

Ordinance No. 10
To Prohibit Disorderly Conduct.

The Village Board of Oconomowoc Lake do ordain as follows:

8.01 OFFENSES ENDANGERING PUBLIC SAFETY.

SEE ORD. 38 SEC. 1

(1) Discharging and Carrying Firearms, Guns and Other Weapons Regulated. ~~No person, except a sheriff, constable, police officer or their deputies, shall fire or discharge any firearm, rifle, spring or air gun of any description, or other weapon, including a bow and arrow, within the Village of Oconomowoc Lake or have any firearm, rifle, spring or air gun or other weapon in his possession or under his control unless it is unloaded and knocked down or enclosed within a carrying case or other suitable container, provided that this section shall not prevent the maintenance and use of duly supervised rifle or pistol ranges, shooting galleries or archery butts authorized by the Village Board, or the possession, firing or discharging of any such firearm, gun or other weapon upon private premises by persons over 16 or under the direct personal supervision of a parent or guardian.~~

(2) Throwing or Shooting of Arrows, Stones and Other Missiles Prohibited. ~~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 other person or at, in or into any building, street, sidewalk, alley, highway, park, playground or other public place within the Village of Oconomowoc Lake.~~

(3) Burning of Grass and Trash Restricted.

SEE ORD. 31

(a) Grass Fires Regulated. ~~No person shall kindle any grass fire within the Village of Oconomowoc Lake without first securing a written permit from the Village Clerk who shall issue such permit only upon approval of and subject to any conditions for the protection of life and property imposed by the Chief of Police.~~

SEE ORD 31, 15.02

(b) 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 ground within the Village within 25 feet of any building unless the same be confined within a wire refuse burner, basket or metal enclosure of a type approved by the Chief of Police.~~

(4) Sale and Discharge of Fireworks Restricted.

(a) Private Use and Sale. No person shall sell, expose or offer for sale, use, keep, discharge or explode any fireworks except toy pistol paper caps, sparklers and toy snakes within the limits of the Village unless he shall be authorized by a fireworks permit as hereinafter provided. The term "fireworks" as used in this section shall be defined as provided in section 167.10(1), Wisconsin Statutes, and shall be deemed to include all rockets or similar missiles containing explosive fuel.

(b) Fireworks Permits. Fireworks, other than those prohibited by the laws of the State of Wisconsin, may be used and displayed in open fields, parks, rivers, and lakes by public authorities, fair associations, park boards, clubs, civic organizations and other groups of individuals when a permit for such display has been granted by the Village President. All applications shall be referred to the Chief of Police for investigation and no permit shall be granted unless the Village President from the report of the Chief determines that the applicant will use the fireworks in a public exhibition, that all reasonable precautions will be exercised with regard to the protection of the lives and property of all persons and that the display will be handled by a competent operator and conducted in a suitable, safe place and manner. Before granting any fireworks permit, the Village President shall require the applicant to post with the Village Clerk an approved indemnity bond in an amount fixed by him but not to exceed the sum of \$2,000 for the payment of all claims that may arise by reason of injuries to persons or property from the handling, use or discharge of fireworks under such permit.

(5) Obstructing Streets and Sidewalks Prohibited. 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.

8.02 OFFENSES ENDANGERING PUBLIC PEACE AND GOOD ORDER.

(1) Disorderly Conduct Prohibited. No person shall within the Village of Oconomowoc Lake:

(a) In any public or private place engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct which tends to cause or provoke an immediate disturbance of public order or tends to disturb or annoy any other person or persons.

(b) Intentionally cause, provoke or engage in any fight, brawl, riot or noisy altercation other than a bona fide athletic contest.

(c) With intent to annoy another, make a telephone call, whether or not a conversation ensues.

(2) Drunkenness. No person shall within the Village be habitually drunk or intoxicated so as to disturb the good order and quiet of the Village or be found in any public place within the Village in such a state of intoxication that he is unable to care for his own safety or for the safety of others.

(3) Loud and Unnecessary Noise Prohibited. 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. ~~No person shall use any sound truck or outside sound amplifying equipment in a loud and disturbing manner between hours of 10 P.M. and 8 A.M.~~

(4) 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.

(5) Obedience to Officers. No person shall, without reasonable excuse or justification, resist or in any way interfere with any officer of the Village while such officer is doing any act in his official capacity and with lawful authority.

(6) Assisting Escape of Prisoner. No person shall intentionally aid any prisoner or person to escape from the lawful custody of a policeman or peace officer of the Village.

(7) Personating Police Officers. No person shall personate a policeman or peace officer within the Village of Oconomowoc Lake.

8.03 OFFENSES ENDANGERING PUBLIC MORALS AND DECENCY.

(1) Gambling, Lotteries, Fraudulent Devises and Practices Prohibited. All forms of fraudulent devices and practices are prohibited within the limits of the Village.

