

**CHAPTER 50 - PUBLIC PEACE AND ORDER AND
COMMERCIAL/RESIDENTIAL ALARM**

Article I – Public Peace and Order

- 50.01 Certain State Criminal Laws Adopted**
- 50.02 Definitions**
- 50.03 Disorderly Conduct**
- 50.04 Damage to Property**
- 50.05 Theft**
- 50.06 Issue of Worthless Check**
- 50.07 Fraud on Hotel or Restaurant Keeper**
- 50.08 Retail Theft**
- 50.09 Resisting or Obstructing Officer**
- 50.10 Possession of Controlled Substance**
- 50.11 Possession of Drug Paraphernalia**
- 50.12 Curfew Hours for Minors**
- 50.13 Regulation of Fireworks**
- 50.14 Unlawful Use of Telephone**
- 50.15 Unlawful Use of Computerized Communication Systems**
- 50.16 Harassment**
- 50.17 Misuse of 911 Calls – False Fact Situations**
- 50.18 Littering Prohibited**
- 50.19 Tobacco**
- 50.20 Trespass**
- 50.21 Regulation of Boating**
- 50.22 All-Terrain Vehicle (ATV) and Utility-Terrain Vehicle (UTV)**
- 50.23 Enforcement**
- 50.24 Citation Form**
- 50.25 Persons Authorized to Issue Citations**
- 50.26 Relationship to Other Laws**
- 50.27 Penalties**
- 50.28 – 50.29 Reserved**

Article II – Commercial/Residential Alarm

- 50.30 Definitions**
- 50.31 Procedure**
- 50.32 Penalties**

Article I – Public Peace and Order

50.01 Certain State Criminal Laws Adopted.

In order to promote public peace and order the provisions of the Wisconsin Criminal Code, generally Chapters 939 to 951, Wis. Stats., and as amended, are hereby incorporated into the Code. Violation of any of those Chapters may be prosecuted as a violation of a provision of this Chapter.

50.02 Definitions.

- A. **Movable Property** has the meaning given in § 943.20(2)(ag), Wis. Stats.
- B. **Property** has the meaning given in § 943.20(2)(b), Wis. Stats.
- C. **Property of Another** has the meaning given in § 943.20(2)(c), Wis. Stats.

50.03 Disorderly Conduct.

Whoever, in a public or private place, engages 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 may be penalized as provided in this Chapter.

50.04 Damage to Property.

Whoever intentionally causes damage to any physical property of another without the person's consent may be penalized as provided in this Chapter.

50.05 Theft.

Whoever intentionally takes and carries away, uses, transfers, conceals, or retains possession of movable property of another without the person's consent and with intent to deprive the owner permanently of possession of such property may be penalized as provided in this Chapter.

50.06 Issue of Worthless Check.

- A. Whoever issues any check or other order for the payment of money which, at the time of issuance, he or she intends shall not be paid may be penalized as provided in this Chapter.
- B. 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:
 - 1. Proof that, at the time of issuance, the person did not have an account with the drawee.

2. Proof that, at the time of issuance, the person did not have sufficient funds or credit with the drawee and that the person failed within five (5) days after receiving notice of nonpayment or dishonor to pay the check or other order.
3. Proof that, when presentment was made within a reasonable time, the person did not have sufficient funds or credit with the drawee and the person failed within five (5) days after receiving notice of nonpayment or dishonor to pay the check or other order.

C. This Section does not apply to a postdated check or to a check given for a past consideration, except a payroll check.

D. In addition to the other penalties provided for violation of this Section, a judge may order a violator to pay restitution under § 973.20, Wis. Stats. A victim may not be compensated under this Section and § 943.245, Wis. Stats.

50.07 Fraud on Hotel or Restaurant Keeper.

A. Whoever does either of the following may be penalized as provided in this Chapter:

1. Having obtained any beverage, food, lodging or other service or accommodation at any campground, hotel, motel, boarding or lodging house, or restaurant, intentionally absconds without paying for it.
2. While a guest at any campground, hotel, motel, boarding or lodging house, or restaurant, intentionally defrauds the keeper thereof in any transaction arising out of the relationship as guest.

