

**SAWYER COUNTY BOARD OF SUPERVISORS
RESOLUTION NO. 2018-45**

**RESOLUTION TO AMEND AND ADOPT THE SAWYER COUNTY ORDINANCE CODE
REGARDING OFFENSES AGAINST PEACE AND GOOD ORDER**

WHEREAS, Wisconsin law permits Sawyer County (the “County”) to adopt and enforce certain ordinances by incorporating Wisconsin State Statutes relating to peace and good order offenses;

WHEREAS, the County has not updated its existing Code of Ordinances relating to peace and good order in several years;

WHEREAS, the County Criminal Justice Coordinating Council reviewed the proposed ordinance relating to violations pertaining to the peace and good order in the County (the “Peace and Good Order Ordinance”), a copy of which is attached hereto and incorporated into this Resolution as Exhibit A, at its meeting on December 3, 2018, and recommended approval of the Peace and Good Order Ordinance by the County Board of Supervisors on an advisory basis; and

WHEREAS, the County Public Safety Committee reviewed the proposed Peace and Good Order Ordinance at its meeting on December 6, 2018, and recommended approval of the Peace and Good Order Ordinance by the County Board of Supervisors; and

WHEREAS, the Sawyer County Board of Supervisors determined that amending certain provisions of the Sawyer County Code of Ordinances (the “Ordinances”) relating to peace and good order are warranted to protect the health, welfare and safety of its citizens.

NOW, THEREFORE BE IT RESOLVED, by the Sawyer County Board of Supervisors that the Sawyer County Ordinances shall be amended as follows:

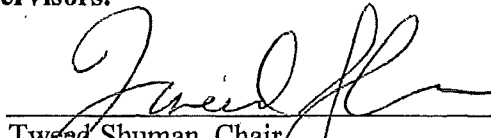
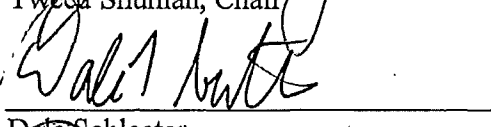
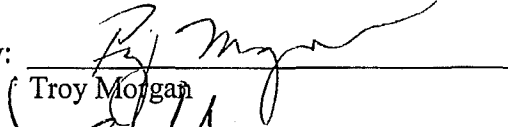
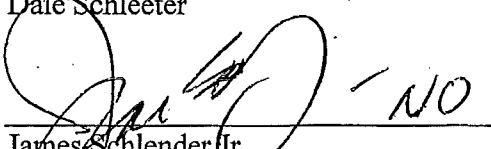
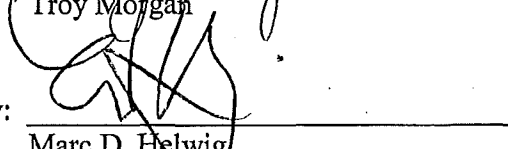
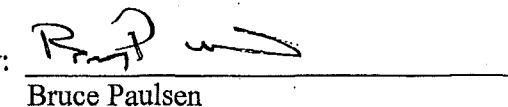

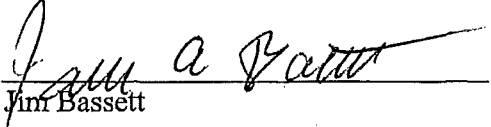
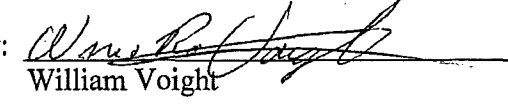
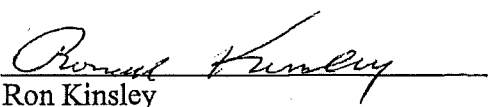
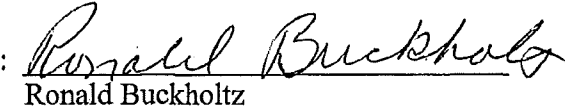
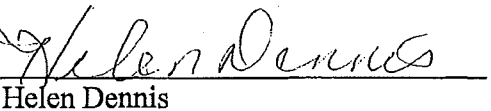
- (1) Modification of Existing County Ordinances. Upon approval of this Resolution, the following sections of the County Ordinances shall be modified to the extent that each conflict with the state statutes adopted pursuant to Paragraph 2 below:
 - (a) Ordinance # 141 – Disorderly Conduct
 - (b) Ordinance # 3-93 - Excessive Noise
 - (c) Ordinance # 4-93 – Littering
 - (d) Ordinance # 1-94 – Purchase or Possession of Tobacco by Minors
 - (e) Ordinance # 144 – Alcohol
 - (f) Ordinance # 1-93 – Trespass to Land
 - (g) Ordinance # 2-93 - Retail Theft
 - (h) Ordinance # 1-2001 – Interference with 911 System

