

CHAPTER 9

ORDERLY CONDUCT

9.01 OFFENSES ENDANGERING PUBLIC SAFETY.

(1) Discharging and Carrying Firearms and Guns Prohibited. No person, except a sheriff, constable, police officer or their deputies, shall fire or discharge any firearm, rifle, spring or air gun of any description within the Village of Eden or have any firearm, rifle, spring or air gun in his possession or under his control unless it is unloaded and knocked down or enclosed within a carrying case or other suitable container, provided that this section shall not prevent the maintenance and use of duly supervised rifle or pistol ranges or shooting galleries authorized by the Village Board, or the firing or discharging of BB guns upon private premises by persons over sixteen (16) or under the direct personal supervision of a parent or guardian. This subsection shall be deemed to prohibit hunting within the Village, provided that the Chief of Police may issue written permits to owners or occupants of private premises to hunt or shoot on such premises if he finds such privileges necessary for the protection of life or property and subject to such safeguards as he may impose for the safety of the lives and property of other persons within the Village.

(2) Throwing or Shooting of Arrows, Stones and Other Missiles Prohibited. No person shall throw or shoot any object, arrow, stone, snowball or other missile or projectile, by hand or by any other means at any other person or at, in or into any building, street, sidewalk, alley, highway, park, playground or other public place within the Village of Eden.

(3) Burning of Grass and Trash Restricted.

(a) Grass Fires Regulated. No person shall kindle any grass fire within the Village of Eden without first receiving a written permit from the Fire Chief.

(4) Sale and Discharge of Fireworks Restricted.

(a) Private Use and Sale. No person shall sell, expose or offer for sale, use, keep, discharge or explode any fireworks except toy pistol paper caps, sparklers and toy snakes within the limits of the Village unless he shall be authorized by a fireworks permit as hereinafter provided. The term "fireworks" as used in this section shall be defined as provided in s. 167.10 (1), Wisconsin Statutes, and shall be deemed to include all rockets or similar missiles containing explosive fuel.

(b) Fireworks Permits. Fireworks, other than those prohibited by the laws of the State of Wisconsin, may be used and displayed in open fields, parks, rivers, lakes and ponds by public authorities, fair associations, amusement parks, park boards, civic organizations and other groups of individuals when a permit for such display has been granted by the Village President. All applications shall be referred to the Fire Chief for investigation and no permit shall be granted unless the Village President from the report of the Chief determines that the applicant will use the fireworks in a public exhibition, that all reasonable precautions will be exercised with regard to the protection of the lives and property of all persons and that the display will be handled by a competent operator and conducted in a suitable, safe place and manner. Before granting any fireworks permit, the Village President shall require the applicant to post with the Village Clerk an approved indemnity bond in the sum of Two Thousand Dollars (\$2,000.00) for the payment of all claims that may arise by reason of injuries to persons or property from the handling, use or discharge of fireworks under such permit.

(5) Obstructing Streets and Sidewalks Prohibited. No person shall stand, sit, loaf or loiter or engage in any sport or exercise on any public street, sidewalk, bridge or public ground within the Village in such manner as to prevent or obstruct the free passage of pedestrian or vehicular traffic thereon or to prevent or hinder free ingress or egress to or from any place of business or amusement, church, public hall or meeting place.

9.02 OFFENSES ENDANGERING PUBLIC PEACE AND GOOD ORDER.

(1) Disorderly Conduct Prohibited. No person shall within the Village of Eden:

(a) In any public or private place engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct which tends to cause or provoke an immediate disturbance of public order or tends to disturb or annoy any other person or persons.

(b) Intentionally cause, provoke or engage in any fight, brawl, riot or noisy altercation other than a bona fide athletic contest.

(2) Drunkenness. No person shall within the Village be habitually drunk or intoxicated so as to disturb the good order and quiet of the Village or be found in any place within the Village in such a state of intoxication that he is unable to care for his own safety or for the safety of others.

(3) Loud and Unnecessary Noise Prohibited. No person shall make

or cause to be made any loud, disturbing or unnecessary sounds or noises such as may tend to annoy or disturb another in or about any public street, alley or park or any private residence.

