

TITLE 7 – PENAL PROVISIONS

CHAPTER 1 DOGS

7-1-1: CLAIMS FOR DAMAGES CAUSED BY DOGS

The Auditing, Bonding and Claims Committee is hereby granted authority to pay for property damaged by dogs. The maximum amount that may be allowed for a claim for damages by dogs to domestic animals under §174.11, Wis. Stats., shall be one thousand dollars (\$1,000.00). (Ord. 97-0610, 6-10-1997)

7-1-2: DOGS AT LARGE

No dog or other pet shall be permitted to run at large on the Courthouse lawn, nor shall any dog or other pet, even though controlled by leash, be permitted to run or be exercised on the Courthouse lawn.

Anyone caught abusing or found guilty of violating these provisions shall be subject to a twenty dollar (\$20.00) forfeiture. (R446)

7-1-3: HUMANE CARE

The Green County Humane Society shall provide dog control and humane care services for Green County pursuant to contracts which shall, from time to time, be executed with said Society. The supervision and monitoring of dog control and humane care services shall be the responsibility of the Green County Law Enforcement and Public Safety Committee. (R6-7-80; Ord. 09-0801, 8/11/2009)

7-1-4: FEES

Dog license fees shall be three dollars (\$3.00) for neutered males and spayed females and eight dollars (\$8.00) for unneutered males and unsplayed females (§174.05(2), Wis. Stats.). Pursuant to §174.05(3), Wis. Stats., said dog license fees shall be four dollars (\$4.00) for neutered males and spayed females and nine dollars (\$9.00) for unneutered males and unsplayed females commencing January 1, 1993. Proceeds from said license fees, over and above what may be necessary to fund the dog damage claims account, shall be applied to the animal control and humane care account under the supervision of the Law Enforcement and Public Safety Committee. (Ord. 92-0210; Ord. 09-0801, 8/11/2009)

CHAPTER 2 NOXIOUS WEEDS

7-2-1: NOXIOUS WEEDS DEFINED

Wis. Stats., §66.0407, lists the following as noxious weeds: Canada thistle, leafy spurge and field bindweed (creeping Jenny), and any other such weeds declared to be noxious within a governing body's respective boundary. Green County hereby adds to this list musk thistle, plumless thistle, shattercane, hill mustard and bull thistle which shall be considered noxious and added to the noxious weed list within the boundaries of Green County, as outlined in the abovementioned State Statute section. (R6-3-7, eff. 8-1-77; amd. R 11-1-85; Ord. 99-0401; Ord. 06-0801, 8/8/06)

**CHAPTER 3
JUVENILE MATTERS, CHILD SUPPORT**

7-3-1: HANDLING OF JUVENILE CASES

- A. (Rep. by Ord. 90-210)
- B. The District Attorney shall be designated to represent the interests of the public in any matter concerning a civil law violation under §938.125, Wis. Stats.

The District Attorney shall represent the interests of the public in any matter concerning a County ordinance violation arising under §938.125 or 938.17(2), Wis. Stats.

7-3-2: CHILD SUPPORT

The Child Support Agency is designated to represent the interest of the public in any matter concerning child support for persons receiving public assistance, or whenever there is a completed application for legal services filed with the Child Support Agency, pursuant to Chapter 767, Wis. Stats.

7-3-3: PATERNITY ACTIONS

The Green County Child Support Agency is designated to provide the representation authorized under §767.45(6)(a), Wis. Stats., in paternity actions. (Ord. 90-210)

7-3-4: JUVENILE COURT COMMISSIONER

The Green County Board of Supervisors hereby authorizes the appointment of part-time Juvenile Court Commissioners as provided by law, §48.065, Wis. Stats. (R6-3-81)

**CHAPTER 4
GENERAL OFFENSES**

7-4-1: COURTHOUSE PARKING

- A. All parking in the Courthouse parking lot shall be restricted by reserving thirteen (13) parking stalls for the following department heads and Courthouse personnel: Circuit Court Judge office - three (3) stalls (1 stall for Circuit Court Judge and remaining 2 stall assignments to be left to the discretion of the Circuit Court Judge), Clerk of Circuit Court, County Clerk, District Attorney, Register of Deeds, Juvenile Intake Worker, Treasurer, Finance Director, Custodial Supervisor, Corporation Counsel, Child Support Administrator. Any person found to be in violation of this Section by parking in a reserved stall or double parking in the parking lot shall be subject to having his/her vehicle towed away at the owner's expense and a penalty for such violation is a Class Five forfeiture. Loan of parking stalls to any and all parties during absence of assigned official is prohibited. §346.55(3)(4), Wis. Stats. (Ord. 92-0240) (Ord. 96-0310)
- B. All parking in the Courthouse parking lot between the hours of eleven o'clock (11:00) P.M. and five o'clock (5:00) A.M. is prohibited. Penalty for violation of this Section is a Class Five forfeiture for each offense.

- C. All parking violation meter tickets received by members of the Green County Board of Supervisors while on official County business shall be endorsed with the member's name and voting precinct and shall be placed in boxes to be provided by the City of Monroe on the east and west sides of the Courthouse in the inside curb area. Any and all meters on the Courthouse Square, with the exception of those on street corners painted bronze in color, shall be available for County Board members' use, and there shall be no fines assessed against any Board member. (Ord. 89-210) (Ord. 92-0240)

7-4-2: PUBLIC PEACE AND ORDER

- A. Disorderly Conduct: No person shall, in a public or private place, engage in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance. (§947.01, Wis. Stats.) Penalty upon violation of this subsection is a Class Two forfeiture.
- B. Unlawful Use Of Telephone: Whoever does any of the following is guilty of a Class One forfeiture:
1. With intent to frighten, intimidate, threaten, abuse or harass, makes a telephone call and threatens to inflict injury or physical harm to any person or the property of any person.
 2. With intent to frighten, intimidate, threaten or abuse, telephones another and uses any obscene, lewd or profane language or suggests any lewd or lascivious act.
 3. Makes a telephone call, whether or not conversation ensues, without disclosing his/her identity and with intent to abuse or threaten any person at the called number. (§947.012(1), Wis. Stats.) (Ord. 96-0310)
- C. Unlawful Use Of Telephone: Whoever does any of the following is guilty of a Class Two forfeiture:
1. With intent to harass or offend, telephones another and uses any obscene, lewd or profane language or suggests any lewd or lascivious act.
 2. Makes or causes the telephone of another repeatedly to ring, with intent to harass any person at the called number.
 3. Makes repeated telephone calls whether or not conversation ensues, with intent solely to harass any person at the called number.
 4. Makes a telephone call, whether or not conversation ensues, without disclosing his/her identity and with intent to harass any person at the called number.
 5. Knowingly permits any telephone under his or her control to be used for any purpose prohibited by subsection 7-4-2B or C of this Code. (§947.012(2), Wis. Stats.) (Ord. 96-0310)
- D. Harassment: No person shall, with intent to harass or intimidate another person:
1. Strike, shove, kick or otherwise subject another person to physical contact or attempt to threaten to do the same to any person.