B. Under this Section, prima facie evidence of an intent to defraud is shown by:

1. The refusal of payment upon presentation when due, and the return unpaid of any bank check or order for the payment of money, given by any guest to any campground, hotel, motel, boarding or lodging house, or restaurant in payment of any obligation arising out of the relationship as guest. Those facts also constitute prima facie evidence of an intent to abscond without payment.
2. The failure or refusal of any guest at a campground, hotel, motel, boarding or lodging house or restaurant to pay, upon written demand, the established charge for any beverage, food, lodging, or other service or accommodation actually rendered.
3. The giving of false information on a lodging registration form or the giving of false information or presentation of false or fictitious credentials for the purpose of obtaining any beverage or food, lodging or credit.

4. The drawing, endorsing, issuing or delivering to any campground, hotel, motel, boarding or lodging house or restaurant of any check, draft or order for payment of money upon any bank or other depository, in payment of established charges for any beverage, food, lodging or other service or accommodation knowing at the time that there is not sufficient credit with the drawee bank or other depository for payment in full of the instrument drawn.

50.08 Retail Theft.

A. Merchant includes any “*merchant*” as defined in § 402.104(3), Wis. Stats., or any innkeeper, motel keeper or hotel keeper.

B. Value of Merchandise means:

1. For property of the merchant, the value of the property.
2. For merchandise held for resale, the merchant’s stated price of the merchandise, or the event of altering, transferring or removing a price marking or causing a cash register or other sales device to reflect less than the merchant’s stated price, the difference between the merchant’s stated price of the merchandise and the altered price.

C. Whoever intentionally alters indicia of price or value of merchandise or who takes and carries away, transfers, conceals or retails possession of merchandise held for resale by a merchant or property of the merchant without his or her consent and with intent to deprive the merchant permanently of possession or the full purchase price of the merchandise, may be penalized as provided in this Chapter.

D. The intentional concealment of unpurchased merchandise which continues from one (1) floor to another or beyond the last station for receiving payments in a merchant’s store is evidence of intent to deprive the merchant permanently of possession of such merchandise without paying the purchase price thereof. The discovery of unpurchased merchandise concealed upon the person or among the belongings of such person or concealed by a person upon the person or among the belongings of another is evidence of intentional concealment on the part of the person so concealing such goods.

E. In any action or proceeding for violation of this Section, duly identified and authenticated photographs of merchandise which was the subject of the violation may be used as evidence in lieu of producing the merchandise.

F. In addition to the other penalties provided for violation of this Section, a judge may order a violator to pay restitution under § 973.20, Wis. Stats. A victim may not be compensated under this Section and § 943.51, Wis. Stats.

50.09 Resisting or Obstructing Officer.

A. Whoever knowingly resists or obstructs an officer while such officer is doing any act in an official capacity and with lawful authority may be penalized as provided in this Chapter.

B. Obstructs includes, without limitation, knowingly giving false information to the officer with intent to mislead him in the performance of his duty including the service of any summons or civil process.

C. Officer means a peace officer or other public officer or public employee having the authority by virtue of his office or employment to take another into custody.

50.10 Possession of Controlled Substance.

A. It is a violation for any person to possess tetrahydrocannabinol, as defined in § 961.14(4)(t), Wis. Stats. Whoever violates this Section may be penalized as provided in this Chapter.

B. It is not necessary for the County to negate any exemption or exception in this Section in any complaint or other pleading or in any trial, hearing or other proceeding under this Section. The burden of proof of any exemption or exception is upon the person claiming it.

C. No liability is imposed by this Section upon any authorized state, county or municipal officer or employee engaged in the lawful performance of his or her duties.

50.11 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. Whoever violates this Section may be penalized as provided in this Chapter.

50.12 Curfew Hours for Minors.

A. Curfew hours means:

1. 10:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday until 5:00 a.m. the following day.
2. 11:00 p.m. on any Friday or Saturday until 5:00 a.m. the following day.

B. Emergency. An unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, or automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

C. Establishment. Any privately owned place of business operated for a profit to which the public is invited, including, but not limited to, any place of amusement or entertainment.

D. Guardian means:

1. A person who has been appointed by a court to have care, custody and control of the person of a minor.
2. Public or private agency with whom a minor has been placed by a court.

E. Loiter. To congregate, linger, wander, stand, delay, walk or stroll about aimlessly, or to remain idle in essentially one (1) location in a manner and under circumstances manifesting an unnecessary or aimless purpose.

