

TITLE 11

Offenses and Nuisances

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Title 11 ► Chapter 1

State Statutes Adopted

11-1-1 Offenses Against State Laws Subject to Forfeiture

11-1-2 Penalties; Attempt; Parties to Act

Sec. 11-1-1 Offenses Against State Laws Subject to Forfeiture.

The following statutes defining offenses against the peace and good order of the State are adopted by reference to define offenses against the peace and good order of the Village of Elmwood. With the exception of Sec. 938.342, Wis. Stats., the penalty for commission of such offenses hereunder shall be limited to a forfeiture imposed under the general penalty provisions of this Code of Ordinances. Any future amendments, revisions or modifications of the Statutes incorporated herein by reference are intended to be made part of this Code. The penalty for truancy and high school dropouts shall be governed by the provisions of Sec. 938.342, Wis. Stats., as adopted herein.

29.288	Throwing Refuse in Waters
50.58	Careless Smoking
118.07	Safety Requirements
118.08	School Zones; Crossings
118.09	Safety Zones
118.10	School Safety Patrols
118.105	Control of Traffic on School Premises
118.11	School Fences
118.123	Reports and Records
118.163	Truancy and School Dropout Violations
134.65	Cigarette and Tobacco Products Retailer License
134.66	Restrictions on Sale or Gift of Cigarettes or Tobacco Products
167.10	Fireworks Regulated
175.25	Illegal Storage of Junked Vehicles
938.125	Jurisdiction — Juveniles Alleged to Have Violated Civil Laws or Ordinances
938.17	Jurisdiction — Juveniles — Traffic, Boating, Snowmobile and All-Terrain Vehicle Violations and Over Civil Law and Ordinance Violations

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- 938.342 Disposition — Truancy and School Dropout Ordinance Violations
- 938.343 Disposition — Juvenile Adjudged to Have Violated a Civil Law
or an Ordinance
- 938.344 Disposition — Certain Intoxicating Liquor, Beer and Drug
Violations
- 938.345 Disposition — Juvenile Adjudged in Need of Protection or
Services
- 938.983 Purchase or Possession of Tobacco Products Prohibited
- 939.05(2)(b) Aiding and Abetting
- 939.22 Words and Phrases Defined
- 940.19(1) Battery
- 940.291 Failure of a Police Officer to Render Aid
- 940.42 Misdemeanor Intimidation of Witness's
- 940.44 Intimidation of Victims
- 941.01 Negligent Operation of a Vehicle
- 941.10 Negligent Handling of Burning Materials
- 941.12(2),(3) Interfering With or Failing to Assist in Firefighting
- 941.13 False Alarms and Interference with Firefighting
- 941.20(1) Reckless Use of Weapon
- 941.299 Restrictions on Use of Laser Pointers
- 941.23 Carrying Concealed Weapon
- 941.235 Carrying a Firearm in a Public Building
- 941.24 Possession of Switchblade Knife
- 941.35 Emergency Telephone Calls
- 941.36 Fraudulent Tapping of Electric Wires or Gas or Water Meters
or Pipes
- 941.37(1),(2) Obstructing Emergency or Rescue Personnel
- 942.01 Defamation
- 942.03 Giving False Information for Publication
- 942.05 Opening Letters
- 942.20(1),(2) Theft
- 943.01(1) Criminal Damage to Property
- 943.11 Entry Into Locked Vehicle
- 943.125 Entry Into Locked Coin Box
- 943.13 Trespass to Land
- 943.14 Trespass to Dwellings
- 943.145 Criminal Trespass to a Medical Facility
- 943.15 Entry Into Locked Site
- 943.20(3)(a) Theft of Property
- 943.21(3)(a) Fraud on Innkeeper

- 943.22 Cheating Tokens
- 943.23(1)(4)(5) Operating Vehicle Without Owner's Consent
- 943.24 I.O.W.C.
- 943.34(1)(a) Receiving Stolen Property
- 943.37 Alteration of Property Identification Marks
- 943.38(3) Forgery
- 943.41 Credit Card Crimes
- 943.46 Theft of Cable Services
- 943.50(1)-(3),
(4)(a) Retail Theft
- 943.55 Removal of a Shopping Cart
- 943.70 Computer Theft
- 944.15 Fornication
- 944.17 Sexual Gratification
- 944.20 Lewd and Lascivious Behavior
- 944.21 Obscene Material or Performance
- 944.23 Making Lewd, Obscene or Indecent Drawings
- 944.30 Prostitution
- 944.31 Patronizing Prostitutes
- 944.33 Pandering
- 944.36 Solicitation of Drinks Prohibited
- 945.01 Definitions Relating to Gambling
- 945.02 Gambling
- 945.04 Permitting Premises to be Used for Commercial Gambling
- 946.40 Refusing to Aid Officer
- 946.41 Resisting or Obstructing Officer
- 946.42(2) Escape
- 946.46 Encouraging Violation of Probation or Parole
- 946.69 Falsely Assuming to Act as Public Officer or Employee
- 946.70 Impersonating Peace Officer
- 946.72(2) Tampering with Public Records and Notices
- 947.01 Disorderly Conduct
- 947.012 Unlawful Use of Telephone
- 947.013 Harassment
- 947.047 Littering Shores
- 947.06 Unlawful Assemblies
- 948.01 Definitions Relating to Crimes Against Children
- 948.09 Sexual Intercourse With a Child Age 16 or Older
- 948.10 Exposing a Sex Organ
- 948.11(1)(b),
(2)(b) Exposing a Child to Harmful Material

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

Sec. 11-1-2 Penalties; Attempt; Parties to Acts.

- (a) **Penalty.** In addition to the general penalty provisions of this Code in Section 1-1-6 or any other penalty imposed for violation of any Section of this Title, 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 unemancipated juvenile who violates Section 11-3-1 may also be held liable for the cost of replacing or repairing such damaged or destroyed property in accordance with the Wisconsin Statutes. Nothing in this Code of Ordinances shall prevent the Police Department from referring violations of the provisions of this Title to the District Attorney's office in the interest of justice.

(b) **Attempt.**

- (1) Whoever attempts to commit an act prohibited by Title 11 of the Code of Ordinances of the Village of Elmwood 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 the ordinances in Title 11 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 Title 11.**

- (1) Whoever is concerned in the commission of an act prohibited by Title 11 of this Code of Ordinances, is a principle 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 these ordinances 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.