2. Engage in a course of conduct or repeatedly commit acts which harass or intimidate another person and which serve no legitimate purpose.
3. This subsection does not prohibit any person from participating in lawful conduct in labor disputes under §103.53, Wis. Stats.
4. Penalty upon violation of subsection 7-4-2D1 and D2 of this Code is a Class Two forfeiture. (§947.013(1) and (1m), Wis. Stats.) (Ord. 96-0310)

E. Whoever does any of the following is subject to a Class Two forfeiture:

1. With intent to harass, annoy or offend another person, sends a message to the person on an electronic mail or other computerized communication system and in that message uses any obscene, lewd or profane language or suggests any lewd or lascivious act.
2. With intent to harass, annoy or offend another person, sends a message on an electronic mail or other computerized communication system with the reasonable expectation that the person will receive the message and in that message uses any obscene, lewd or profane language or suggests any lewd or lascivious act.
3. With intent solely to harass another person, sends repeated messages to the person on an electronic mail or other computerized communication system.
4. With intent solely to harass another person, sends repeated messages on an electronic mail or other computerized communication system with the reasonable expectation that the person will receive the messages.
5. With intent to harass or annoy another person, sends a message to the person on an electronic mail or other computerized communication system while intentionally preventing or attempting to prevent the disclosure of his or her own identity.
6. While intentionally preventing or attempting to prevent the disclosure of his or her identity and with intent to harass or annoy another person, sends a message on an electronic mail or other computerized communication system with the reasonable expectation that the person will receive the message.
7. Knowingly permits or directs another person to send a message prohibited by this section from any computer terminal or other device that is used to send messages on an electronic mail or other computerized communication system and that is under his or her control. (§947.0125, Wis. Stats.)

(Ord. 12-0601, 6/12/12; Amd. Ord. 12-0601, 8/15/12)

7-4-3: RESISTING OR OBSTRUCTING AN OFFICER

- A. No person shall knowingly resist or obstruct an officer while such officer is doing an act in his/her official capacity and with lawful authority. Penalty upon violation of this subsection is a Class One forfeiture.
- B. In this Section:

1. "Obstructs" includes without limitation knowingly giving false information to the officer with intent to mislead him in the performance of his or her duty including the service of any summons or civil process.
2. "Officer" means a peace officer, deputy sheriff, or other public officer or public employee having the authority by virtue of his/her office of employment to take another into custody. (Ord. 92-0240)

7-4-4: BATTERY AND ATTEMPTED BATTERY

- A. No person shall cause bodily harm to another by an act done with intent to cause bodily harm to that person or another without the consent of the person so harmed. Penalty upon violation of this subsection is a Class One forfeiture. (§940.19(1), Wis. Stats.) (Ord. 96-310)
- B. No person shall attempt to cause bodily harm to another by an act done with intent to cause bodily harm to that person or another without the consent of the person so harmed. Penalty upon violation of this subsection is a Class Two forfeiture. (§940.19(1) and 939.32(1), Wis. Stats.) (Ord. 96-0310)

7-4-5: CARRYING A CONCEALED WEAPON

- A. State Statute Adopted: Wisconsin Statute Section 941.23 regulating carrying a concealed and dangerous weapon including any and all existing and future amendments thereto is adopted in its entirety. (Ord. 12-1202, 12/11/2012)
- B. Penalty:
 1. Any person violating 7-4-5A above shall be subject to a Class Five forfeiture for failure of an out-of-state or former law enforcement official to carry required documentation in violation of §941.23(3), Wis. Stats.
 2. Any person violating 7-4-5A above shall be subject to a Class One forfeiture for carrying an unauthorized concealed weapon in violation of §941.23(2), Wis. Stats. (Ord. 12-1202, 12/11/2012)

7-4-5-1: CARRYING FIREARM IN PUBLIC BUILDING

- A. State Statute Adopted: Wisconsin Statute Section 941.235 regulating carrying a firearm in a public building including any and all existing and future amendments thereto is adopted in its entirety.
- B. Penalty: Any person violating 7-4-5-1A above shall be subject to a Class One forfeiture. (Ord. 12-1202, 12/11/2012)

7-4-5-2: CARRYING HANDGUN WHERE ALCOHOL BEVERAGES MAY BE SOLD AND CONSUMED

- A. State Statute Adopted: Wisconsin Statute Section 941.237 regulating carrying a handgun where alcohol beverages may be sold and consumed including any and all existing and future amendments thereto is adopted in its entirety.
- B. Penalty: Any person violating 7-4-5-2A above shall be subject to a Class One forfeiture. (Ord. 12-1202, 12/11/2012)

7-4-5-3: REPEALED AND RESERVED FOR FUTURE USE
(Ord. 16-0401, 4/19/2016)

7-4-5-4: LICENSE TO CARRY A CONCEALED WEAPON

- A. State Statute Adopted: Wisconsin Statute Sections 175.60(2g), (11), (16) and (17) regulating licenses to carry a concealed weapon including any and all existing and future amendments thereto is adopted in its entirety.
- B. Penalty:
1. Any person violating 7-4-5-4A above shall be subject to a Class Five forfeiture for failure to carry the required license in violation of §§175.60(2g)(b) or (c), Wis. Stats.
 2. Any person violating 7-4-5-4A above shall be subject to a Class Five forfeiture for failure to notify the Department of Justice of any change of address in violation of §175.60(11)(b)1, Wis. Stats.
 3. Any person violating 7-4-5-4A above shall be subject to a Class Two forfeiture for carrying a concealed weapon where prohibited in violation of §175.60(16), Wis. Stats.
 4. Any person violating 7-4-5-4A above shall be subject to a Class Five forfeiture for failure to relinquish a license document to the Department of Justice in violation of §175.60(17)(e), Wis. Stats.

(Ord. 12-1202, 12/11/2012)

7-4-5-5: TRESPASS WHILE CARRYING OR POSSESSING A WEAPON OR FIREARM

- A. State Statute Adopted: Wisconsin Statute Section 943.13 regulating certain trespassing actions while carrying or possessing a weapon or firearm including all existing and future amendments thereto is adopted in its entirety. (Ord. 12-1202, 12/11/2012)
- B. Penalty: Any person violating 7-4-5-5A above shall be subject to a Class One forfeiture. (Ord. 12-1202, 12/11/2012)

7-4-6 CONTRIBUTING TO TRUANCY, HABITUAL TRUANTS AND DROPOUTS

- A. Definitions:
1. "Truancy" means any absence of part or all of one or more days from school during which the school attendance officer, principal or teacher has not been notified of the legal cause of such absence by the parent or guardian of the absent pupil, and also means intermittent attendance carried on for the purpose of defeating the intent of §118.15, Wis. Stats. (§118.16(1)(c), Wis. Stats.)
 2. "Habitual truant" means a pupil who is absent from school without an acceptable excuse for either part or all of five (5) or more days during a school semester. (§118.163(l)(b), Wis. Stats.)
 3. "Dropout" means a child who ceased to attend school, does not attend a public or private school, technical college or home-based private educational program on a

full-time basis, has not graduated from high school and does not have an acceptable excuse under §118.15(1)(b) or (d) or (3), Wis. Stats. (§118.153(l)(b), Wis. Stats.)

