

# ORDINANCE

Ordinance No. 011-2016-89

## AN ORDINANCE AMENDING GENERAL ASHLAND COUNTY ORDINANCES AND BOND AMOUNTS

### COUNTY GENERAL ORDINANCE

#### Contents

- SECTION 1. OBSTRUCTING STREETS AND SIDEWALKS
- (1) Obstructing streets and sidewalks prohibited
- SECTION 11. LITTERING
- (1) Littering prohibited
- SECTION 111. DISORDERLY CONDUCT
- (1) Disorderly conduct prohibited
  - (2) False fire alarms prohibited
  - (3) Obedience to Officers
  - (4) Indecent conduct and language prohibited
  - (5) Disorderly conduct with a motor vehicle
- SECTION IV. MALICIOUS MISCHIEF
- SECTION V. UNLAWFUL TRESPASSING ON RAILROAD EQUIPMENT
- SECTION VI. TRESPASSING ON SCHOOL GROUNDS
- SECTION VII. LEWDNESS
- SECTION VIII. SHOPLIFTING
- SECTION IX. SPITTING IN PUBLIC PLACES
- SECTION XI. POSSESSION AND USE OF ALCOHOLIC BEVERAGES BY MINORS
- SECTION XII. POSSESSION AND USE OF CONTROLLED SUBSTANCES
- SECTION XIII. CURFEW IMPOSED ON PERSONS UNDER EIGHTEEN; HOURS; PERSONS EXEMPT; DUTIES OF PARENTS
- SECTION XIV. OPERATION AND USE OF BICYCLES
- SECTION XV. PENALTIES
- SECTION XVI. SEVERABILITY
- SECTION XVII. EFFECTIVE DATE

GENERAL ORDINANCE

The Board of Supervisors of the County of Ashland does ordain as follows:

SECTION I. Obstructing streets and sidewalks

(1) Obstructing streets and sidewalks prohibited:

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

SECTION II. Littering

(1) Littering prohibited:

It shall be unlawful for any person being or residing within the limits of the County to dispose, throw or place any garbage, offal, dead animals or other deleterious matter in any park, alley, street or public place within the County. And it shall be unlawful for any person to place any garbage, offal, dead animals or other refuse matter upon any private property, either owned by such person or not, unless the same shall be enclosed in proper containers.

No person shall throw, or scatter any trash, refuse or other waste, or cause the same to be thrown or scattered in any street or public place. All loose papers, rags, and other waste material of such kind as to be subject to be blown about by the wind or otherwise scattered, must be hauled in such manner as not to litter the streets.

SECTION III. Disorderly conduct

(1) Disorderly conduct prohibited:

Whoever does any of the following shall be guilty of an offense:

(a) In a public or private place, engages in violent, abusive, indecent, profane, boisterous, unreasonable loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance.

(b) Intentionally engage in fighting or in violent, threatening or tumultuous behavior or who addresses abusive language or threats to any other person to the extent that it creates a clear and present danger of violence or in the presence of others encourages others to create disturbance of public order or encourage acts likely to produce violence or create a disturbance of public order; or who causes the likelihood of harm or serious inconvenience by failing to obey a lawful order of dispersal by a law enforcement officer, where three (3) or more persons are committing acts of disorderly conduct in the immediate vicinity.

(c) Intentionally damages, befouls or disturbs public property or the property of another so as to create a hazard, unhealthy, or physically offensive condition.

(d) Intentionally commits a trespass on residential property or on public property.

(2) False fire alarms prohibited:

No person shall give or send or cause to be given or sent in any manner any alarm of fire which he knows to be false.

(3) Obedience to Officers:

No person shall, without reasonable cause or justifications, resist or in any way interfere with any law enforcement officer which such officer is doing any act in his official capacity and with lawful authority.

(4) Indecent conduct and language prohibited:

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

(5) Disorderly conduct with a motor vehicle:

No person shall, within the County, on public or private property, by or through the use of a motor vehicle, motorcycle, snowmobile, moped, all-terrain vehicle or off-road utility vehicle, under circumstances which tends to cause or provoke a disturbance or annoy one or more persons, engage in violent, abusive, unreasonably loud or otherwise disorderly conduct, including but not limited to unnecessary or deliberate or intentional spinning of wheels; squealing of tires, revving of engine, blowing of horns, causing the engine to backfire or causing the vehicle while commencing to move or while in motion to raise one or more of its wheels off the ground. Motor vehicle, motorcycle, snowmobile, moped, all-terrain vehicle and off-road utility vehicle shall have the meaning defined in Section 340.01 of the Wisconsin State Statutes.

SECTION IV. Malicious mischief.