F. Minor. A person who has not attained the age of eighteen (18) years.

G. Operator. Any individual, firm, association, partnership, company or corporation operating, managing or conducting any establishment. The term “*operator*” includes the members or partners of an association, partnership or company and the officers of a corporation.

H. Parent. A person who is:

1. A biological parent, adoptive parent, or stepparent of a minor.
2. At least eighteen (18) years of age and who is authorized by a person listed in Subsection 1 or by a guardian to have the care, custody and control of a minor.

I. Public place. Any area visible to public view and includes, but is not limited to, streets, tree banks, sidewalks, alleys, parks, vacant lots, driveways, parking lots, and buildings open to the general public, and also includes, but is not limited to, the doorways, entrances, common areas and the grounds of schools, hospitals, apartment houses, office buildings, transport facilities and shops and any other public place.

J. Remain means to:

1. Linger or stay.
2. Fail to leave a premises or establishment when requested to do so by a law enforcement officer or the owner, operator or other person in control of the premises or establishment.

K. Serious bodily injury. Bodily injury which causes or contributes to the death of a human being or which creates a substantial risk of death or which causes serious permanent disfigurement or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily injury.

L. Violations.

1. Offenses.

- a. No minor shall loiter, idle, remain or be present in any public place or on the premises of any establishment within the County during curfew hours.
- b. No parent or guardian of a minor shall knowingly permit, or by insufficient control allow, the minor to loiter, idle, remain or be present in any public place or on the premises of any establishment within the curfew hours.
- c. No owner, operator, nor employee of an establishment shall knowingly allow a minor to loiter, idle or remain upon the premises of the establishment during curfew hours.

2. Exceptions.

- a. This Section shall not apply when the minor is:
 - i. Accompanied by the minor's parent(s) or guardian.
 - ii. In a motor vehicle involved in interstate travel.
 - iii. Engaged in an employment activity or going to or returning from an employment activity, without any detour or stop.
 - iv. Involved in an emergency.
 - v. On the residence property of the minor.
 - vi. Going to or returning from, without any detour or stop, an official school, religious or other recreational activity supervised by adults and sponsored by a City, Village, School District, church or religious entity, a civic organization, or other similar entity that takes responsibility for the minor within the County.
 - vii. Exercising First Amendment rights protected by the United States Constitution or the Wisconsin Constitution.
 - viii. Married.
- b. This Section shall not apply to the owner, operator nor to an employee of an establishment that promptly notifies law enforcement that a minor was present on the premises of the establishment during curfew hours and refused to leave.
- c. This Section shall not be effective in any incorporated municipality unless the governing body of such municipality passes a resolution authorizing the enforcement of this Chapter within the limits of the municipality.

3. Enforcement action.

- a. A law enforcement officer is authorized to issue a citation in accordance with the Code, to a person in violation of Subsection (1).
 - i. A law enforcement officer shall not issue a citation nor make an arrest under this Section unless the officer reasonably believes that an offense has occurred and that based upon the circumstances, no defense in Subsection (2) exists.
 - ii. A minor alleged to be in violation of this Section may be

taken to a law enforcement agency for proper identification.

- b. A minor in violation of this Section may be detained by law enforcement personnel until such time that the parent or guardian has received notification and has reported to the law enforcement agency, where the minor is detained, for the purpose of taking the minor into custody. The parent or guardian shall sign a release for the minor if such release is requested by law enforcement personnel.

50.13 Regulation of Fireworks.

A. Authority. This Section is adopted under authority granted by §§ 59.54(6) and 167.10(5), Wis. Stats.

B. Definitions. In this Section: “*Fireworks*” has the meaning given in § 167.10(1), Wis. Stats., which is hereby adopted by reference.

C. Sale of fireworks. Except as provided in §§ 167.10(2) and 167.10(4), Wis. Stats., no person shall sell, or possess with the intent to sell, fireworks.

D. Use of fireworks. Except as provided in § 167.10(3), Wis. Stats., no person shall possess or use fireworks.

E. Use of certain devices. Pursuant to § 167.10(3), Wis. Stats., no person may use fireworks or devices listed in §§ 167.10(1)(e) to (g), 167.10(i) to (n), and 167.10(3), Wis. Stats., if the display is open to the general public.