4. "Truant" means a pupil who is absent from school without an acceptable excuse for part or all of any day on which school is held during a school semester. An acceptable excuse shall be as defined by the Wisconsin State Statutes at §118.15(1), Wis. Stats. (§118.163(d), Wis. Stats.)
- B. No person shall, by any act or omission, knowingly encourage or contribute to the truancy of a person under the age of eighteen (18) years. Penalty for violation of this subsection is a Class Two forfeiture. (§118.15(5)(a) and 948.45(1), Wis. Stats.)
- C. No person under eighteen (18) years of age, who is a resident of Green County, or who attends a public school situated in Green County, shall be a truant, habitual truant or dropout. The penalty and dispositions for a violation of this subsection are as set forth in §118.163(2) and §938.342, Wis. Stats., including any and all existing and future amendments thereto.
- D. An act or omission as, used herein, is one which contributes to the truancy of a child whether or not the child is adjudged to be in need of protection or services, if the natural and probable consequences of the act or omission would be to cause the child to be truant. (§948.45(3), Wis. Stats.)(Ord. 01-0403)
- E. Subsection 7-4-6B above does not apply when:
 1. A person has under his or her control a child who has been sanctioned under §49.50(7)(h), Wis. Stats. (§948.45(2), Wis. Stats.)
 2. The person proves that he or she is unable to comply with subsection 7-4-6B above because of the disobedience of the child. (§118.15(5)(a), Wis. Stats.) (Ord. 96-0310; 01-0403, 4-17-2001)

7-4-7: CONTRIBUTING TO DELINQUENCY

- A. No person may intentionally encourage or contribute to the delinquency of a child. Penalty for violation of this subsection is a Class One forfeiture. (§948.40(1), Wis. Stats.)
- B. No person responsible for the welfare of a child may, by disregard for the welfare of the child, contribute to the delinquency of a child. This subsection includes disregard that contributes to an act by a child under the age of ten (10) years that would be a delinquent act if committed by a child ten (10) years of age or older. Penalty for violation of this subsection is a Class One forfeiture. (§948.40(2), Wis. Stats.) (Ord. 96-0310)

7-4-8: UNDERAGE PERSONS, ALCOHOL BEVERAGE VIOLATIONS AND PROHIBITIONS

Wisconsin Statutes: The provisions of Chapter 125, Wis. Stats., and all acts amendatory and supplementary thereto, and in replacement thereof, as relate to the procurement, sale and dispensing of alcohol beverages to underage persons, to the illegal possession and consumption of alcohol beverages by underage persons, to the sales of alcohol beverages to intoxicated persons, to the illegal entry or presence of underage persons in places where alcohol beverages are sold and to the falsification of proof of age by underage persons as set forth in §125.07 and 125.085, Wis. Stats., are adopted as a portion of this Section by reference as if fully set forth herein. Any act

required to be performed or prohibited by §125.07 and 125.085, Wis. Stats., is by reference required or prohibited by this Section. References to a specific section of Chapter 125, Wis. Stats., wherever used in this Section, shall mean the Wisconsin Statutes of 1993-1994 and acts supplementary and amendatory thereto, or in replacement thereof.

A. Sale To Underage Persons: Prohibited:

1. §125.07(1)(a)1 through 4, Wis. Stats., including any and all existing and future amendments thereto are hereby adopted as part of this subsection.
2. The penalty for violating subsection 7-4-8A of this Code shall be as set forth in §125.07(1)(b)1 through 5, Wis. Stats., including any and all existing and future amendments thereto.
3. It is the intent of Green County that second and subsequent violations of subsection 7-4-8A of this Code, whenever possible, be prosecuted as criminal offenses under Chapter 125, Wis. Stats.

B. Sale To Intoxicated Persons:

1. No person may procure for, sell, dispense or give away alcohol beverages to a person who is intoxicated.
2. No licensee or permittee may sell, vend, deal or traffic in alcohol beverages to or with a person who is intoxicated. Penalty upon violation of subsection 7-4-BB1 or 7-4-8B2 of this Code is a Class One forfeiture. (§125.07(2)(a), Wis. Stats.)
3. It is the intent of Green County that second and subsequent violations of subsection 7-4-8B of this Code, whenever possible, be prosecuted as criminal offenses under Chapter 125, Wis. Stats.

C. Permitting Underage Persons On Licensed Premises: Prohibited:

1. §125.07(3), Wis. Stats., including any and all existing and future amendments thereto is hereby adopted as part of this subsection.
2. A licensee or permittee who directly or indirectly permits an underage person to enter or be on a licensed premises in violation of §125.07(3)(a), Wis. Stats., including any and all existing and future amendments thereto is subject to a Class Two forfeiture.

D. Defense Of Sellers: A licensee, permittee who sells alcohol beverages to an underage person or otherwise permits an underage person to enter or remain on a licensed premises shall be entitled to the statutory defenses as set forth in §125.07(6) and (7), Wis. Stats., including any and all existing and future amendments thereto in any prosecution for a violation of 7-4-8A or 7-4-8C of this Code.

E. Legal Drinking Age, Defined: Legal drinking age as referred to in Section 7-4-8 of this Code shall have the meaning designated under §125.02(8m), Wis. Stats. Changes or revisions in the "legal drinking age" of the State as duly enacted by the Legislature of the State of Wisconsin shall be adopted and incorporated into Section 7-4-8 of this Code upon the effective date of the enacted legislation as established by the Wisconsin Legislature.

F. Underage Persons: Prohibitions: Penalties:

1. §125.07(4)(a)1 through 4, and 125.07(4)(b), Wis. Stats., including any and all existing and future amendments thereto are hereby adopted as part of this subsection.
 2. The penalty for violating subsection 7-4-8F1 of this Code shall be as set forth in §125.07(4)(bs) and §125.07(4)(c) and §48.344 or §938.344, Wis. Stats. (pertaining to juvenile offenders) including any and all existing and future amendments thereto.
 3. An underage person may possess alcohol beverages in the course of employment during his or her working hours pursuant to the provisions of §125.07(4)(bm) through 6, Wis. Stats., including any and all existing and future amendments thereto.
- G. The provisions of Section 7-4-8 of this Code do not apply in any area in Green County within which the municipality, namely a city, town or village, has adopted or does adopt an ordinance enacted in strict conformity with §125.07(1) or (4)(a), (b) or (bm), of §125.085(3)(b) as set forth in Chapter 125, Wis. Stats. (§125.10(2), Wis. Stats.
- H. Penalties For Falsification Of Proof Of Age: Underage Persons:
1. §125.085(3)(b)1 through 4, Wis. Stats., including any and all existing and future amendments thereto is hereby adopted as part of this subsection.
 2. The penalty for violating subsection 7-4-8H1 of this Code shall be as set forth in §125.085(3)(bd), §125.085(3)(bh) and §125.085(3)(bp) and §48.344 or §938.344, Wis. Stats., (pertaining to juvenile offenders) including any and all existing and future amendments thereto.
- I. For purposes of determining whether or not a previous violation has occurred under subsections 7-4-BA, 7-4-8F and 7-4-8H of this Code, all violations arising out of the same incident or occurrence shall be counted as a single violation. (§125.07(1)(b) and §125.07(4)(cd), Wis. Stats.) (Ord. 96-0310)

7-4-9: MISAPPROPRIATION OF PERSONAL PROPERTY

- A. Definitions: In this Section:

MERCHANT: Includes any merchant defined under §402.104(3), Wis. Stats., or any innkeeper, motel keeper or hotel keeper.

MOVEABLE PROPERTY: Property whose physical location can be changed without limitation including electricity and gas, documents which represent or embody intangible rights, and things growing on, affixed to or found in land.

OPERATE: Includes the physical manipulation or activation of any of the controls of a vehicle necessary to put it in motion.

PROPERTY: All forms of tangible property whether real or personal, without limitation including electricity, gas and documents which represent or embody a choice in action or other intangible rights.

PROPERTY OF ANOTHER: Includes property in which the actor is co-owner and property of a partnership of which the actor is a member, unless the actor and the victim are husband and wife. (§943.20(2), §943.23(1)(c) and §943.50(1)(a), Wis. Stats.) (Ord. 92-0240)

B. Theft And Attempted Theft:

1. No person shall intentionally take and carry away, use, transfer, conceal or retain possession of moveable property of another without that person's consent and with intent to deprive the owner permanently of possession of such property. Penalty for a violation of this subsection is a Class One forfeiture. (§943.20(1)(a), Wis. Stats.)
2. No person shall intentionally attempt to take and carry away, use, transfer, conceal or retain possession of moveable property of another without that person's consent and with intent to deprive the owner permanently of possession of such property. Penalty for a violation of this subsection is a Class Two forfeiture. (§943.20(1)(a) and §939.32(1), Wis. Stats.) (Ord. 96-0310)

C. Return Of Personal Property: No person shall intentionally fail to return any personal property in his or her possession or under his or her control by virtue of a written lease or written rental agreement, within ten (10) days after the lease or rental agreement has expired. Penalty for a violation of this subsection is a Class Two forfeiture. (§943.20(1)(e), Wis. Stats.)