- (2) Peace and Good Order Ordinance. The Sawyer County Ordinance, Chapter 1 – Peace and Good Order, a copy of which is attached hereto and incorporated into this Resolution as Exhibit A, shall be added to the County Ordinance as Chapter 1.
- (3) Amendments to the County Ordinances. Upon approval of this Resolution, the following addition to the County Ordinances shall occur: *Insert updated Bond/Penalty Schedule here upon determination.*

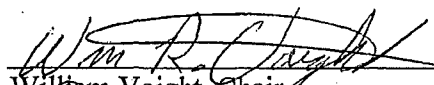
Resolution No. 2018-45

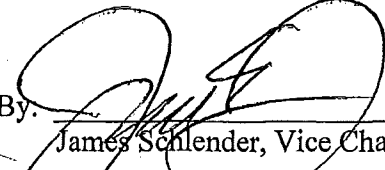
Ayes 12 Nays 1 Abstain 0 Absent 2 (X) Voice Vote

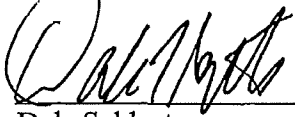
Approved and adopted this 20th day of December 2018 by the Sawyer County Board of Supervisors.

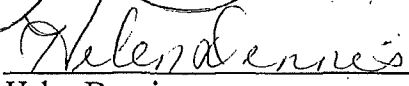
By:  Tweed Shuman, Chair	By: _____ Kathy McCoy
By:  Dale Schleeter	By:  Troy Morgan
By:  - NO James Schlender Jr.	By:  Marc D. Helwig
By: _____ Thomas W. Duffy	By:  Bruce Paulsen
By: _____ Brian Bisonette	By:  Elaine Nyberg
By:  Jim Bassett	By:  William Voight
By:  Ron Kinsley	By:  Ronald Buckholtz
By:  Helen Dennis	

Recommended for Approval on the 6th day of December 2018, by the Sawyer County Public Safety Committee:

By: 
William Voight, Chair

By: 
James Schlender, Vice Chair

By: 
Dale Schleeter

By: 
Helen Dennis


By: 
Ron Buckholtz

EXHIBIT A

The Sawyer County Ordinance Regarding Peace and Good Order

(See Attached)

Chapter 1 – Peace and Good Order; Wisconsin Statutes Adopted

Sec. 1-1-1 Offenses Against State Laws Subject to Forfeiture.

The following State of Wisconsin Statutes (“Wisconsin Statutes”) defining offenses against the peace and good order are hereby adopted by reference to define offenses against the peace and good order of Sawyer County. Any reference to “municipality” in the Wisconsin Statutes adopted below shall include Sawyer County as an enforcement authority, thereby granting Sawyer County with enforcement powers set forth in the Wisconsin Statutes. With the exception of Wis. Stat. § 938.342 the penalty for commission of such offenses hereunder shall be limited to a forfeiture imposed under the general penalty provisions of the Sawyer County Code of Ordinances. Any future amendments, revisions or modifications of the Wisconsin Statutes are hereby incorporated by reference are intended to be made part of this Code. Notwithstanding the foregoing, the penalty for truancy and high school dropouts shall be governed by the provisions of Wis. Stats. § 938.342, as adopted herein.

