

TITLE IX

NUISANCES AND OFFENSES

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Chapter 40

NOISE, DISORDERLY CONDUCT AND LOITERING

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40.01 DEFINITIONS.

- (1) "Loud noises" are defined as noises of such a magnitude and occurring at such a time as to disrupt and / or offend persons of ordinary sensibilities.
- (2) "Disturbance" means the interruption of the peace, quiet and good order of a neighborhood, area and given location within the City
- (3) "Loitering" means to stand around, be dilatory, stand or sit idly.

40.02 UNLAWFUL CONDUCT.

- (1) It shall be unlawful to make, in a public or a private place, loud noises, as defined herein, so as to cause an annoyance to the residents or the City.
- (2) It shall be unlawful to cause or provoke a disturbance, as defined herein, by such deliberate and intentional conduct.
- (3) It shall be unlawful to engage in abusive, boisterous, indecent, profane, unreasonably loud and otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance in the City.
- (4) The causes of such conduct shall include but not be limited to noises from mechanical devices, machinery, motor vehicles and the playing of music from whatever source.
- (5) It shall be unlawful to operate a motor vehicle in such a manner as to create a disturbance, a hazard to other vehicular traffic and / or pedestrians, or otherwise operate in a manner detrimental to health and safety.

- (6) It shall be unlawful to trespass upon the land of others, regardless of which zoning districts such land is located on. Express invitation to come upon the land of the owner or person in lawful possession is not a violation of this ordinance.

40.03 EXCEPTIONS.

- (1) The Council by resolution may except such conduct, if not unreasonable, at certain specified times of the year.
- (2) It is anticipated that excessive noise may result from the conduct of various community wide events, festivals, charitable, as well as profit ventures whose intended purpose does not include unlawful conduct.

40.04 LOITERING.

- (1) No person under the age of eighteen (18) years of age shall loiter upon any road, street, alley, sidewalk, park, vacant lot, public building or any public place within the City of Blair.
- (2) The prohibitions of subsection (1) apply between the hours of 10:00 P.M. and 6:00 A.M. for persons under the age of seventeen (17). The prohibitions of subsection (1) apply between the hours of 11:30 P.M. and 6:00 A.M. for persons seventeen (17) years of age.
- (3) The following exceptions to the prohibitions of subsection (1) apply:
 - (A) Being accompanied by parent or guardian;
 - (B) Returning home directly from a school or church function or event;
 - (C) Returning home directly from a place of employment.
- (4) Any person under the age of eighteen (18) years of age who violates the provisions of this ordinance may be taken into custody by any law enforcement officer and either returned to his or her parent or guardian or detained in custody as provided by Wisconsin Law.
- (5) Persons violating this Ordinance shall be fined as follows:
 - (A) First offense, a municipal fine of fifteen dollars (\$15.00);
 - (B) Second offense, a municipal fine of twenty-five dollars (\$25.00);
 - (C) Third or subsequent offense, a civil forfeiture of fifty dollars (\$50.00) plus court costs.
- (6) If a parent or guardian of any person who violates Section 40.04 allows such conduct to continue, such parent or guardian shall be subject to the forfeiture provisions of subsection (5) above.

40.05 OBSTRUCTING AN OFFICER.

- (1) It shall be unlawful for anyone to obstruct or resist an officer while such officer is doing any act in an official capacity and with lawful authority.

(2) The definitions set forth in §946.41(2) Wis. Stat. Are incorporated by reference.

40.06 PENALTIES.

Any person violating this ordinance, except Section 40.04, shall be subject to forfeiture of not less than fifty dollars (\$50.00) nor more than one thousand dollars (\$1,000.00) for each offense, together with the costs of prosecution. Failure to pay the forfeiture upon conviction may result in confinement in the county jail as ordered by the Circuit Judge for Trempealeau County.

April 6, 2009 – repeal and recreate Section 40.04 entitled Loitering
November 7, 2011- create Section 40.02 (6)