

Section 1-5 Citation method of enforcement.

Enforcement. The Code of the City of Fond du Lac will be enforced, where applicable, according to the following Wisconsin State Statutes: §§ 23.33, 85.13, 66.0114, 345.11 through 345.61, 350.17, Chapters 799 and 800.

(1) Issuance of uniform citations. Any law enforcement officer may issue citations authorized under this section. In addition, the following or their designees are hereby designated as City officials who may issue citations with respect to ordinances directly related to their official responsibilities:

Battalion Chiefs

Chief Inspector

City Engineer

Clearwater Inspector

Code Enforcement Officer

Director of Public Works

Director of Administration

Electrical Inspector

Fire Captains

Fire Chief

Fond du Lac Fire/Rescue Department Shift Commanders

Division Chief of Community Risk Reduction & Life Safety

Operations Superintendent

Parks and Forestry Superintendent

Plumbing Inspector

Principal Planner

Director of Community Development

Truancy Ordinance Enforcement Officer

Wastewater Superintendent

(2) Issuance of parking citations. Parking citations may be issued by any law enforcement officer or by those civilian employees of the police department that are authorized by the Chief of Police or his designee. In addition, the following or their designees are hereby designated as City officials who may issue parking citations as related to their official responsibilities:

Park Superintendent
Community Development Director

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Section 500-1 Offenses against state laws subject to forfeiture.

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 City, provided that the penalty for commission of such offenses hereunder shall be limited to a forfeiture imposed under § 1-4 of this Code:

§ 66.0409	Local regulation of weapons
§ 101.123	Smoking prohibited
§ 167.10	Regulation of fireworks
§ 167.31	Safe use and transportation of firearms and bows
§ 173.10	Investigation of cruelty complaints
§ 175.25	Storage of junked automobiles
§ 175.60(16)	License to carry a concealed weapon-prohibited activities
§ 252.25	Violation of law relating to health
§ 287.81(2)(a)	Littering, waste on public/private property
§ 287.81(2)(b)	Littering, waste thrown from vehicle
§ 287.81(2m)	Littering, large item along highway or public/private property
§ 939.05	Parties to crime
§ 939.22	Words and phrases defined
§ 941.12(2) and (3)	Interfering with firefighting
§ 941.13	False alarms
§ 941.20	Endangering safety by use of dangerous weapon
§ 941.21	Disarming a peace officer
§ 941.23	Carrying concealed weapon
§ 941.231	Carrying concealed knife
§ 941.235	Carrying firearm in public building
§ 941.295	Possession of electric weapon
§ 941.2965	Restrictions on use of facsimile firearms
§ 941.297	Sale or distribution of imitation firearms
§ 942.08	Invasion of privacy
§ 942.09	Representations depicting nudity
§ 943.01(1)	Damage to property (less than \$1,000)
§ 943.017	Graffiti
§ 943.13(1e)	Trespass to land -definitions
§ 943.13(1m)	Trespass to land - trespass (concealed carry weapons)

§ 943.13(2)(bm)	Trespass to land - notice requirement (concealed carry weapons)
§ 943.20	Theft (less than \$500)
§ 943.21	Fraud on hotel or restaurant keeper, recreational attraction, taxicab operator, or gas station
§ 943.50	Retail theft; theft of services
§ 945.03(1m)(e)	Gambling machines
§ 945.04	Permitting premises to be used for commercial gambling
§ 946.40	Refusing to aid officer
§ 946.41	Resisting or obstructing officer
§ 947.01	Disorderly conduct
§ 947.012	Unlawful use of telephone
§ 947.0125	Unlawful use of computerized communication systems
§ 947.013	Harassment
§ 948.45	Contributing to truancy
§ 948.12	Possession of child pornography
§§ 951.01 to 951.15	Crimes against animals
§ 961.573(1)	Possession of drug paraphernalia
§ 961.573(2)	Possession of drug paraphernalia by persons under the age of 17
§ 961.574(1)	Manufacture or delivery of drug paraphernalia
§ 961.574(2)	Manufacture or delivery of drug paraphernalia by persons under the age of 17
§ 961.575(1)	Delivery of drug paraphernalia to a minor
§ 961.575(2)	Delivery of drug paraphernalia to a minor by persons under the age of 17

§ 500-9 Trespass.

A. No person shall intentionally enter or remain upon the land or premises of another without the consent of the owner, occupant or person in charge, or after having been forbidden to do so, or after such land or premises has been posted by the owner, occupant or any other authorized person with a conspicuous notice forbidding trespassing.

B. No person shall neglect or refuse to depart from the land or premises of another when ordered to do so by the owner, occupant or any other person with authority to order such departure.

C. A person has received notice from the owner, occupant, or person in charge within the meaning of this section if such person has been notified personally, either orally or in writing, or if the land or premises has been posted. For land or premises to be posted, a sign at least 11 inches square must be placed in at least one conspicuous place on such land or premises. The sign must carry an appropriate notice forbidding trespassing.

~~D. This section shall not apply to police officers, firefighters, code enforcement personnel or other public officials, employees or representatives, in the discharge of their official duties.~~

Section 500-16 Disorderly Conduct by Use of Telecommunication Device

(1) Definitions.

- A. "Telecommunication device" means any instrument, equipment, machine, or other device that facilitates telecommunication, including but not limited to, a computer, computer network, computer chip, computer circuit, scanner, telephone, cellular telephone, pager, personal communications device, radio, transponder, receiver, modem or device that enables the use of a modem.
- B. "Telecommunication message" means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature.

(2) It shall be unlawful for any person, with intent to harass, annoy or offend another, to send a telecommunication message to a telecommunication device and use any violent, abusive, indecent or profane language or image, or any other message which tends to cause or provoke a disturbance.

Section 500-17 Camping Prohibited on City Property

(1) Definitions.

- A. "To Camp" means to maintain a campsite or take habitation in a single location on City property.
- B. "City Property" means all property, parks, rights of way, parking lots, easements or other land owned, leased, controlled, or managed by the City of Fond du Lac.

(2) It shall be unlawful for any person to camp, lodge, to live in for a time, or to take habitation in any portion of City property within the City of Fond du Lac. Evidence of lodging shall include but not be limited to bedrolls, mattresses, blankets, cooking utensils, clothing, and other personal belongings.

(3) The City will remove individuals, personal property, camping materials and campsites from City property after providing reasonable notice of the City's intent to clear the site. Notice may include, but is not limited to, posting the site or notice served pursuant to Wis. Stat. Sec. 801.11.

(4) Disposition and Release of Personal Property

- a. Items in an unsanitary condition may be discarded by the City. Items in an unsanitary condition include, but are not limited to garbage, rubbish, and all refuse accumulations of animal, fruit or vegetable matter that attend the preparation, use, cooking, dealing in or storage of meat, fish, fowl, fruits or vegetables; and items constituting a health hazard or risk.
- b. Weapons, drug paraphernalia, stolen items, contraband, and evidence of a crime may be retained as evidence by the Police Department until an alternate disposition is determined.
- c. All personal property removed by the City which is not disposed of or held as evidence, as provided above, will be stored by the City for a minimum of 30 days, during which time it shall be made reasonably available for and released to an individual confirming ownership.

§ 500-1618 Violations and penalties.

Except as otherwise specifically provided, any person who shall violate any provision of this chapter shall be subject to a penalty as provided in § 1-4 of this Code. In addition to any penalty imposed for violation of § 943.01(1), Wis. Stats., 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 of any unemancipated minor child who violates § 943.01(1), Wis. Stats., may also be held liable for the cost of repairing such damaged or destroyed property in accordance with § 895.035, Wis. Stats.

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