D. Resale Merchandise: No person shall intentionally alter indicia of price or value of merchandise nor shall take and carry away, transfer, conceal or retain possession of merchandise held for resale by a merchant, without the merchant's consent and with intent to deprive the merchant permanently of possession or the full purchase price of said merchandise. Penalty for violation of this subsection is a Class One forfeiture. (§943.50(1m), Wis. Stats.)

1. The intentional concealment of unpurchased merchandise which continues from one floor to another or beyond the last station for receiving payments in a merchant's store is evidence of intent to deprive the merchant permanently of possession of such merchandise without paying the purchase price thereof. The discovery of unpurchased merchandise concealed upon the person or among the belongings of such person or concealed by a person upon the person or among the belongings of another is evidence of intentional concealment on the part of the person so concealing such goods. (§943.50(2), Wis. Stats.)
2. A merchant or merchant's adult employee who has reasonable cause for believing that a person has violated this subsection in his or her presence, may detain such person under the provisions and procedures set forth in §943.50(3), Wis. Stats.

E. Issuance Of Worthless Checks: No person shall issue any check or order for payment of money which, at the time of issuance, he or she intends shall not be paid. (§943.24(l), Wis. Stats.)

1. Whoever issues any single check or other order for the payment of one hundred dollars (\$100.00) or more shall be subject to a Class One forfeiture plus payment of restitution to the victim as set forth in §943.24(5)(b), Wis. Stats.
2. Whoever issues any single check or other order for the payment of fifty dollars (\$50.00) but less than one hundred dollars (\$100.00) shall be subject to a Class Two

forfeiture plus payment of restitution to the victim as set forth in §943.24(5)(b), Wis. Stats.

3. Whoever issues any single check for the payment of fifty dollars (\$50.00) or less shall be subject to a Class Three forfeiture plus payment of restitution to the victim as set forth in §943.24(5)(b), Wis. Stats.
4. Any of the following is prima facie evidence that the person at the time he or she issued the check or other order for the payment of money, intended it should not be paid:
 - a. Proof that, at the time of issuance, the person did not have an account with the drawee; or
 - b. Proof that, at the time of issuance, the person did not have sufficient funds or credit with the drawee and that the person failed within five (5) days after receiving notice of nonpayment or dishonor to pay the check or other order; or
 - c. Proof that, when presentment was made within a reasonable time, the person did not have sufficient funds or credit with the drawee and the person failed within five (5) days after receiving notice of nonpayment or dishonor to pay the check or other order. (§943.24(3), Wis. Stats.)
5. This subsection does not apply to a postdated check or to a check given for a past consideration, except a payroll check. (§943.23(4), Wis. Stats.) (Ord. 92-0240)

F. Unlawful Operation Of Vehicle: Passengers:

1. Any person who intentionally operates a vehicle without the consent of the owner and abandons said vehicle without damage within twenty four (24) hours is guilty of a Class One forfeiture.
2. Any person who is the passenger in a vehicle, and knows that said vehicle is being operated without the consent of the owner is guilty of a Class One forfeiture. (§943.23(4m), Wis. Stats.) (Ord. 96-0310)

G. Rent Absconding: No person who is a tenant of residential property shall intentionally abscond without paying all current and past due rent. Penalty for violation of this subsection is a Class Two forfeiture. (§943.215(1), Wis. Stats.)

1. A person has a defense to prosecution under this subsection if he or she has provided the landlord with a security deposit that equals or exceeds the amount that the person owes the landlord regarding rent and damage to property. (§943.215(2), Wis. Stats.)
2. A person has a defense to prosecution under this subsection if, within five (5) days after he or she vacates the rental premises, he or she pays all current and past due rent or provides the landlord in writing a complete and accurate forwarding address. (§943.215(3), Wis. Stats.)

3. This subsection shall not apply to any tenant against whom a civil judgment has been entered for punitive damages because the tenant left the premises with unpaid rent. (§943.215(5), Wis. Stats.) (Ord. 92-0240)

7-4-10: MALICIOUS DESTRUCTION OF PROPERTY

No person shall intentionally cause damage to physical property of another without that person's consent. Penalty for a violation of this Section is a Class One forfeiture. (Ord. 92-0240)

7-4-11: TRESPASS TO LAND

- A. State Statute Adopted: Wisconsin Statute §943.13 relating to trespass to private property, illegal entry onto the lands of another, and proper notice and posting of private property, as defined by §943.13(1e), Wis. Stats., including any and all existing and future amendments thereto is hereby adopted in its entirety.
- B. Exceptions: Any exceptions or privileges as set forth in §943.13(4) and (5), Wis. Stats., as may be amended from time to time, are hereby adopted as exceptions to subsection 7-4-11A above.
- C. The penalty for a violation of subsection 7-4-11A above shall be as provided in §943.13(1m), Wis. Stats., including any and all existing and future amendments thereto. (Ord. 96-0310)

7-4-12: TRESPASS TO BUILDINGS AND DWELLINGS

- A. No person shall intentionally enter the dwelling of another without the consent of some person lawfully upon the premises under circumstances tending to create or provoke a breach of the peace. Penalty for violation of this subsection is a Class One forfeiture. (§943.14, Wis. Stats.)
- B. No person shall enter a locked or posted construction site or the locked and enclosed building, dwelling or room of another without the consent of the owner or person in lawful possession of the premises. Penalty for violation of this subsection is a Class One forfeiture. (§943.15(1), Wis. Stats.)
 1. In this subsection "construction site" means the site of the construction, alteration, painting or repair of a building, structure or other work.
 2. In this subsection "owner or person in lawful possession of the premises" includes a person on whose behalf a building or dwelling is being constructed, altered, painted or repaired and the general contractor or subcontractor engaged in that work.
 3. In this subsection "posted" means that a sign at least eleven inches (11") square must be placed in at least two (2) conspicuous places for every forty (40) acres to be protected. The sign must carry an appropriate notice and the name of the person giving the notice followed by the word "owner" if the person giving the notice is the holder of legal title to the land on which the construction site is located and by the word "occupant" if the person giving the notice is not the holder of legal title but is a lawful occupant of the land. (Ord. 92-0240)

