

## **CHAPTER 9**

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## 9.01 SCHOOL TRUANCY

- (1) The following definitions shall apply in this Section:
  - (a) “Habitual truant” means a pupil who is absent from school without an acceptable excuse under §118.16(4) and §118.15, Wis. Stats., for part or all of five or more days on which school is held during a school semester.
  - (b) “Operating privilege” means, in the case of a person who is licensed under Chapter 343, Wis. Stats., the license, including every endorsement and authorization to operate vehicles of specific vehicles classes or types, instruction permit, and temporary, restricted or occupational license granted to such person, in the case of a resident of this state who is not so licensed, it means the privilege to secure a license under Chapter 343, Wis. Stats.
  - (c) “Truant” means a pupil who is absent from school without an acceptable excuse under §118.15 and §118.16(4), Wis. Stats., for part or all of any day on which school is held during a school semester.
- (2) It shall be a violation of this Ordinance for a person under 18 years of age to be a truant.
- (3) The following dispositions shall be available to the Court upon a finding of a violation of §9.07(2) of this Ordinance:
  - (a) An order for the person to attend school.
  - (b) A forfeiture of not more than \$10.00 plus costs for a first violation, or a forfeiture of not more than \$20.00 plus costs for any second or subsequent violation committed within twelve months of a previous violation, subject to §938.37, Wis. Stats., and subject to a maximum cumulative forfeiture amount of not more than \$500.00 for all violations committed during a school semester. All or part of the forfeiture plus costs may be assessed against the person, the parents or guardian of the person or both.
  - (c) An order for the person to report to a youth report center after school, in the evening, on weekends, on other nonschool days, or at any other time that the person is not under immediate adult supervision, for participation in the social, behavioral, academic, community service, and other programming of the center as described in §938.342 (1d), Wis. Stats.
- (4) It shall be a violation of this Ordinance for a person under 18 years of age to be a habitual truant.
- (5) The following dispositions shall be available to the court upon a finding of a violation of §9.07(4) of this Ordinance:
  - (a) Suspension of the person’s operating privilege for not less than 30 days nor more than one year. The Court shall immediately take possession of any suspended license and forward it to the Wisconsin Department of Transportation together with a notice stating the reason for and the duration of the suspension.
  - (b) An order for the person to participate in counseling or a supervised work program or other community service work as described in §938.35(5g), Wis. Stats. The cost of any such counseling, supervised work program or other community service work may be assessed against the person, the parents or guardian of the person or both.

- (c) An order for the person to remain at home except during hours in which the person is attending religious worship or a school program, including travel time required to get to and from school program or place of worship. The order may permit a person to leave his or her home if a parent or guardian accompanies the person.
  - (d) An order for the person to attend an education program as described in §938.34(7d), Wis. Stats.
  - (e) An order for the Wisconsin Department of Work Force Development to revoke, under §103.72, Wis. Stats., a permit under §103.70, Wis. Stats., authorizing the employment of the person.
  - (f) An order for the person to be placed in a teen court program as described in §938.342 (1g) (f), Wis. Stats.
  - (g) An order for the person to attend school.
  - (h) A forfeiture of not more than \$50.00 plus costs, subject to §938.37, Wis. Stats. All or part of the forfeiture plus costs may be assessed against the person, the parents or guardian of the person or both.
  - (i) Any other reasonable conditions consistent with this section, include a curfew, restrictions as to going to or remaining on specific premises and restrictions on association with other children or adults.
  - (j) An order placing the person under the supervision of an agency or a suitable adult, as described in §938.37 (2), Wis. Stats., for up to one year.
  - (k) An order for the person's parent, guardian or legal custodian to participate in counseling at the parent's, guardian's or legal custodian's own expense or attend school with the person, or both.
  - (l) An order for the person to report to a youth report center after school, in the evening, on weekends, on other nonschool days, or at any other time that the person is not under immediate adult supervision, for participation in the social, behavioral, academic, community service, and other programming of the center as described in §938.342(1g)(k), Wis. Stats.
- (6) This Ordinance shall be administered by the Health and Human Services Department, the Sheriff and the District Attorney. The Health and Human Services Department or a school district may make referrals of possible violations of this Ordinance to the Sheriff. The Sheriff shall investigate violations of this Ordinance and may issue citations for violations of this Ordinance. The District Attorney shall prosecute violations of this Ordinance. (Ord #357 4/17/12)

**9.02 VIOLATIONS OF ALCOHOL BEVERAGE LAWS BY UNDERAGE PERSONS**

- (1) No person under the legal drinking age shall consume, possess, buy, sell, trade, use as a beverage, give away or otherwise control any intoxicating liquor or fermented malt beverage in violation of Ch. 125, Wis. Stats., or any amendments or revisions thereto.
- (2) Penalties for violation of this section shall be as specified in Ch. 125, including any amendments and revisions thereto. §48.17(2), Wis. Stats.,

including any revisions and amendments thereto, is hereby adopted by reference.

