

# Chapter 10

## Public Safety Ordinance

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- 10.01 Authority
  - 10.02 Prohibited Conduct
  - 10.03 Penalties
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10.01 Authority. Pursuant to the authority granted to the Kewaunee County Board of Supervisors under Sections 59.54(6) and 59.54(22) of the Wisconsin Statutes and to preserve public peace and good order within Kewaunee County, the Board of Supervisors does hereby enact and ordain the public safety ordinances set forth below. The Kewaunee County Board of Supervisors adopts and incorporates the state statutes provided, as if fully set forth.

10.02 Prohibited Conduct. The following conduct is prohibited within Kewaunee County and is punishable by forfeiture:

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|------|---|----------------------|
| (1)  | Alcoholic Beverages                     | Wis. Stat. Ch. 125   |
| (2)  | Animals Distained or Doing Damage       | Wis. Stat. Ch. 172   |
| (3)  | Dogs                                    | Wis. Stat. Ch. 174   |
| (4)  | Possession of Tobacco                   | Wis. Stat. §254.92   |
| (5)  | Littering                               | Wis. Stat. §287.81   |
| (6)  | Negligent Handling of Burning Materials | Wis. Stat. §941.10   |
| (7)  | False Alarms                            | Wis. Stat. §941.13   |
| (8)  | Abuse of Hazardous Substance            | Wis. Stat. §941.316  |
| (9)  | Obstructing emergency personnel         | Wis. Stat. §941.37   |
| (10) | Damage to Property                      | Wis. Stat. §943.01   |
| (11) | Graffiti                                | Wis. Stat. §943.017  |
| (12) | Entry into locked vehicle               | Wis. Stat. §943.11   |
| (13) | Trespass to Land                        | Wis. Stat. §943.13   |
| (14) | Trespass to Dwelling                    | Wis. Stat. §943.14   |
| (15) | Trespass to Construction Site           | Wis. Stat. §943.15   |
| (16) | Theft                                   | Wis. Stat. §943.20   |
| (17) | Worthless Checks                        | Wis. Stat. §943.24   |
| (18) | Lewd and Lascivious behavior            | Wis. Stat. §944.20   |
| (19) | Resisting or Obstructing                | Wis. Stat. §946.41   |
| (20) | Disorderly Conduct                      | Wis. Stat. §947.01   |
| (21) | Unlawful use of telephone               | Wis. Stat. §947.012  |
| (22) | Unlawful computerized communication     | Wis. Stat. §947.0125 |
| (23) | Harassment                              | Wis. Stat. §947.013  |

- (24) Possession of Marijuana Wis. Stat. §59.54(25)  
No person may possess or attempt to possess 25 grams or less of marijuana, as defined in Wis. Stat. §961.01(14), subject to the exceptions in Wis. Stat. §961.41(3g) (intro.).
- (25) Possession of Synthetic Marijuana Wis. Stat. §59.54(25g)  
No person may possess or attempt to possess a controlled substance specified in Wis. Stat. §961.14(4)(tb) to (ty).
- (26) Possession of Drug Paraphernalia Wis. Stat. §59.54(25m)
- (a) Wis. Stat. §961.573(1) 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 the Wisconsin Uniform Controlled Substances Act.
- (b) Wis. Stat. §961.574(1) No person may deliver, possess with intent to deliver, or manufacture with intent to deliver, drug paraphernalia, knowing that it will be primarily used 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 the Wisconsin Uniform Controlled Substances Act.
- (27) Disorderly Conduct with Motor Vehicle. Whoever, with use of a motor vehicle 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 is guilty of disorderly conduct with a motor vehicle.
- (28) Public Urination. Any person who shall urinate outside of designated sanitary facilities upon any sidewalk, trail, road, street, alley, public parking lot, park, playground, cemetery, or other public area or upon any private property in open view of the public, or in halls, rooms without restroom facilities, stairwells or elevators of any public or commercial buildings is guilty of public urination.
- (29) False Alarm – Alarm System Failure. Whoever is responsible for an alarm system that gives four (4) or more false alarms to any public officer or

employee within any continuous twenty-four (24) month period caused by a defect in the alarm system, a failure on the part of the person or persons responsible for operation and maintenance of an alarm system, or any other cause other than which the alarm system is designed to protect against is guilty of giving a false alarm – alarm system failure. Each prohibited false alarm shall be considered a separate offense.