Wis. Stat. § 29.288	Throwing Refuse in Waters
Wis. Stat. § 50.58	Careless Smoking
Wis. Stat. § 118.07	Safety Requirements
Wis. Stat. § 118.08	School Zones; Crossings
Wis. Stat. § 118.09	Safety Zones
Wis. Stat. § 118.10	School Safety Patrols
Wis. Stat. § 118.105	Control of Traffic on School Premises
Wis. Stat. § 118.11	School Fences
Wis. Stat. § 118.123	Reports and Records
Wis. Stat. § 134.65	Cigarette and Tobacco Products Retailer License
Wis. Stat. § 134.66	Restrictions on Sale or Gift of Cigarettes or Tobacco Products
Wis. Stat. § 167.10	Fireworks Regulated
Wis. Stat. § 175.25	Illegal Storage of Junked Vehicles
Wis. Stat. § 938.125	Jurisdiction-Juveniles Alleged to Have Violated Civil Laws or Ordinances
Wis. Stat. § 938.17	Jurisdiction-Juveniles-Traffic, Boating, Snowmobile and All-Terrain Vehicle Violations and Over Civil Law and Ordinance Violations
Wis. Stat. § 938.342	Disposition-Truancy and School Dropout Ordinance Violations
Wis. Stat. § 938.343	Disposition-Juvenile Adjudged to Have Violated a Civil Law or an Ordinance
Wis. Stat. § 938.344	Disposition-Certain Intoxicating Liquor, Beer and Drug Violations
Wis. Stat. § 938.345	Disposition-Juvenile Adjudged in Need of Protection or Services
Wis. Stat. § 939.05(2)(b)	Aiding and Abetting
Wis. Stat. § 939.22	Words and Phrases Defined
Wis. Stat. § 940.19(1)	Battery
Wis. Stat. § 940.291	Failure of a Police Officer to Render Aid
Wis. Stat. § 940.42	Misdemeanor Intimidation of Witness's
Wis. Stat. § 940.44	Intimidation of Victims
Wis. Stat. § 941.01	Negligent Operation of a Vehicle
Wis. Stat. § 941.10	Negligent Handling of Burning Materials
Wis. Stat. § 941.12(2), (3)	Interfering With or Failing to Assist in Firefighting
Wis. Stat. § 941.13	False Alarms and Interference with Firefighting
Wis. Stat. § 941.20(1)	Reckless Use of Weapon
Wis. Stat. § 941.23	Carrying Concealed Weapon
Wis. Stat. § 941.235	Carrying a Firearm in a Public Building

Wis. Stat. § 941.24	Possession of Switchblade Knife
Wis. Stat. § 941.35	Emergency Telephone Calls
Wis. Stat. § 941.36	Fraudulent Tapping of Electric Wires or Gas or Water Meters
Wis. Stat. § 941.37(1),(2)	Obstructing Emergency or Rescue Personnel
Wis. Stat. § 942.01	Defamation
Wis. Stat. § 942.03	Giving False Information for Publication
Wis. Stat. § 942.05	Opening Letters
Wis. Stat. § 942.20(1),(2)	Theft
Wis. Stat. § 943.01(1)	Criminal Damage to Property
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	Trespass to Dwellings
Wis. Stat. § 943.145	Criminal Trespass to a Medical Facility
Wis. Stat. § 943.15	Entry Into Locked Site
Wis. Stat. § 943.20(3)(a)	Theft of Property
Wis. Stat. § 943.21 (3)(a)	Fraud on Innkeeper
Wis. Stat. § 943.22	Cheating Tokens
Wis. Stat. § 943.23(1)(4)(5)	Operating Vehicle Without Owner's Consent
Wis. Stat. § 943.24	I.O.W.C.
Wis. Stat. § 943.34(1)(a)	Receiving Stolen Property
Wis. Stat. § 943.37	Alteration of Property Identification Marks
Wis. Stat. § 943.38(3)	Forgery
Wis. Stat. § 943.41	Credit Card Crimes
Wis. Stat. § 943.46	Theft of Cable Services
Wis. Stat. § 943.50(1)-(3), (4)(a)	Retail Theft
Wis. Stat. § 943.55	Removal of a Shopping Cart
Wis. Stat. § 943.70	Computer Theft
Wis. Stat. § 944.15	Fornication
Wis. Stat. § 944.17	Sexual Gratification
Wis. Stat. § 944.20	Lewd and Lascivious Behavior
Wis. Stat. § 944.21	Obscene Material or Performance
Wis. Stat. § 944.23	Making Lewd, Obscene or Indecent Drawings
Wis. Stat. § 944.30	Prostitution
Wis. Stat. § 944.31	Patronizing Prostitutes
Wis. Stat. § 944.33	Pandering
Wis. Stat. § 944.36	Solicitation of Drinks Prohibited
Wis. Stat. § 945.01	Definitions Relating to Gambling
Wis. Stat. § 945.02	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. § 946.42(2)	Escape
Wis. Stat. § 946.46	Encouraging Violation of Probation or Parole
Wis. Stat. § 946.69	Falsely Assuming to Act as Public Officer or Employee
Wis. Stat. § 946.70	Impersonating Peace Officer
Wis. Stat. § 946.72(2)	Tampering with Public Records and Notices
Wis. Stat. § 947.01	Disorderly Conduct
Wis. Stat. § 947.012	Unlawful Use of Telephone
Wis. Stat. § 947.013	Harassment
Wis. Stat. § 947.047	Littering Shores
Wis. Stat. § 947.06	Unlawful Assemblies

