

## ORDINANCE NO. 2021-02

### AN ORDINANCE TO ADOPT THE OFFENSES AGAINST STATE LAW SUBJECT TO FORFEITURE OF THE MUNICIPAL CODE OF THE Town of Beaver, MARINETTE COUNTY, WISCONSIN.

SECTION 1. 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 Town, provided that the penalty for commission of such offenses hereunder shall be limited to a forfeiture imposed under this code. Any future amendments, revisions or modifications of the statutes incorporated herein by reference are intended to be made part of this code.

23.33	All-Terrain Vehicles and Utility Terrain Vehicles
30.50-30.71	Regulation of Boating
157.11	Cemetery
167.10	Fireworks Regulation
287.81	Littering
346	Rules of the Road
348	Vehicles-Size, Weight and Load
349	Vehicles-Powers of State and Local Authorities
350	Snowmobiles
800.12	Municipal Court Contempt Procedure
939	Crimes-General Provisions
941	Crimes Against Public Health and Safety
942	Crimes Against Reputation and Civil Liberties
942.10	Use of Drones
943	Crimes Against Property
946.40	Refusing to Aid Officer
946.41	Resisting or Obstructing Officer
947	Crimes Against Public Peace Order and Other Interests
951	Crimes Against Animals
961	Uniform Controlled Substances Act
NR 1-99	Fish, Game, Enforcement, Forestry and Recreation
NR 300-399	Environment Protection – Water Regulations
Chapter 174	Dogs



## SECTION 2. General Penalty

A. Penalties. Except where a penalty is provided elsewhere in this Code, any person who shall violate any of the provisions of this Code shall, upon conviction of such violation, be subject to a penalty, which shall be as follows:

(1) First offense. Any person who shall violate any provisions of this Code shall, upon conviction thereof, forfeit not less than \$5 nor more than \$1,000, together with the costs of prosecution, and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the county jail until such forfeiture and costs are paid, but not exceeding 90 days.

(2) Second offense. Any person found guilty of violating any ordinance or part of an ordinance of this Code who shall previously have been convicted of a violation of the same ordinance within one year shall, upon conviction thereof, forfeit not less than \$20 nor more than \$2,500 for each such offense, together with costs of prosecution, and in default of payment of such forfeiture and costs shall be imprisoned in the county jail until such forfeiture and costs of prosecution are paid, but not exceeding six months.

B. Continued violations. Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this Code shall preclude the Town from maintaining any appropriate action to prevent or remove a violation of any provision of this Code.

C. Court costs. Pursuant to § 814.65 (1), Wis. Stats., the Municipal Judge shall collect a fee as set from time to time by the Town Board for court costs in Municipal Court actions.

D. Other remedies. The Town shall have any and all other remedies afforded by the Wisconsin Statutes in addition to the forfeitures and costs of prosecution above.

SECTION 3. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall take effect upon its adoption and publication.

Adopted this 24 day of May, 2021

David Bedora Town Chairman David Bedora

Attest: Paul Pats Clerk/Treasurer \_\_\_\_\_