(1) Each person who shall, within the County, willfully, maliciously or wantonly break the glass of any street lamp, window or skylight, or extinguish any lamp, or destroy, remove, throw down or injure any fence or other enclosure on land belonging to or occupied by another, or interfere with any gate or bars in any such enclosure or destroy, injure or carry away any tree or plant, or tear down, mutilate, deface or injure any building, signboard, fence or railing, being the property of another, or who shall willfully, maliciously or wantonly injure, destroy or remove any ornamental or useful tree or plant of wharves, docks, or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots or other unsupervised places at any time.

SECTION V. Unlawful trespassing on railroad equipment or property.

(1) It shall be unlawful for any person to "trespass" upon any property real or personal, owned or used by any Railroad, within the County.

(2) "Trespass" is defined as entering upon or remaining on the property owned or used by any Railroad, after having been notified not to do so.

(3) A person has received notice not to enter upon or remain on Railroad equipment or property is said person has been notified personally, either orally or in writing or the Railroad property is posted with a legible "No Trespassing" sign.

SECTION VI. Trespassing on school grounds.

(1) It shall be unlawful for any person to "trespass" upon any property used for school purposes.

(2) "Trespass" is defined as entering, being upon or remaining on any property used for school purposes after having been notified not to do so by any School principal, administrator or teacher or any law enforcement officer.

(3) A person has received notice from any of the individuals listed in (2) above if said person has been notified personally, either orally or in writing.

SECTION VII. Lewdness.

(1) Whoever does any of the following acts "in public" shall be guilty of an offense:

(a) Commits an indecent act of sexual gratification, alone or with another, with knowledge that he is in the presence of others;

(b) Publicly or indecently exposes a sex organ, buttocks, or in case of a woman, her breasts.

SECTION VIII. Shoplifting.

(1) The provisions of Wisconsin Statute 943.50 pertaining to shoplifting exclusive of the penalties provided in said statute are adopted and incorporated by reference as if fully set forth herein.

SECTION IX. Spitting in public places.

(1) It shall be unlawful for any person to spit or emit any spittle or to discharge or throw any mucus or other secretion from or contents of the mouth or nose or any cigarette or cigar stub, tobacco quid, fruit peeling or other waste substance, on any public floor, stairway, sidewalk, platform, or other public place or conveyance in the County, and such practice is hereby declared to be a public nuisance and an offense against decency and public morality.

SECTION XI. Possession and use of alcoholic beverage by minors.

(1) It shall be unlawful for any person under the age of twenty-one (21) to have possession of, use or consume any alcoholic beverage within the County. It shall also be unlawful for any person under the age of twenty-one (21) to be in any place where intoxicating liquors are sold unless said person is accompanied by his or her parent, guardian or spouse of who one shall be twenty-one (21) years of age.

SECTION XII. Possession and use of controlled substances.

(1) Possession and use of a controlled substance.

It shall be unlawful for any person to have possession of, use or consume any "controlled substance" within the County. "Controlled substance" means a drug, substance or immediate precursor as defined in Chapter 961 Wisconsin Statutes; Uniform Controlled Substance Act.

(2) Possession of drug paraphernalia.

It shall be unlawful for any person to use or possess any "drug paraphernalia" within the County. "Drug paraphernalia" shall have the meaning as defined in Section 961.573(1) of the Wisconsin State Statutes.

SECTION XIII. Curfew imposed on persons under eighteen; hours; persons exempt; duties of parents.

(1) It shall be unlawful for any minor under the age of eighteen (18) years to loiter, idle, wander, stroll or play in or upon the public streets, highways, roads, alleys, parks, playgrounds, wharves, docks, or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots or other unsupervised places between the hours of 12:30 am and 5:00 am of the following day. During that time when daylight savings time is in effect, the hours provided in this section shall be extended one (1) hour.

(2) The provisions of this article shall not apply to a minor accompanied by his parent, guardian, or other adult person having the care and custody of the minor, or where the minor is upon an emergency errand or legitimate business directed by his or her parent, guardian, or other adult person having the care and custody of the minor.

(3) It shall be unlawful for the parent, guardian or other adult person having the care and custody of a child under the age of eighteen (18) years to knowingly permit the child to loiter, idle, wander, stroll, or play in or upon the public streets, highway, roads, alleys, parks grounds, public places and public building, places of amusement and entertainment, vacant lots or other unsupervised places between the hours of 12:30 am and 5:00 am of the following day. During that time when daylight savings time is in effect, the hours provided in this section shall be extended one (1) hour.

#### SECTION XIV. Operation and use of bicycles.

(1) The provisions of Wisconsin Statutes Section 346.77 through 346.81 are adopted and incorporated by reference as if fully set forth herein.