- (30) Barking dogs. It shall be unlawful for any person to keep, harbor, or have custody within the county any dog which barks, howls, or makes noises by day or night which disturbs the peace and quiet of any person or family in the neighborhood except under the following conditions:
- (a) The dogs are wearing barking collars or any other device that limits barking; or
  - (b) There is a sound barrier of some sort between the dogs and the public. This sound barrier must be at least six feet high and must prevent the dogs from being within 250 feet of the lot line; or
  - (c) The owners of the dog or dogs have a license issued by the State of Wisconsin Department of Agriculture, Trade and Consumer Protection under Wis. Stat. §173.41 to operate an animal shelter, operate an animal control facility, operate as a dog breeder, operate a dog breeding facility, operate as a dog dealer, or operate as an out-of-state dog dealer.
- (31) Proper food and drink for confined animals. No person owning or responsible for confining or impounding any animal may refuse or neglect to supply the animal with a sufficient supply of food and water as prescribed in this section.
- (a) The food shall be sufficient to maintain all animals in good health.
  - (b) If potable water is not accessible to the animals at all times, it shall be provided daily and in sufficient quantity for the health of the animal.
- (32) Proper shelter for animals. No person owning or responsible for confining or impounding any animal may fail to provide the animal with proper shelter as prescribed in this section. In the case of farm animals, nothing in this section shall be construed as imposing shelter requirements or standards more stringent than normally accepted husbandry practices in the particular county where the animal or shelter is located.
- (a) Indoor Standards. Minimum indoor standards of shelter shall include
    1. The ambient temperature shall be compatible with the health of the animal.

2. Indoor housing facilities shall be adequately ventilated by natural or mechanical means to provide for the health of the animals at all times.
- (b) Outdoor standards. Minimum outdoor standards of shelter shall include:
1. When sunlight is likely to cause heat exhaustion of an animal tied or caged outside, sufficient shade by natural or artificial means shall be provided to protect the animal from direct sunlight. As used in this subsection, "caged" does not include farm fencing used to confine farm animals.
  2. Shelter from inclement weather.
    - a. Natural or artificial shelter appropriate to the local climatic conditions for the species concerned shall be provided as necessary for the health of the animal.
    - b. If a dog is tied or confined unattended outdoors under weather conditions which adversely affect the health of the dog, a shelter of suitable size to accommodate the dog shall be provided.
- (c) Space standards. Minimum space requirements for both indoor and outdoor enclosures shall include:
1. The housing facilities shall be structurally sound and maintained in good repair to protect the animals from injury and to contain the animals.
  2. Enclosures shall be constructed and maintained so as to provide sufficient space to allow each animal adequate freedom of movement. Inadequate space may be indicated by evidence of debility, stress or abnormal behavior patterns.
- (d) Sanitation standards. Minimum standards of sanitation for both indoor and outdoor enclosures shall include periodic cleanings to remove excreta and other waste materials, dirt and trash so as to minimize the health hazards.

### 10.03 Penalties.

- (1) General Penalty. Upon a finding of guilt for any prohibited conduct set forth in this Chapter, the Court shall impose a forfeiture of not less than one dollar (\$1.00) and not more than one thousand five hundred dollars (\$1,500.00) plus court costs, or in default of payment, by imprisonment in the Kewaunee County Jail for 1 day for each fifty dollars (\$50.00), or portion thereof, that remains unpaid. Each act of violation and every day of any such violation shall constitute a separate offense.

- (2) Adoption of uniform bail schedule. Any forfeiture for a violation of this Chapter adopting a State Statute shall conform to the forfeiture permitted to be imposed for violation of such statute as set forth in the uniform deposit and misdemeanor bail schedule of the Wisconsin Judicial Conference, including any variations or increases for subsequent offenses, which schedule is adopted by reference.
- (3) Cash deposit for citation. Any citations issued for a violation of this Chapter not included in the uniform deposit and misdemeanor bail schedule of the Wisconsin Judicial Conference shall have a cash deposit of seventy-five dollars (\$75.00) plus court costs and one-hundred fifty dollars (\$150.00) plus court costs for a second violation of this Ordinance within a 12 month period.