50.14 Unlawful Use of Telephone.

A. Whoever does any of the following violates this Chapter:

1. Makes a telephone call and threatens to inflict injury or physical harm to any person or the property of any person.
2. Telephones another and uses any obscene, lewd or profane language or suggests any lewd or lascivious act that a reasonable person would interpret was meant to frighten, intimidate, threaten or abuse another person or property of another person.
3. Makes a telephone call, whether or not conversation ensues, without disclosing his or her identity in such a manner as to be interpreted by a reasonable person as intending to abuse or threaten any person at the called number.
4. Makes or causes the telephone of another repeatedly to ring in such a manner as to be interpreted by a reasonable person as indicating an intent to harass any person at the called number.
5. Knowingly permits any telephone under his or her control to be used for any purpose prohibited by this Section.

50.15 Unlawful Use of Computerized Communication Systems.

A. In this Section, “*message*” means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature, or any transfer of a computer program, as defined in § 943.70 (1)(c), Wis. Stats., including, but not limited to, messages sent by smartphones, tablets, ipads or any other type of computer or electronic device.

B. Whoever does any of the following violates this Chapter:

1. Sends a message in a text, an electronic mail or other computerized communication system that a reasonable person would interpret as a threat to inflict injury or physical harm to any person or the property of any person or harass, annoy or offend another person.
2. Sends a message in a text, an electronic mail or other computerized communication system that uses any obscene, lewd or profane language or suggests any lewd or lascivious act that a reasonable person would interpret was sent to frighten, intimidate, threaten or abuse another person or property of another person, or to harass, annoy or offend another person.
3. Sends a message in a text, an electronic mail or other computerized communication system while intentionally preventing or attempting to prevent the disclosure of his or her own identity in such a manner that would be interpreted by a reasonable person as being sent to frighten, intimidate, threaten or abuse another person or property, or to harass, annoy or offend another person.
4. Sends repeated messages by text, electronic mail or by other computerized communication system with the reasonable expectation that the person will receive the messages, with or without intentionally preventing or attempting to prevent the disclosure of his or her identity, that would be viewed by a reasonable person as being sent with the intent to harass, annoy or offend another person.
5. Knowingly permits or directs another person to send a message prohibited by this Section from any computer that is used to send messages by text, electronic mail or by other computerized communication system.

50.16 Harassment.

A. Course of conduct means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose.

B. Credible threat means a threat made with the intent and apparent ability to carry out the threat.

C. Personally identifiable information has the meaning given in § 19.62(5), Wis. Stats.

D. Record has the meaning given in § 19.32(2), Wis. Stats.

E. Whoever does any of the following acts in such a manner that it appears to a reasonable person that such action harasses or intimidates another person, violates this Chapter:

1. Attempts or threatens to strike, shove, kick or otherwise subject another to physical contact.
2. Engages in a course of conduct or repeatedly commits acts which harass or intimidate another and which serve no legitimate purpose.
3. Gains access to a record or personally identifiable information regarding another in order to facilitate a violation of this Section.

F. This Section does not prohibit any person from participating in lawful conduct in labor disputes under § 103.53, Wis. Stats.

50.17 Misuse of 911 Calls.

No person shall dial the telephone number “911” to (a) report facts that do not constitute a danger, or a potential danger, to health, safety, or property, or (b) an emergency or a fact situation that does not exist. This provision shall not affect those callers who in good faith believe an emergency situation exists when initiating the call.

Section 50.17 amended and enacted _____ by County Board Resolution 54-2015 published and effective on _____.

50.18 Littering Prohibited.

A. Large item means an appliance, an item of furniture, a tire, a vehicle, a boat, an aircraft, building materials, or demolition waste, or larger than eight (8) cubic feet.

B. No person shall:

1. Throw or deposit any weeds, sod, brush, lighted tobacco, or other burning materials, bottles, cans, garbage, glass, paper or other waste materials upon the streets, alleys, highways, public parks or other property of the County or upon any public or private property or upon the surface of any body of water within the County.
2. Permit any solid waste to be thrown from a vehicle operated by the person.

C. Any person who deposits or fails to remove any large item on or along any highway, in any waters of the state, on the ice of any waters of the state, or on any other public or private property shall forfeit one thousand dollars (\$1,000.00).