7-4-13: DOGS RUNNING AT LARGE

- A. No person may intentionally kill a dog except as provided in subsections A1, A2 and A3 hereof.
1. If a person is threatened with serious bodily harm by a dog and other restraining actions were tried and failed.
 2. If a person is threatened with serious bodily harm by the dog and immediate action is necessary.
 3. A person may intentionally kill a dog if a domestic animal that is owned or in the custody of the person is threatened with serious bodily harm by the dog, and the dog is on the property owned or controlled by the person and other restraining actions were tried and failed or immediate action is necessary.
- B. Subsection 7-4-13A of this Code does not apply to a law enforcement officer acting in the lawful performance of his or her duties under §29.05(8)(b), §95.21, §174.02(3) or §174.046(9), Wis. Stats., or to a veterinarian killing a dog in a proper or humane manner, or to a person killing his or her own dog in a proper and humane manner. Penalty for a violation of subsection 7-4-13A of this Section is a Class One forfeiture.
- C. The owner of any dog may be liable for the full amount of damages caused by the dog injuring or causing injury to a person, livestock or property. The owner of a dog may be liable for two (2) times the full amount of damages caused by the dog injuring or causing injury to a person, livestock or property if the owner was notified or knew that the dog previously injured or caused injury to a person, livestock or property.
- D. Any owner of a dog which injures or causes injury to a person, livestock, property, deer, game birds or the nests or eggs of game birds shall be subject to a Class Four forfeiture.
- E. Any owner of a dog who injures or causes injury to a person, livestock, property, deer, game birds or the nests or eggs of game birds shall be subject to a Class One forfeiture if the owner was notified or knew that the dog previously injured or caused injury to a person, livestock, property, deer, game birds or the nests or eggs of game birds.
- F. The penalties described in subsections D and E of this Section are in addition to any other liability imposed upon the owner of any such dog.
- G. A dog is considered to be running at large if it is off the premises of its owner and not under the control of the owner or some other person. A dog is considered to be untagged if a valid license tag is not attached to a collar which is kept on the dog whenever the dog is outdoors unless the dog is securely confined in a fenced area.
1. The owner of a dog shall not negligently or otherwise permit the dog to run at large or be untagged.
 2. Penalty for a violation of subsection G1 of this Section is a Class Four forfeiture for the first violation and a Class Three forfeiture for a second and subsequent violations.
- H. The provisions of this Section 7-4-13 shall apply in all areas of Green County which are outside of the duly authorized corporate limits of any city or village within Green County. (Ord. 96-0310)

7-4-13-1: ANIMAL ANNOYANCES

- A. No person shall:
1. Harbor or keep any animal that is a public nuisance.
 2. Tie, stake or fasten any animal within any street, alley, sidewalk or other public place, not tie, stake or fasten any animal in such manner that the animal has access to any portion of any street, alley, sidewalk or public place.
 3. Keep or permit to be kept on his/her premises any wild or vicious animal. This subsection shall not apply to a zoo, theatrical exhibit or circus. An animal which, without provocation, bites two (2) persons within a twelve (12) month period shall be deemed a vicious animal.
- B. In subsection 7-4-13-1A, a public nuisance means any animal or animals that:
1. Interfere with a passerby or passing vehicles.
 2. Attacks other animals.
 3. Trespasses on school grounds, or other public property.
 4. Is repeatedly at large.
 5. Damages private or public property, or
 6. Barks, whines, howls or makes sounds common to its species in an excessive, continuous or untimely fashion.
- C. The penalty for a violation of subsection 7-4-13-1a above shall be a Class Four forfeiture for the first violation and a Class Three forfeiture for a second and subsequent violations.
(Ord. 10-0802, 8/10/10)

7-4-13-2: CARE AND TREATMENT OF ANIMALS

- A. No person shall treat any animal in a cruel manner which causes unnecessary pain or suffering or unjustifiable injury or death. Penalty for violation of this subsection is a Class Two forfeiture.
- B. No animal shall be inhumanely confined in a manner which causes or is likely to cause pain, suffering, injury or death. Penalty for violation of this subsection is a Class Two forfeiture.
- C. Any person owning, keeping, harboring or having custody of an animal shall provide sufficient food and water, proper shelter, protection from the weather, veterinary care when needed, and other humane care and treatment as needed to maintain all animals in good health. Penalty for violation of this subsection is a Class Two forfeiture.
- D. No animal shall be:
1. Abandoned by its owner or any person responsible for the care of the animal. Penalty for violation of this subsection is a Class Two forfeiture.
 2. Turned loose by its owner ***or any person responsible for the care of the animal,***

with intent that the animal shall be abandoned. Penalty for violation of this subsection is a Class Two forfeiture.

- E. No person shall dispose of any animal carcass in the waters of the state or on a public highway, nor expose an animal carcass in such a manner as to be reached by dogs or wild animals for a longer period than 24 hours during the months of April to November or 48 hours during the months of December to March. Penalty for violation of this subsection is a Class Two forfeiture.
- F. The owner of a dog shall have the dog vaccinated against rabies by a licensed veterinarian at no later than 5 months of age and revaccinated within one year after the initial vaccination, ***and thereafter, shall have the dog re-vaccinated at such other times as required by current standards of animal husbandry.*** The owner shall attach the rabies vaccination tag or a substitute tag to a collar and a collar with the tag attached shall be kept on the dog at all times but this requirement does not apply to a dog during competition or training, to a dog while hunting, to a dog securely confined indoors, to a dog securely confined in a fenced area or to a dog while actively involved in herding or controlling livestock if the dog is under the control of its owner. Penalty for violation of this subsection is a Class Four forfeiture.

(Ord. 12-1202, 12/11/2012)

7-4-14: DEDICATION OF COUNTY PARKS AND BOAT LANDINGS

A. Green County sets aside and dedicates the following as County parks:

- 1. Pleasant View Park
- 2. Courthouse Park
- 3. Clarence Bridge Park

B. Green County sets aside and dedicates the following as County boat landings:

- 1. Clarence Bridge Park Landing
- 2. County X at Attica Landing
- 3. County C at Attica Approach
- 4. County F at Brodhead Landing (Ord. 97-0410)

7-4-14-1: COUNTY PARK AND BOAT LANDING ADMINISTRATION

A. General Provisions:

- 1. Affected Areas: This Section governs all lands and water designated as a park or boat landing and shall not include Cheese Country Recreational Trail¹.
- 2. Definition: The term "person" shall include any individual, firm, partnership, corporation, and association of persons and the singular number shall include the plural.
- 3. Hours:

¹See Section 7-4-16 of this Chapter.

- a. Pleasant View Park Hours: Pleasant View Park shall be open for the use of the public seven (7) days a week from seven o'clock (7:00) A.M. through eleven o'clock (11:00) P.M. The park shall be closed between the hours of eleven o'clock (11:00) P.M. and seven o'clock (7:00) A.M.
- b. Courthouse Park: Courthouse Park shall be open for the use of the public seven (7) days a week from six o'clock (6:00) A.M. through six o'clock (6:00) P.M. CST, and six o'clock (6:00) A.M. through eight o'clock (8:00) P.M. CDT. The park shall be closed between the hours of six o'clock (6:00) P.M. to six o'clock (6:00) A.M. CST, and eight o'clock (8:00) P.M. to six o'clock (6:00) A.M. CDT, except as may be posted for official and public business within the Courthouse and on Courthouse grounds. Any change to the official hours or Courthouse business hours shall be posted providing a minimum of twenty four (24) hours' notice to the public. Permits may be issued by the County Clerk's office with approval of the Property, Purchasing and Insurance and Loss Committee for persons, organizations, or official business outside the normal operating hours of the park and the Courthouse.
- c. Clarence Bridge Park: No hours of closure. No permits are required.
- d. Clarence Bridge Park Landing, County X At Attica Landing, County C At Attica Approach, And County F At Brodhead: No hours of closure or reservation requirements.

B. Reservations:

- 1. Pleasant View Park: The facilities and shelter house at Pleasant View Park shall be available to the public on a first-come first-served basis. Any individual or group may reserve the use of one or both shelter houses by making arrangements through the office of the County Clerk. Individuals or groups holding such reservations shall be allowed to use such shelter houses during the hours so reserved to the exclusion of others- A reasonable fee, as determined from time to time by the Conservation and Parks Committee may be charged for the reservation of the shelter houses.
- 2. Courthouse Park: Lawful use of the Courthouse Park shall be open to the general public during its usual and ordinary hours of operation. Permits as set forth in subsection A3b of this Section may be issued by the County Clerk's office for use outside of the normal operating hours of the Courthouse Park.
- 3. Clarence Bridge Park: No hour for closure or reservations required.

