

TITLE 11

Offenses and Nuisances

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CHAPTER 1

State Statutes Adopted

11-1-1	Offenses Against State Laws Subject to Forfeiture
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SEC. 11-1-1 OFFENSES AGAINST STATE LAWS SUBJECT TO FORFEITURE. (Rev. 4/09'-Ord. 2009-03)

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 Marshall provided 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.

29.288	Throwing Refuse in Waters
48.17	Jurisdiction Civil Law and Ordinance Violations
48.343	Dispositions Civil Law and Ordinance Violations
48.344	Dispositions Intoxicating Liquor and Beer Violations
48.345	Disposition of Child Adjudged in Need of Protection
48.983	Use of Tobacco Products
50.58	Careless Smoking
86.06	Highways Closed to Travel; Penalties (rev. 9/93')
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
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
939.05(2)(b)	Aiding and Abetting
939.22	Words and Phrases Defined
940.19(l)	Battery
940.291	Failure of a Police Officer to Render Aid
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(l)	Reckless Use of Weapon
941.23	Carrying Concealed Weapon
941.235	Carrying a Firearm in a Public Building
941.24	Possession of Switchblade Knife
941.299	Restrictions on the use of laser pointers
941.31	Possession of explosives
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
942.05	Opening Letters
943.01(l)	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
943.203	Unauthorized use of an entity's identifying information or documents
943.21(3)(a)	Fraud on Innkeeper
943.22	Cheating Tokens
943.23(4),(5)	Operating Vehicle Without Owner's Consent
943.34(1)(a)	Receiving Stolen Property
943.37	Alteration of Property Identification Marks
943.38(3)	Forgery
943.41	Credit Card Crimes
943.45	Obtaining Telecommunications Service by Fraud (rev. 2/93')
943.46	Theft of Cable Television Service (rev. 2/93')
943.50(4)(a)	Retail Theft
943.55	Removal of a Shopping Cart
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)	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(3)(a)	Hazing
948.60	Possession of a Dangerous Weapon by a Child
948.61(2)(1)	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	Dog napping 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	Uniform Controlled Substances Act (<i>rev. 12/99</i>)

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 minor child 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 Marshall 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 does acts towards the commission of the violation which demonstrate unequivocally, under all the circumstances, that he 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 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:
 - a. Directly commits the act; or
 - b. Intentionally aids and abets the commission of it; or 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 mind and no longer desires that the act be committed and notifies the other parties concerned of his withdrawal within a reasonable time before the commission of the violation so as to allow the others also to withdraw.