D. The provisions of § 287.81, Wis. Stats., and any subsequent amendments thereto are adopted. Any act required to be performed or prohibited under the statute is required to be performed or prohibited by this Chapter.

50.19 Tobacco.

A. Definitions.

1. **Cigarette** has the meaning given in § 139.30(1m), Wis. Stats.
2. **Law Enforcement Officer** has the meaning given in § 30.50(4s), Wis. Stats.
3. **Tobacco Products** has the meaning given in § 139.75(12), Wis. Stats.
4. **Nicotine Products** has the meaning given in § 134.66(1)(f), Wis. Stats.

B. Purchase or Possession of Products Prohibited by Minors.

1. No person under eighteen (18) years of age may falsely represent his or her age for the purpose of receiving any cigarette, tobacco product or nicotine product.
2. No person under eighteen (18) years of age may purchase or possess any cigarette, tobacco product or nicotine product, except as follows:
 - i. A person under eighteen (18) years of age may purchase or possess cigarettes, tobacco products or nicotine products for the sole purpose of resale in the course of employment during his or her working hours if employed by a retailer.
 - ii. A person under eighteen (18) years of age, but not under fifteen (15) years of age, may purchase, attempt to purchase or possess cigarettes, tobacco products or nicotine products in the course of his or her participation in an investigation under § 254.916, Wis. Stats., that is conducted in accordance with § 254.916(3), Wis. Stats.

C. No person may purchase cigarettes, tobacco products or nicotine products on behalf of, or to provide to, any person who is under eighteen (18) years of age.

D. A law enforcement officer shall seize any cigarette, tobacco product or nicotine product involved in any violation of the above Sections committed in his or her presence.

E. Sworn law enforcement officers at all levels within the County shall have the authority to enforce this Section and have authority to issue citations for violations of this Section except within any town, village or city that has adopted or adopts an ordinance under § 938.983, Wis. Stats.

F. The County Board of Supervisors adopted, as a Chapter the Code, § 101.123, Wis. Stats., Smoking Prohibited, as enacted by the Wisconsin Legislature at the time of the adoption of the resolution from which this Section is derived, and as amended from time to time by the legislature.

G. Current and future statutory provisions of § 134.66, Wis. Stats., and cross-references contained therein to other sections and subsections of the Wisconsin Statutes, exclusive of any amount of any penalty provisions, is adopted by reference. This Section shall be applicable

only in those villages and towns located within Marquette County that have not adopted § 134.66, Wis. Stats., as an ordinance of their village or town.

50.20 Trespass.

A. The definitions set forth of §§ 943.13(1e) and 943.15(2), Wis. Stats., and as amended, are hereby adopted as though fully set forth herein.

B. Whoever does any of the following violates this Section.

1. Enters any enclosed, cultivated or undeveloped land of another, other than open land specified in paragraphs (5) and (6), without the express or implied consent of the owner or occupant.
2. Enters any land of another that is occupied by a structure used for agricultural purposes without the express or implied consent of the owner or occupant.
3. Enters or remains on any land of another after having been notified by the owner or occupant not to enter or remain on the premises. This paragraph does not apply to a licensee or out-of-state licensee if the owner's or occupant's intent is to prevent the licensee or out-of-state licensee from carrying a firearm on the owner's or occupant's land.
4. While carrying a firearm:
 - a. enters or remains at a residence that the actor does not own or occupy after the owner of the residence, if he or she has not leased it to another person, or the occupant of the residence has notified the actor not to enter or remain at the residence while carrying a firearm or with that type of firearm. In this Subsection, "*residence*," with respect to a single-family residence, includes the residence building and the parcel of land upon which the residence building is located, and "*residence*," with respect to a residence that is not a single-family residence, does not include any common area of the building in which the residence is located or any common areas of the rest of the parcel of land upon which the residence building is located;
 - b. enters or remains in a common area in a building, or on the grounds of a building, that is a residence that is not a single-family residence if the actor does not own the residence or does not occupy any part of the residence, if the owner of the residence has notified the actor not to enter or remain in the common area or on the grounds while carrying a firearm or with that type of firearm. This Subsection does not apply to a part of the grounds of the building if that part is used for parking and the firearm is in a vehicle driven or parked in that part;
 - c. enters or remains in any part of a nonresidential building, grounds of a nonresidential building, or land that the actor does not own or occupy after the owner of the building, grounds, or land, if that part of the building, grounds, or land has not been leased to another