### **9.03 NAMING ROADS**

#### **(1) Purpose**

To promote the orderly and logical identification and naming of roads within Marinette County and to facilitate the location of residences and businesses by law enforcement, emergency service providers, US Postal service, delivery services, utilities, travelers, and others dependent on addresses. To this end, a uniform system of naming roads as authorized by § 59.54(4) (4m) Wis. Stats. is hereby adopted for use in Marinette County.

#### **(2) Administration**

The County shall be the lead coordinator in administering this section. The towns, cities, and villages within Marinette County shall cooperate with the County in the implementation of this system. The Real Property Lister under the direction of the Finance Committee shall implement the road naming system. The cost of securing, erecting and maintaining rural road naming signs shall be the responsibility of the local municipalities. The owner of private roads may be responsible for costs incurred for road signs.

#### **(3) Naming System**

- (a) All new public and private roads shall be named.
- (b) New road names shall not duplicate existing road names within the County unless approved by the County.
- (c) Duplicate road names already in existence shall be changed if requested by the County.
- (d) Existing non-continuous roads with duplicate names in the same postal zip code area and/or telephone exchange shall be renamed if requested by the county.
- (e) The local municipalities shall be responsible for distributing the road naming procedures to their citizens or sending the individual to the Marinette County Property Listing Department for the information.
- (f) The established Road Naming Procedures shall be enforced as part of this ordinance.

#### **(4) Penalties**

Any violation of any provision of this ordinance by any person, firm, association, corporation or agent, employee, or officer, shall be unlawful. A violator shall, upon a finding that a violation exists, forfeit to the county \$100, together with the taxable cost in such action. Each day during which such violation exists shall constitute a separate offense.

#### **(5) Enforcement**

A law enforcement officer or person designated by an official action of the Town, City, Village, or County is authorized to issue citations for a violation under this ordinance.

#### **(6) Severability**

Should any portion of this ordinance conflict with the Wisconsin State Statutes or Administrative Codes, only those provisions of the ordinance in conflict are

affected and the remainder of this ordinance shall remain in full force and effect.

(Ord #242 2/26/02) (Ord #357 4/17/12)

#### **9.04 FAIR AND OPEN HOUSING**

- (1) **State law adopted.** Wis. Stats. §106.50 and all subsequent amendments are adopted by Marinette County.
- (2) **Discrimination to be removed.** The officials and employees of the county shall assist in the orderly prevention and removal of all discrimination in housing with the county.
- (3) **Complaint.** The County Clerk shall maintain forms for complaints to be filed under Wis. Stats. §106.50, and shall direct any person alleging a violation to file a complaint with the Wisconsin Department of Workforce Development, Equal Rights Division for enforcement.

(Ord #361-12 9/18/12)

#### **9.05 OFFENSES AGAINST STATE LAWS SUBJECT TO FORFEITURE**

- (1) Except as otherwise provided in this Code, all misdemeanor crimes described in the Wisconsin Statutes are hereby adopted and by reference made a part of this chapter as if fully set forth herein to define offenses against the County. The penalty for such offenses hereunder shall be limited to a forfeiture imposed under Section 25.01 of this Code. Any act required to be performed or prohibited by a statute incorporated herein by reference is required or prohibited by this section. (Ord #357 4/17/12)
- (2) The liability imposed upon individuals by Wisconsin Statute Sections 939.05, 939.30, 939.31, 939.32 is hereby adopted reference as if fully set forth herein except that the word "crime" is replaced by the word "offense" and the liability imposed by these statutes is hereby imposed upon individuals by this Code.
- (3) To facilitate the enforcement of County ordinances, to the extent that the Wisconsin Statutes define and describe various terms of art, words, and phrases, they are herein adopted and by reference made a part of this chapter as if fully set forth herein.
- (4) Any future amendments, revisions, modifications or creations of the statutes incorporated herein are intended to be made part of this chapter to ensure its completeness.

(Ord #194 2/24/98, Ord #268 8/26/03)

**9.06 RESERVED** (Ord #357 4/17/12)

**9.07 RESERVED** (Ord #357 4/17/12)

**9.08 RESERVED** (Ord #357 4/17/12)

**9.09 RESERVED** (Ord #357 4/17/12)

**9.10 PENALTY**

Except as otherwise provided, any person found to be in violation of any provision of this chapter shall be subject to a penalty as provided in §25.01(5) of this General Code.