Prohibited. No person shall possess an amount of marijuana, as defined in Wis. Stat. § 961.01(14), tetrahydrocannabinol or any derivative thereof, unless the substance was obtained directly from or pursuant to a valid prescription or order of a licensed physician or pharmacist for a valid medical purpose.

Ord. 10.01 and 10.29 Amended 06-17-2017

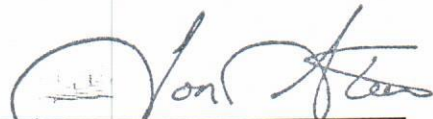
Ord. 10.29 Amended 09-12-2017

Ord. 10.11. Amended 10-10-2017

Ord 10.11.1 Created 10-10-2017, Adopted 11-17-17

Ord 10.03 Amended 12-12-17

X



Jon C. Steen  
Village President

Date: 12/12/17

X



ATTEST: Lori L. Phelan  
Clerk/Treasurer

Date: 12/12/17