person, or the occupant of that part of the building, grounds, or land has notified the actor not to enter or remain in that part of the building, grounds, or land while carrying a firearm or with that type of firearm. This Subsection does not apply to a part of a building, grounds, or land occupied by the state or by a local governmental unit, to a privately or publicly owned building on the grounds of a university or college, or to the grounds of or land owned or occupied by a university or college, or, if the firearm is in a vehicle driven or parked in the parking facility, to any part of a building, grounds, or land used as a parking facility;

- d. enters or remains at a special event if the organizers of the special event have notified the actor not to enter or remain at the special event while carrying a firearm or with that type of firearm. This Subsection does not apply, if the firearm is in a vehicle driven or parked in the parking facility, to any part of the special event grounds or building used as a parking facility;
 - e. enters or remains in any part of a building that is owned, occupied, or controlled by the state or any local governmental unit, excluding any building or portion of a building under § 175.60(16)(a), Wis. Stats., if the state or local governmental unit has notified the actor not to enter or remain in the building while carrying a firearm or with that type of firearm. This Subsection does not apply to a person who leases residential or business premises in the building or, if the firearm is in a vehicle driven or parked in the parking facility, to any part of the building used as a parking facility; or
 - f. enters or remains in any privately or publicly owned building on the grounds of a university or college, if the university or college has notified the actor not to enter or remain in the building while carrying a firearm or with that type of firearm. This Subsection does not apply to a person who leases residential or business premises in the building or, if the firearm is in a vehicle driven or parked in the parking facility, to any part of the building used as a parking facility.
- 5. Enters or remains on open land that is an inholding of another after having been notified by the owner or occupant not to enter or remain on the land.
 - 6. Enters undeveloped private land from an abutting parcel of land that is owned by the United States, this state or a local governmental unit, or remains on such land, after having been notified by the owner or occupant not to enter or remain on the land.

C. In determining whether a person has implied consent to enter the land of another a trier of fact shall consider all of the circumstances existing at the time the person entered the land, including all of the following:

- 1. Whether the owner or occupant acquiesced to previous entries by the person or by other persons under similar circumstances.
- 2. The customary use, if any, of the land by other persons.

3. Whether the owner or occupant represented to the public that the land may be entered for particular purposes.
4. The general arrangement or design of any improvements or structures on the land.

D. A person has received notice from the owner or occupant within the meaning of this Section if he or she has been notified personally, either orally or in writing, or if the land is posted. Land is considered to be posted under this paragraph under either of the following procedures:

1. If a sign at least eleven (11) inches square is placed in at least two (2) conspicuous places for every forty (40) acres to be protected. The sign must provide an appropriate notice and the name of the person giving the notice followed by the word "*owner*" if the person giving the notice is the holder of legal title to the land and by the word "*occupant*" if the person giving the notice is not the holder of legal title but is a lawful occupant of the land. Proof that appropriate signs as provided in this Subsection were erected or in existence upon the premises to be protected prior to the event complained of shall be prima facie proof that the premises to be protected were posted as provided in this subdivision.
2. If markings at least one (1) foot long, including in a contrasting color the phrase "*private land*" and the name of the owner, are made in at least two (2) conspicuous places for every forty (40) acres to be protected. In this Section, "*sign*" means a sign that states a restriction imposed under Subsection B2 that is at least five (5) inches by seven (7) inches.

E.

1. For the purposes of Subsection (B)(4)(a), an owner of a residence that is not a single-family residence has notified an individual not to enter or remain in a part of that building, or on the grounds of that building, while carrying a firearm or with a particular type of firearm if the owner has posted a sign that is located in a prominent place near all of the entrances to the part of the building to which the restriction applies or near all probable access points to the grounds to which the restriction applies and any individual entering the building or the grounds can be reasonably expected to see the sign.
2. For the purposes of Subsection (B)(4)(c), (e) and (f), an owner or occupant of a part of a nonresidential building, the state or a local governmental unit, or a university or a college has notified an individual not to enter or remain in a part of the building while carrying a firearm or with a particular type of firearm if the owner, occupant, state, local governmental unit, university, or college has posted a sign that is located in a prominent place near all of the entrances to the part of the building to which the restriction applies and any individual entering the building can be reasonably expected to see the sign.
3. For the purposes of Subsection (B)(4)(c) an owner or occupant of the

grounds of a nonresidential building or of land has notified an individual not to enter or remain on the grounds or land while carrying a firearm or with a particular type of firearm if the owner or occupant has posted a sign that is located in a prominent place near all probable access points to the grounds or land to which the restriction applies and any individual entering the grounds or land can be reasonably expected to see the sign.