C. Governing Committee; Maintenance And Operation: The Conservation and Parks Committee shall govern County parks and boat landings as established by the rules of the Green County Board of Supervisors. The Conservation and Parks Committee shall have the responsibility to provide for the maintenance and operation of existing parks and boat landings. The Conservation and Parks Committee shall have control over the budget provided for this purpose.

D. Budget: The County shall annually appropriate any amount sufficient to fund the maintenance, operation, or improvement of County parks and boat landings. Said budget shall be under the supervision of the Conservation and Parks Committee with approval of the Green County Board of Supervisors. (Ord. 97-0410)

7-4-14-2: GENERAL REGULATIONS; PROHIBITED CONDUCT

- A. Trespass: It shall be unlawful for any person to be in any County park or boat landing during closed hours as defined in subsection 7-4-14-1A3 of this Chapter except for persons authorized by permit or for official County business as may be from time to time authorized or for law enforcement purposes.
- B. Peddling And Soliciting: It shall be unlawful for any person to peddle or solicit business of any nature whatever or to distribute handbills or other advertising matter, to post unauthorized signs or decorative matter on any lands, structures, or property, or use a park or boat landing as a base of commercial operations for soliciting or conducting business, peddling, or providing services within or outside of such lands, structures, or property unless first being authorized.
- C. County General Offenses Enforced: All County general offenses provided for in Title 7, Chapter 4 of this County Code shall be enforced in all Green County Parks. Title 8, Chapter 1, Sections 3 and 7; Title 9, Chapter 2, Sections 1 through 23; Title 9, Chapter 4, Sections 2 through 11, 15 through 17, and 19 through 30; Title 10, Chapter 3, Sections 2 and 3; and Title 10, Chapter 4, Sections 1 through 4 of the Monroe City Code shall also apply to the Courthouse Park located within the City of Monroe. Title 8 of this County Code as applicable shall also apply to all parks.
- D. Vehicular Traffic:
 - 1. It shall be unlawful to operate any vehicle at a speed in excess of ten (10) miles per hour in any County park or boat landing.
 - 2. It shall be unlawful to operate or park any motor vehicle of any kind in any County park or boat landing except upon paved portions or gravel portions which are intended for use as roadway or parking areas. Section 7-4-1 of this County Code shall apply to parking in the Courthouse Park parking lot.
 - 3. It shall be unlawful to operate any snowmobile or any unlicensed motorbike in any County park or boat landing.
 - 4. No pets shall be allowed in Pleasant View Park, or the Courthouse Park.
- E. Fires, Fireworks, Or Firearms:
 - 1. Fires:
 - a. It shall be unlawful for any person to start, tend or maintain any fire, or to burn any refuse, except at designated fire places, fire rings, or grills within any County park or boat landing, except that fires for cooking or heating may be made in portable stoves, heaters or grills at designated areas in Pleasant View Park. There shall be no fires for any purpose in the Courthouse Park.
 - b. It shall be unlawful for any person to leave any fire or coals unattended or to throw away any matches, cigarettes, cigars, pipe ashes or any coals without first extinguishing them, or to abandon any fire or coals, or to start, tend, or use in any manner any fire contrary to posted notices in any County park or boat landing.

2. Firearms: It shall be unlawful for any person to have in his/her possession or under his/her control any firearm, air gun or gas operated gun as defined in the Wisconsin Statutes unless the same is unloaded and enclosed in a carrying case, or any bow, crossbow or slingshot unless the same is unstrung or enclosed in a carrying case in any County park.
- F. Hunting And Trapping: It shall be unlawful for any person to take, catch, kill, hunt, trap, pursue or otherwise disturb any wild animals or birds in any County park or boat landing.
 - G. Camping: It shall be unlawful for any person to erect, place, or use a shelter, such as a tent, trailer or mobile home, tarp, bedroll or sleeping bag for temporary residence or sleeping purposes in any County park. (Ord. 14-1001, 10/21/2014)
 - H. Alcoholic Beverages: It is unlawful for any person to consume, possess, or be under the influence of an intoxicant in the Courthouse Park. Intoxicant includes fermented malt beverages and intoxicating liquors as defined in the Wisconsin Statutes.
 - I. City of Monroe Ordinances Adopted:
 1. Enforcement:
 - a. Enforcement of County and city ordinances is hereby authorized for the City Police Department of the City of Monroe to patrol and enforce any city ordinances set forth in the Monroe City Code as well as any County ordinances set forth in this County Code on the Courthouse Park. (Ord. 97-0410)
 - b. Any person who violates this County Code on County parks shall be subject to the penalties contained in subsection 7-4-31C of this County Code or the penalty section of the City of Monroe Municipal Code as it applies to the City of Monroe Municipal violations on the Courthouse Park. (Ord. 97-0630)
 - c. A law enforcement officer of Green County, the City of Monroe Police, or DNR official may issue a citation for violation of any County ordinances which occurs in a County park or boat landing. Enforcement shall also be as provided in Section 7-4-36 of this County Code,
 2. Injunction: In the event of a continuing or recurrent violation of a County ordinance or City of Monroe Code for the Courthouse Park, by a person in a County park or boat landing, the Corporation Counsel, or designee, may proceed to enjoin such activity.(Ord.97-0410)

7-4-15: GREEN COUNTY SMOKING POLICIES

- A. Purpose And Authority: The County finds that smoking contributes to health problems of its employees and members of the public, both directly through deliberate use of smoking materials and indirectly, to nonsmokers, through involuntary inhalation of smoke in the air. This Section is enacted to reduce that risk as much as possible in County buildings. This Section is enacted under the authority of §59.52 and §101.123, Wis. Stats.
- B. Definitions: As used in this Section, the following words have the meanings indicated:

COUNTY BUILDING: Any building owned and leased by the County of Green, "County

Building” does not include any building which is owned by the County and leased in its entirety to another party. "County building" does include space leased to the County in a building which has other tenants but the regulations set forth in this Section shall apply only to that part of the leased space which is partitioned off from the remaining space, including common areas, by floor to ceiling walls. The exemption for leased space does not apply to space leased to another for less than one hundred eighty (180) days.

COUNTY VEHICLE: A County vehicle includes any self-propelled vehicle owned or leased by the County. (Ord. 04-0701, 7/13/04)

JAIL: A county jail, rehabilitation facility established by §59.53(8), county house of correction under §303.16 or secure detention facility as defined by §301.36, Wis. Stats.

SMOKING: The meaning set forth in §101.123(l)(h), Wis. Stats.

C. Prohibited Conduct:

1. Except as provided by State or Federal law, and as excepted below, it shall be unlawful and a violation of this Section for any person, whether employed by the County or a member of the public, to smoke in any County building. (Ord. 04-0701, 7/13/04)
2. The provisions of subsection C1 of this Section shall not apply to the jail. §101.123(4), Wis. Stats., shall control smoking at the jail.
3. The provisions of subsection C1 of this Section shall not apply to one room per building. The Committee designated by County Code as the Committee in charge of each building may designate a smoking area within that building pursuant to §101.123(4), Wis. Stats., and shall designate such area with uniform signs as set forth in §101.123(5) and (6), Wis. Stats.
4. Smoking shall not be allowed in vehicles utilized to transport members of the general public. Smoking policies in other County vehicles shall be determined by individual department heads. (Ord. 04-0701, 7/13/04)

D. Penalty:

1. Any person who violates any provision of this Section shall forfeit not more than ten dollars (\$10.00). (Ord. 92-0240; amd. Ord. 96-0310)

**7-4-16: SNOWMOBILE, ALL-TERRAIN VEHICLE, MOTORCYCLE AND NONLICENSED
MOTORIZED EQUIPMENT CHEESE COUNTRY RECREATION TRAIL
REGULATIONS**

- A. Application: This Section shall control the use of Cheese Country Recreation Trail, hereinafter "the trail", within the County developed and administered by the Tri County Trail Commission for use by snowmobiles, all-terrain vehicles, motorcycles, horses, bicycles, skiers and pedestrians. This Section shall also control the use of nonlicensed motorized equipment as defined to include dirt bikes, mopeds, golf carts, four (4) and six (6) wheeled nonregistered motorized vehicles, and go-carts. "Go-carts" are defined as follows:

1. No homemade or reconstructed vehicles. Motorized vehicles in this category must be the original from the manufacturer with no equipment altered. This includes no modifications to suspension, axles, or chassis.
2. Vehicle must have a roll bar covered with bright yellow or orange padding.
3. Vehicle must have a headlight and taillight attached to the top of the roll bar operating at all times.
4. Vehicle must have a ground to floor clearance of at least nine inches (9").
5. Vehicle must have an orange flag attached.
6. Vehicle must have knob tires.