(4) False Fire Alarms Prohibited. No person shall give or send or cause to be given or sent in any manner any alarm of fire which he knows to be false.

(5) Obedience to Officers. No person shall, without reasonable excuse or justification, resist or in any way interfere with any officer of the Village while such officer is doing any act in this official capacity and with lawful authority.

(6) Assisting Escape of Prisoner. No person shall intentionally aid any prisoner or person to escape from the lawful custody of the policeman or peace officer of the Village.

(7) Personating Police Officers. No person shall personate a policeman or peace officer within the Village of Eden.

9.03 OFFENSES ENDANGERING PUBLIC MORALS AND DECENCY.

(1) Gambling, Lotteries, Fraudulent Devices and Practices Prohibited. All forms of gambling, lotteries and fraudulent devices and practices are prohibited within the limits of the Village. Any peace officers or policeman of the Village is hereby authorized to seize anything devised solely for gambling or found in actual use for gambling within the Village and to dispose thereof after a judicial determination that said device was used solely for gambling or found in actual use for gambling.

(2) Vagrancy and Loitering Prohibited. No person shall within the Village loiter or loaf about any public building, place or premises or wander about the streets, alleys, parks or other public places either by day or night, whose actions give rise to a suspicion of wrongdoing and who is unable to give a satisfactory account of himself, or who, having the physical ability to work, is without any visible means of support and does not seek employment or who derives part of his support from begging, prostitution, pandering, fortune telling or as a similar imposter.

(3) Indecent Conduct and Language Prohibited. No persons shall use any indecent, vile, profane or obscene language or conduct himself in any indecent, lewd, lascivious or obscene manner within the Village.

(4) Curfew. No child eighteen (18) years of age or under shall loiter, idle or remain, and no parent or guardian shall knowingly permit his child or ward

of such age to loiter, idle or remain in or upon any of the streets, alleys or public places in the Village between the hours of 10:00 P. M. and 6:00 A. M. unless such child is accompanied by a parent, guardian or some person of lawful age having legal custody of such child. This subsection shall not be construed to prohibit such child from performing an errand or duty if directed by his parent or guardian or of urgent necessity or from pursuing the duties of his employment in an expeditious and orderly manner or from going to or from places of business or amusement or private homes.

9.04 OFFENSES AGAINST PUBLIC AND PRIVATE PROPERTY.

(1) Destruction of Property Prohibited. No person shall willfully injure or intentionally deface, destroy or unlawfully remove, take or meddle with any property of any kind or nature belonging to the Village or its departments or to any private person without the consent of the owner or proper authority.

(2) Littering Prohibited. No person shall throw any glass, rubbish, waste or filth upon the streets, alleys, highways, public parks or other property of the Village or upon any private property not owned by him or upon the surface of any body of water within the Village of Eden.

9.05 PENALTIES.

Any person who shall violate any provision of this ordinance shall upon conviction thereof be punished as follows:

(1) For a violation of s. 9.03 (4) of this ordinance he shall forfeit not more than Twenty-five Dollars (\$25.00) and the costs of prosecution and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the county jail until the forfeiture and costs of prosecution are paid, but not exceeding five (5) days, provided that for a first offense any person eighteen (18) years of age or under who shall be found violating the provisions of said section shall be warned of the penalty for such violation by any police officer of the Village and shall be taken and delivered to the custody of the person having legal custody over him and for a second or subsequent offense he shall be dealt with according to the provisions of ch. 48 of the Wisconsin Statutes.

(2) For a violation of any other provision of this chapter, he shall be subject to a penalty as provided in s. 15.04 of this code.

(3) In addition to any penalty imposed for violation of s. 9.04 (1) of this chapter, any person who shall cause physical damage to or destroy any public property shall be liable for the costs of replacing or repairing such damaged or destroyed property. The parent or parents of any unemancipated minor child who violates s. 9.04 (1) of this chapter may also be held liable for the cost of replacing or repairing such damaged or destroyed property in accordance with s. 331.035 of the Wisconsin Statutes.