4. For the purposes of Subsection (B)(4)(d), the organizers of the special event have notified an individual not to enter or remain at the special event while carrying a firearm or with a particular type of firearm if the organizers have posted a sign that is located in a prominent place near all of the entrances to the special event and any individual attending the special event can be reasonably expected to see the sign.

F. It is a violation of this Section to erect on the land of another signs which are the same as or similar to those described in Subsection (D) without obtaining the express consent of the lawful occupant of or holder of legal title to such land.

G. An owner or occupant may give express consent to enter or remain on the land for a specified purpose or subject to specified conditions and it is a violation of this Section for a person who received that consent to enter or remain on the land for another purpose or contrary to the specified conditions.

H. Whoever enters the dwelling of another without the consent of some person lawfully upon the premises, under circumstances tending to create or provoke a breach of the peace, violates this Section.

I. Whoever enters the locked or posted construction site or the locked and enclosed building, dwelling or room of another without the consent of the owner or person in lawful possession of the premises violates this Section.

J. This Section does not apply to any of the situations described in §§ 943.13(4m) or 943.15(1m), Wis. Stats., and as amended.

50.21 Regulation of Boating.

The provisions of §§ 30.50 through 30.71, Wis. Stats., together with any other sections of Chapter 30, Wis. Stats., which include definitions, penalties or procedures pertaining to those sections, as now existing or hereafter amended, setting forth regulations with respect to boating for which the penalty is a forfeiture only, are hereby adopted and by reference made a part of the Code as if fully set forth herein. Any act required to be performed or prohibited by any statutes incorporated herein by reference is required or prohibited by this Section.

50.22 All-Terrain Vehicle (ATV) and Utility-Terrain Vehicle (UTV).

The statutory provisions in Chapters 23, 340 to 348, and 350, Wis. Stats., establishing definitions and regulations with respect to ATVs and UTVs, and Wis. Adm. Code. Ch. NR 64, All-Terrain Vehicles, are hereby adopted and by reference made a part of this Chapter as if fully set forth herein. Any future amendments, revisions or modifications of the statutes incorporated herein are made a part of this Chapter in order to secure uniform statewide regulation of ATVs and UTVs.

50.23 Enforcement.

A. Actions under this Chapter shall be prosecuted in the name of the County by the District Attorney in the Circuit Court of the County in accordance with the provisions of Chapter 778, Wis. Stats.

B. All actions under this Chapter shall be commenced by the issuance and filing of a citation prepared in accordance with the Code.

50.24 Citation Form.

The citation used pursuant to this Chapter shall substantially conform to § 66.0113, Wis. Stats. Each agency authorized to issue these citations shall be responsible for their acquisition, distribution, issuance and the final disposition of actions resulting therefrom.

50.25 Persons Authorized to Issue Citations.

In addition to regularly designated law enforcement officers of the County, the County Board of Supervisors may designate by resolution other officials who may issue citations and may revoke the authority by resolution.

50.26 Relationship to Other Laws.

The adoption and authorization for use of a citation under this Chapter shall not preclude the governing body from adopting any other Chapter or providing for the enforcement of any other law or Chapter related to the same or any other matter. The issuance of a citation under this Chapter shall not preclude the proceeding under any other Chapter or law relating to the same or any other matter. The proceeding under any other Chapter or law relating to the same or any other matter shall not preclude the issuance of a citation under this Chapter.

50.27 Penalties.

Penalties for this Article are set forth in Chapter 100.

Article II – Commercial/Residential Alarm

50.30 Definitions.

A. Alarm System. An assembly of equipment installed for the purpose of notifying authorities of urgent attention to either an intrusion and/or a robbery on said location.