B. Prohibited Activities:

1. No person shall operate an all-terrain vehicle, motorcycle or unlicensed motorized equipment on the trail during such time that the trail is snow covered, in whole or in part, or at such other times as designated and posted as a closed season by the Tri County Trail Commission. (Ord. 04-1101, 10/19/2004)
 - a. The trail shall be closed to all persons from one o'clock (1:00) A.M. to five o'clock (5:00) A.M. year round. (Ord. 04-1101, 10/19/2004)
 - b. Any person violating the provision of subsection B1a of this Section for a third time within a twelve (12) month period shall, in addition to the penalties and forfeiture provided in this Section, be prohibited from using the trail for a period of twelve (12) months from the date of conviction of said third offense.
2. No person shall operate licensed or nonlicensed motorized equipment on the trail without having a valid and current Tri County Trail Commission sticker or operate a snowmobile or all-terrain vehicle without a valid and current State registration sticker displayed upon the vehicle without regard to age of operator. Horseback riders and bicyclists age eighteen (18) years or older shall also be required to have a Tri County Trail Commission sticker.
3. No person shall operate on the trail an all-terrain vehicle or a motorcycle with an engine displacement greater than 500 cc.
4. The reporting of all injuries required by law for all-terrain vehicles and licensed motorcycles shall apply to all operators of motorized equipment used on the trail, whether licensed or unlicensed.
5. Operation By Youthful Operators Restricted:
 - a. Definitions: As used in this subsection:
 - (1) "Accompanied" means being subject to continuous verbal direction or control while operating all-terrain vehicles as defined in §23.33, Wis. Stats.

- (2) "Accompanied" for purposes of snowmobile operation means being on the same snowmobile as the operator.
- b. All-Terrain Vehicles: No person shall operate an all-terrain vehicle on the trail under the age of twelve (12) years unless accompanied within voice contact by a parent, guardian or person over eighteen (18) years of age as set forth in §23.33(5), Wis. Stats.
 - c. Motorcycles: No person shall operate a motorcycle on the trail under the age of twelve (12) years unless accompanied within voice contact by a parent, guardian or person over eighteen (18) years of age.
 - d. Snowmobiles: No person under the age of twelve (12) years may operate a snowmobile unless he or she is accompanied either by a parent or guardian or by a person over eighteen (18) years of age.
 - e. Safety Certification: No person who is at least twelve (12) years of age but under sixteen (16) years of age shall operate, unaccompanied, an all-terrain vehicle or snowmobile on the trail, unless they have completed a safety certification course as provided in §23.33(5)(b) (All-Terrain Vehicles) and §350.05(2) (Snowmobiles), Wis. Stats., and have the certificate in their possession.
 - f. Display of Certificate: No person operating an all-terrain vehicle or snowmobile may refuse to display their safety certificate after being requested to do so by a law enforcement officer or trail coordinator.
 - g. Safety Certification, Motorcycles: No person who is at least twelve (12) years of age but under sixteen (16) years of age shall operate, unaccompanied, a motorcycle on the trail unless they have completed a safety certification course as provided in §23.33(5)(b), Wis. Stats.
- 6. Any person under the age of eighteen (18) either operating or riding as a passenger on nonlicensed motorized equipment, motorcycles, all-terrain vehicles or snowmobiles shall be required to wear protective head gear.
 - 7. No person shall operate on the trail an all-terrain vehicle, motorcycle, snowmobile or nonlicensed motorized equipment which does not meet State and Federal noise and air pollution standards.
 - 8. No person shall operate an all-terrain vehicle, motorcycle, snowmobile or nonlicensed motorized equipment on any area other than the designated and marked trail, access roads and parking lots or as designated by any authorized signs.
 - 9. No person shall operate any all-terrain vehicle, motorcycle, snowmobile or nonlicensed motorized equipment in a reckless manner, regardless of other persons or their property as prescribed by §23.33(3)(a) (All-Terrain Vehicles), §346.62 (Motorcycles), §350.10(l) and (2) (Snowmobiles), Wis. Stats.
 - 10. No person shall operate an all-terrain vehicle or nonlicensed motorized equipment which is not licensed for highway use in any park or parking lot area at a speed greater than five (5) mph.

11. No person shall operate an all-terrain vehicle, motorcycle or nonlicensed motorized equipment in excess of ten (10) mph when within one hundred feet (100') of a person who is not on a motorized vehicle.
12. No person shall, while operating an all-terrain vehicle, motorcycle, snowmobile or nonlicensed motorized equipment, fail to yield right of way to nonmotorized users of the trail.
13. No person shall operate an all-terrain vehicle, motorcycle, snowmobile or nonlicensed motorized equipment at a speed in excess of thirty (30) mph on the trail or fifteen (15) mph on trail bridges.
14. No person shall, while operating a snowmobile, all-terrain vehicle, motorcycle or nonlicensed motorized equipment, pursue any wild animal.
15. No person shall operate an automobile or truck on the trail except for automobiles or trucks used for authorized inspection, maintenance or enforcement of the trail regulations.
16. No person shall erect, remove, obscure or deface any trail sign unless authorized by the Commission or its agents.
17. No person shall operate any all-terrain vehicle, motorcycle, snowmobile or nonlicensed motorized equipment contrary to authorized posted signs.
18. No person shall dispose of any solid or liquid waste on or along the trail.
19. No person shall refuse to stop for trail coordinator, DNR warden, sheriff or sheriff's deputy when directed or requested to do so.
20. No person shall operate an all-terrain vehicle, snowmobile, motorcycle or nonlicensed motorized equipment while intoxicated by alcohol or drugs contrary to §23.33(4c) through (4x) (All terrain Vehicles), §346.63(1), (2), (3) and (4) (Motorcycles) or §350.101 through §350.107 (Snowmobiles), Wis. Stats.

C. Nonmotorized And Unlicensed Motorized Equipment Trail Use Regulations:

1. No person shall use the trail after dark without displaying a light or reflective material.
2. No person shall lead or ride a horse on any area other than the designated and marked trail, access road and parking areas or as designated by authorized posted signs.
3. Nonlicensed motorized equipment subject to the provisions of this Section may operate between sunrise and one-half (1/2) hour before sunset without front- and tail-lighted equipment. Operation of nonlicensed motorized equipment at any other time shall require the same lighting requirements of licensed motorcycles and all-terrain vehicles. The statutory lighting provisions shall apply to nonlicensed motorized equipment.