Wis. Stat. § 948.01	Definitions Relating to Crimes Against Children
Wis. Stat. § 948.09	Sexual Intercourse With a Child Age 16 or Older
Wis. Stat. § 948.10	Exposing a Sex Organ
Wis. Stat. § 948.11(1)(b),(2)(b)	Exposing a Child to Harmful Material
Wis. Stat. § 948.21	Neglecting a Child
Wis. Stat. § 948.40	Contributing to the Delinquency of a Child
Wis. Stat. § 948.50	Strip Search by School Employee
Wis. Stat. § 948.51(1),(2),(3)(a)	Hazing
Wis. Stat. § 948.60	Possession of a Dangerous Weapon by a Child
Wis. Stat. § 948.61(1),(2)	Dangerous Weapons on School Premises
Wis. Stat. § 948.63	Receiving Property From a Child
Wis. Stat. § 948.983	Purchase or Possession of Tobacco Products Prohibited
Wis. Stat. § 951.01	Definitions Relating to Crimes Against Animals
Wis. Stat. § 951.015	Construction and Application
Wis. Stat. § 951.02	Mistreating Animals
Wis. Stat. § 951.03	Dognapping or Catnapping
Wis. Stat. § 951.04	Leading Animal from Motor Vehicle
Wis. Stat. § 951.05	Transportation of Animals
Wis. Stat. § 951.06	Use of Poisonous and Controlled Substances
Wis. Stat. § 951.07	Use of Certain Devices Prohibited
Wis. Stat. § 951.08	Instigating Fights Between Animals
Wis. Stat. § 951.09	Shooting at Caged or Staked Animals
Wis. Stat. § 951.10	Sale of Baby Rabbits, Chicks and Other Fowl
Wis. Stat. § 951.11	Artificially Colored Animals; Sale
Wis. Stat. § 951.13	Providing Proper Food and Drink to Confined Animals
Wis. Stat. § 951.14	Providing Proper Shelter
Wis. Stat. § 951.15	Animals; Neglected or Abandoned; Police Powers
Wis. Stat. § 951.16	Investigation of Animal Cruelty Complaints
Wis. Stat. § 951.17	Reimbursement for Expenses
Wis. Stat. § 961.01 - Wis. Stat. § 961.61	- Uniform Controlled Substances Act

Sec. 1-1-2 Penalties; Attempt; Parties to Acts.

- (a) **Penalty.** In addition to the general penalty provisions of this Ordinance, the penalty/bond schedule to be incorporated in this Ordinance, or any other penalty imposed for violation of any Section of this Ordinance, any person who shall cause physical damage to or destroy any public property shall be liable for the cost of replacing or repairing such damaged or destroyed property. The parent or parents of any emancipated juvenile who violates any Section of this Ordinance may also be held liable for the cost of replacing or repairing such damaged or destroyed property in accordance with the Wisconsin Statutes.
- (b) **Attempt.**
- (1) Whoever attempts to commit an act prohibited by Chapter 1 of the Sawyer County Code of Ordinances may be required to forfeit amounts not to exceed one-half (1/2) the maximum penalty for the completed act.
 - (2) An attempt to commit an act prohibited by Chapter 1 of the Sawyer County Code of Ordinances requires that the actor have an intent to perform acts and attain a result which, if accomplished, would constitute a violation of these ordinances and that he/she does acts towards the commission of the violation which demonstrate

unequivocally, under all the circumstances, that he/she formed that intent and would commit the violation except for the intervention of another person or some other extraneous factor.

(c) Parties to Acts Prohibited in Chapter 1.

(1) Whoever is concerned in the commission of an act prohibited by Chapter 1 of this Code of Ordinances, is a principal and may be charged with and convicted of the commission of said act although he/she did not directly commit it and although the person who directly committed it has not been convicted of some other act prohibited by these ordinances.

(2) A person is concerned in the commission of an act prohibited by Chapter 1 of the Sawyer County Code of Ordinance if he/she:

- a. Directly commits the act; or
- b. Intentionally aids and abets the commission of it; or
- c. Is a party to a conspiracy with another to commit it or advises, hires, counsels, or otherwise procures another to commit it. Such party is also concerned in the commission of any other act which is committed in pursuance of the intended violation and which, under the circumstances, is the natural and probable consequence of the intended violation. This paragraph does not apply to a person who voluntarily changes his/her mind and no longer desires that the act be committed and notifies the other parties concerned of his/her withdrawal within a reasonable time before the commission of the violation so as to allow the others also to withdraw.