(2) Vagrancy and Loitering Prohibited. No person shall within the Village loiter or loaf about any public building, place or premises or wander about the streets, alleys, parks or other public places either by day or night, whose actions give rise to a suspicion of wrongdoing and who is unable to give a satisfactory account of himself to the apprehending officer, or who, having the physical ability to work, is without any visible means of support and does not seek employment or who derives part of his support from begging, prostitution, pandering, fortune telling or as a similar imposter.

(3) 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 Village.

SEE ORP. 55

(4) Curfew. ~~No child 18 years of age or under shall loiter, idle or remain, and no parent or guardian shall knowingly permit his child or ward of such age to loiter, idle or remain in or upon any of the streets, alleys or public places in the Village between the hours of 10 P.M. and 6 A.M. unless such child is accompanied by a parent, guardian or some person of lawful age having legal custody of such child. This subsection shall not be construed to prohibit such child from performing an errand or duty if directed by his parent or guardian or of urgent necessity or from pursuing the duties of his employment in an expeditious and orderly manner or from going to or from places of business or amusement or private homes.~~

8.04 OFFENSES AGAINST PUBLIC AND PRIVATE PROPERTY.

(1) Destruction of Property Prohibited. No person shall wilfully injure or intentionally deface, destroy or unlawfully remove, take or meddle with any property of any kind or nature belonging to the Village or its departments or to any private person without the consent of the owner or proper authority.

(2) Littering Prohibited. No person shall throw any glass, rubbish, waste or filth upon the streets, alleys, highways, public parks or other property of the Village or upon any private property not owned by him or upon the surface of any waterway or body of water within the Village of Oconomowoc Lake.

8.05 PENALTIES.

(1) General Penalty.

(a) First Offense-Penalty. Except as described in subsection (2) hereof, any person who shall violate any provision of this ordinance shall, upon conviction thereof, forfeit not less than \$1 nor more than \$100, together with the costs of prosecution and, in default of payment of

such forfeiture and costs of prosecution, shall be imprisoned in the county jail until said forfeiture and costs are paid, but not exceeding 90 days.

(b) Second Offense -Penalty. Any person found guilty of violating this ordinance who shall have been previously convicted of a violation of this ordinance within one year prior thereto shall, except as provided in subsection (2) hereof, upon conviction thereof, forfeit not less than \$10 nor more than \$200 for each such offense, together with the costs of prosecution and, in default of payment of such forfeiture and costs, shall be imprisoned in the county jail until said forfeiture and costs of prosecution are paid, but not to exceed 6 months.

(C) FIRES - SEE ORD. 14

(2) Special Penalties.

SEE ORD. 55
(a) Curfew. ~~Any person who shall violate subsection 8.03 (4) of this ordinance shall, upon conviction thereof, forfeit not less than \$1 nor more than \$25, together with 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 3 days, provided that for a first offense any person violating said subsection shall be warned of the penalty for such violation by any police officer of the Village and shall be taken and delivered to the custody of the person having legal custody over him, if such person resides within the Village of Oconomowoc Lake, and for a second or subsequent offense he shall be dealt with according to the provisions of Chapter 48, Wisconsin Statutes.~~

(b) Destruction of Property. In addition to any penalty imposed for violation of section 8.04 (1) of this ordinance, 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 section 8.04 (1) of this ordinance may also be held liable for the cost of replacing or repairing such damaged or destroyed property in accordance with section 331.035, Wisconsin Statutes.

8.06 VALIDITY, INTERPRETATION AND EFFECTIVE DATE.

A. Severability. The several sections, subsections, paragraphs and subparagraphs of this ordinance are hereby declared to be severable. If any section, subsection, paragraph or subparagraph of this ordinance shall be finally declared by a decision of a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of any other provision of this ordinance.

B. Statutory References. References herein to Sections of the Wisconsin Statutes shall be deemed to include all amendments to or substitutions for such statutory provisions made after the date of adoption of this ordinance.

C. Effective Date. This ordinance shall take effect and be in full force after its passage and posting.

Passed and adopted by the Village Board of the Village of Oconomowoc Lake, this 12th day of March, 1960.



Village President

Countersigned:

[VILLAGE SEAL]



Village Clerk

STATE OF WISCONSIN)
))
COUNTY OF WAUKESHA)

SS

AFFIDAVIT OF POSTING
ORDINANCE
Ordinance 10

The undersigned, being first duly sworn, on oath deposes and states that on March 13, 19 60, at the direction of the Clerk of the Village of Oconomowoc Lake, she posted copies of the above ordinance in the following public places in said Village, to-wit:

(1) Opposite the entrance to the Oconomowoc Lake Club on the northern side of the road in front of the Club.

(2) On the west side of the bend on County Trunk Highway "P" at its junction with Lindsay Road.

(3) At the northeast corner of the junction of County Trunk Highway "P" and the private drive leading into the Borisch, Robinson, Morsell, et al. properties.

Katharine L. Lippitt

Subscribed and sworn to before me
this 13th day of March, 19 60.

Ruth H. Lindsay
Notary Public, Waukesha County, Wis.
My Commission Expires: Dec. 22, 1963