(2) Every person operating a bicycle upon a roadway shall obey each traffic signal or sign facing a roadway.

#### SECTION XV. Penalties.

Any person who shall violate any provision of this Ordinance shall upon conviction thereof be punished as follows:

(1). He shall forfeit not less than \$50.00 nor more than \$500.00 plus the costs of prosecution and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the County Jail until the forfeiture and costs of prosecution are paid, but not exceeding ten (10) days, provide, however, that for children fourteen (14) or older who shall be found violating the provisions of said section said child shall be dealt with according to the provisions of Wisconsin State 48.17(2).

(2). For a violation of any other provision of this chapter, he shall be subject to a penalty as provided in this code.

(3). In addition to any penalty imposed for violation of (1) of this section, 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 unemancipated minor child who violates (1) of this section may also be held liable for the costs of replacing or repairing of the damaged or destroyed property on accordance with Section 895.035 of the Wisconsin Statutes.

#### SECTION XVI. Severability.

The several features, parts, provisions, sections and terms of this Ordinance are hereby declared independent and severable, and the invalidity, if any, of any feature, part, provision, section or term thereof, shall not affect the remainder of this Ordinance inoperative or invalid. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

#### SECTION XVII. Effective date.

This Ordinance shall take effect and be in force from and after its passage and publication.

**AN ORDINANCE AMENDING GENERAL ASHLAND COUNTY ORDINANCES  
AND BOND AMOUNTS**

**ASHLAND COUNTY ORDINANCES  
NUMBERS AND TOTAL BOND AMOUNTS**

<b>CO. ORD #</b>	<b>DESCRIPTION OF OFFENSE</b>	<b>TOTAL</b>
Sec. I (1)	Obstructing street/sidewalks	\$150.00
Sec. II (1)	Litter	\$250.00
Sec. III (1)(A)	Disorderly conduct	\$250.00
Sec. III (1)(B)	Engage in fight/threaten/danger/language	\$250.00
Sec. III (1)(C)	Intent damage, be foul, disturb public property	\$250.00
Sec. III(I)(D)	Intently trespass on residential/public property	\$250.00
Sec. III(2)	False fire alarm	\$250.00
Sec. III(3)	Obedience of Officer	\$250.00
Sec. III(4)	Indecent conduct/language prohibited	\$250.00
Sec. III(5)	Disorderly conduct with motor vehicle	\$250.00
Sec. IV	Malicious mischief	\$250.00
Sec. V(1)	Trespass – Railroad property	\$200.00
Sec. VI(1)	Trespass – School grounds	\$200.00
Sec. VII(1)(A)	Lewdness – sexual gratification	\$200.00
Sec. VII(1)(B)	Lewdness – expose sex organ, buttocks, breasts	\$200.00
Sec. VIII	Shoplifting	\$250.00
Sec. IX	Spitting public place	\$150.00
Sec. XI	Underage alcohol possession (See back bond book)	\$200.00
Sec. XII(1)(2)	Controlled substance	\$250.00
Sec. XIII(1)	Curfew persons under 18 YOA	\$ 50.00
Sec. XIV(2)	Bicycles	\$150.00
938.983(2)(C)	Possession of tobacco product in Jail – Juvenile	\$ 50.00
5-1993-14 1.01	Dogs running at large	\$110.00
5-1993-14 1.02	Dogs barking	\$110.00
5-1993-14 1.03A	Cruelty to animals	\$253.00
5-1993-14 1.03B	Cruelty to animals – abandon/transport	\$253.00
5-1993-14 1.04	Animals food and water	\$253.00
5-1993-14 1.05A	Animal shelter	\$253.00
5-1993-14 1.05B	Animal shelter	\$253.00
5-1993-14 1.05C	Animal shelter	\$253.00
5-1993-14 1.06	Animal leash	\$253.00
5-1993-14 1.07	Dogs rabies vaccination	\$150.50
7-1994-16	Trespass to land (to include ELF)	\$250.00
7-1999-25 Sec 2	Habitual truancy	\$ 50.00
7-1999-26 Sec 2	Truancy	\$ 50.00
7-1999-27 Sec 2	Contributing to truancy	\$250.00
2-2000-30 Sec 2A	No person operate ATV/snow. – excess speed	\$175.00

Dated at the City of Ashland, Wisconsin this 15th day of November, 2016.

Signed:

Rob Brun  
Kathy Schetter  
Walter J. J.  
Tom  
Clarence Campbell  
Richard Pupall  
William  
Rich Hough  
Joe on Rate  
Pop Kabala  
Ken W. Inu  
George M. Ho

Danya A. Meeley  
Paul Kuntz  
Kate  
Tom  
[Signature]