B. Alarm User. Any business or citizen within the jurisdiction of the County Sheriff's Office ("*Sheriff's Office*") that installs or maintains an alarm system. An entity or person shall be considered an alarm user when the Sheriff's Office receives notification of an alarm signal from their premises. How the signal is reported to the Sheriff's Office shall not determine whether the entity or person is an alarm user.

C. Automatic Dialing Service. An automatic dialing service is an alarm system that creates and sends a pre-recorded message transmitted through phone lines directly to the Sheriff's Office alerting the Sheriff's Office of the existence of an emergency situation.

D. On-Premises Alarm. An on-premises alarm generates a signal on or about the premises designed to notify of an ongoing intrusion. This is a visual or audible alarm not connected to any answering panel or service.

50.31 Procedure.

A. Alarm Registration. All persons or entities installing or maintaining an alarm system in the County shall register it with the Sheriff's Office. The Sheriff's Office shall provide an application for registration and the application must be fully completed by the applicant. Upon the presentation of a properly completed application the Sheriff's Office shall register the applicant. The Sheriff's Office at any time may revoke this registration if the applicant or the equipment fails to comply with the requirements of this Article.

B. Central Answering Station Alarm. Alarms that are programmed directly to a private central answering station shall be monitored by the personnel of the answering station. The personnel shall advise the Sheriff's Office of which particular alarm had transmitted the signal and its location. The personnel shall further advise the Sheriff's Office which area on the premises is experiencing the intrusion. If the report is of a robbery in progress the personnel shall provide all available information to the Sheriff's Office. The central answering station will maintain current contact information for all premises that it monitors. The station will contact a key holder or other representative to meet the Sheriff's Office to determine the cause of the alarm. Any alarm user utilizing a private central answering station shall be subject to all of the regulations set forth in this Chapter.

C. Automatic Dialing Service Prohibition. No automatic dialing service with a pre-recorded message shall be forwarded on the phone lines to the Sheriff's Office. No person will be allowed to utilize an alarm system, which creates a pre-recorded message that is transmitted to the Sheriff's Office through phone lines. Registration for a system with automatic dialing as set forth in this Subsection will be denied. This Chapter does not prohibit automatic dialers that are installed or owned by the Sheriff's Office.

D. On-Premises Alarms. Visual and/or audible alarms that are not connected to an answering service are "*on-premises alarms*". On-premises alarms generate a signal on or about the premises to notify authorities of an on-going intrusion. If this signal is reported to the Sheriff's Office then the regulations set forth in this Chapter apply.

E. False Alarms. False alarms occur when a signal from an alarm system results in a response by the Sheriff's Office finding no emergency situation. More than two (2) false alarms in any calendar year will be considered excessive and will result in the issuance of a citation. Signals caused by power outage or power interruption shall not be counted.

F. Deputy Response to Alarms. The Deputy responding to an alarm shall determine and record if it is a false alarm. All incidents reported as false alarms shall be recorded with the Sheriff's Office. This record will form the basis for any citation for excessive false alarms.

G. Alarm Testing. It is the responsibility of the alarm user and/or the central answering station to notify the Sheriff's Office of intentions to test an alarm system. In the event an alarm test is conducted without prior notification the alarm test will be recorded as a false alarm.

50.32 Penalties.

A. Violation of Alarm Registration. Utilizing an alarm without an approved application:

1. The first two (2) violations will result in written warning.
2. The 3rd and subsequent violations will result in a citation being issued with a penalty set forth in Chapter 100.

B. Violation of Automatic Dialing Prohibition.

1. The first two (2) violations within the calendar year will result in a written warning.
2. The 3rd violation within a calendar year will result in a citation being issued with a penalty of twenty-five dollars (\$25.00) plus costs.
3. 4th and subsequent violations within the calendar year will result in a citation being issued with a penalty of fifty dollars (\$50.00) plus costs.
4. The calendar year shall be January 1st through December 31st.

C. Violation of False Alarms.

1. The first two (2) violations within the calendar year will result in a written warning.
2. The 3rd violation within a calendar year will result in a citation being issued with a penalty of twenty-five dollars (\$25.00) plus costs.
3. 4th and subsequent violations within the calendar year will result in a citation being issued with a penalty of fifty dollars (\$50.00) plus costs.
4. The calendar year shall be January 1st through December 31st.

11/21/2014