- D. Persons Authorized To Issue Citations: Citations may be issued under this Section by any law enforcement officer, State Department of Natural Resources' wardens when authorized by State law and the authorized trail coordinator.
- E. Nonexclusivity: Adoption of this Section shall not prohibit any law enforcement officer or DNR warden from proceeding under any other ordinance, regulation, statute, law, rule or order that pertains to the subject matter addressed under this Section.
- F. Penalty; Bond Schedule:
1. Violation of 7-4-16B20: Forfeiture for violation of subsection B20 of this Section shall be in accordance with §23.33(13) (AllTerrain Vehicles), §346.65(2) (Motorcycles) and §350.11 (Snowmobiles), Wis. Stats.
 2. Class Three Forfeiture: Penalty for violation of subsection B1, 5, 6, 8, 9, 14, 15, 16 and 19 of this Section shall be a Class Three forfeiture of not more than two hundred dollars (\$200.00).
 3. Class Four Forfeiture: Penalty for violation of subsection B2, 3, 4, 7, 10, 11, 12, 13, 17 and 18 of this Section and a second violation within a twelve (12) month period of subsection B of this Section shall be a Class Four forfeiture of not more than one hundred dollars (\$1 00.00).
 4. Class Five Forfeiture: Penalty for violation of subsection C1, 2 and 3 of this Section shall be a Class Five forfeiture of not more than fifty dollars (\$50.00).
 5. Juvenile Forfeiture:
 - a. Any juvenile who violates this Section shall be subject to the forfeitures prescribed in subsection F1 through 4 of this Section except that the provisions for the incarceration in jail for the nonpayment of forfeiture shall not apply to juveniles.
 - b. Upon default of payment of any forfeiture imposed by this Section, a court may order any license issued to a juvenile under Chapter 29, Wis. Stats. suspended or may order the child's operating privileges as defined in §340.01(40), Wis. Stats. suspended for not less than thirty (30) days nor more than ninety (90) days. Prior to suspension of licenses under this subsection, the court shall make a finding that the juvenile alone is financially able to pay the amount of the forfeiture and shall allow up to twelve (12) months for the juvenile to make payment. The court shall immediately take possession of any suspended license and forward it to the department which issued the license together with the notice of suspension clearly stating that the suspension is for failure to pay a forfeiture imposed by the court. If the forfeiture is paid during the first thirty (30) days after the license is suspended, the suspension shall be reduced to the minimum period of thirty (30) days. If it is paid thereafter, the court shall immediately notify the appropriate department which will thereupon return the license to the person.
 6. Uniform Deposit Schedule: The uniform deposit schedule for forfeitures under this Section shall be as prescribed in Section 7-4-33 of this Chapter, except that the uniform deposit schedule for forfeitures under subsection B20 of this Section shall

conform to the forfeiture penalty permitted to be imposed for violations of the comparable State statutes. (Ord. 91-0310) (Ord. 92-0240)

7. Community Service: Instead of or in addition to any penalty imposed for a violation of this Section, the Green County Circuit Court may order a person who violates this Section to perform uncompensated community service in accordance with the provisions of Section 7-4-30 of this Chapter. (Ord. 97-0620)

7-4-17: PURCHASE OR POSSESSION OF TOBACCO PRODUCTS BY CHILDREN PROHIBITED

- A. State Statute Adopted: Wisconsin Statute §254.92 regulating the purchase or possession of tobacco products by a child including any and all existing and future amendments thereto is hereby adopted in its entirety.
- B. Penalty: Any person violating subsection A of this Section shall be subject to a forfeiture not to exceed twenty five dollars (\$25.00) as set forth in §134.66(4)2, Wis. Stats., including any and all existing and future amendments thereto.
- C. Exceptions: This Section does not apply within any town, city or village in Green County that has adopted or adopts an ordinance in conformity with §254.92, Wis. Stats. (Ord. 96-0310)

7-4-18: RESTRICTIONS ON SALE OR GIFT OF CIGARETTE OR TOBACCO PRODUCTS TO CHILDREN

- A. State Statute Adopted: Wisconsin Statute §134.66 regulating the sale or gift of cigarette or tobacco products to children as may be amended from time to time is hereby adopted in its entirety.
- B. Penalty: Any person violating subsection 7-4-18A above shall be subject to the penalties set forth in §134.66(4), Wis. Stats., as may be amended from time to time.
- C. Exceptions: This Section does not apply within any town, city or village in Green County that has adopted or adopts an ordinance in conformity with §134.66, Wis. Stats. (Ord. 96-0310)

7-4-19: POSSESSION OF TWENTY FIVE GRAMS OR LESS OF MARIJUANA PROHIBITED

- A. State Statute Adopted: Wisconsin Statute §961.41(3g) regulating the possession of twenty five (25) grams or less of marijuana containing tetrahydrocannabinol as defined by §961.14(4)(t), Wis. Stats., as may be amended from time to time is hereby adopted in its entirety.
- B. Penalty: Any person violating subsection 7-4-19A above shall be subject to a Class One forfeiture.
- C. Other Violations: It is the intent of Green County that any person who is charged with possession of more than twenty five (25) grams of marijuana containing tetrahydrocannabinol, who is charged with the illegal possession of a controlled substance other than marijuana containing tetrahydrocannabinol, which arises out of the same incident or occurrence or who is charged with possession of marijuana containing tetrahydrocannabinol following a prior conviction for possession of marijuana containing tetrahydrocannabinol or some other violation under Chapter 961, Wis. Stats., or a local

ordinance enacted in conformity therewith, shall not be prosecuted under this subsection of this Code, but instead shall be prosecuted for a criminal violation of §961.41(3g), Wis. Stats., whenever possible. This Section does not apply within any town, city or village in Green County that has adopted or adopts an ordinance in conformity with §961.41(3g), Wis. Stats. (Ord. 96-0310)

7-4-20: POSSESSION OF DRUG PARAPHERNALIA PROHIBITED

- A. State Statute Adopted: Wisconsin Statute §961.573 regulating the possession of "drug paraphernalia" as defined by §961.571, Wis. Stats., including any and all existing and future amendments thereto is hereby adopted in its entirety.
- B. Penalty: Any person violating subsection 7-4-20A above shall be subject to a Class Two forfeiture.
- C. Other Violations: It is the intent of Green County that any person who is charged with possession of drug paraphernalia, who is charged with the illegal possession of more than twenty five (25) grams of marijuana containing tetrahydrocannabinol or with the illegal possession of a controlled substance other than marijuana containing tetrahydrocannabinol, which arises out of the same incident or occurrence or who is charged with possession of drug paraphernalia following a prior conviction for possession of drug paraphernalia or some other violation under Chapter 961, Wis. Stats., or a local ordinance enacted in conformity therewith, shall not be prosecuted under this Section of this Code, but instead shall be prosecuted for a criminal violation of §961.573, Wis. Stats., whenever possible. This Section does not apply within any town, city or village in Green County that has adopted or adopts an ordinance in conformity with §961.573, Wis. Stats. (Ord. 96-0310)

7-4-21: SAFE USE AND TRANSPORTATION OF FIREARMS AND BOWS

- A. State Statute Adopted: Except for §167.31(3), Wis. Stats., §167.31, Wis. Stats., regulating the safe use and transportation of firearms and bows in motorboats and vehicles as prohibited by §167.31(2)(a) through (d), Wis. Stats., including any and all existing and future amendments thereto and is hereby adopted in its entirety.
- B. Penalty: Any person violating subsection 7-4-21A above shall be subject to the penalty set forth in §167.31(2)(e), Wis. Stats., including any and all existing and future amendments thereto.
- C. Weapons Assessment: Upon conviction of any violation of subsection 7-4-21A above, the court shall also impose the weapons assessment set forth in §167.31(5), Wis. Stats., including any and all existing and future amendments thereto. (Ord. 96-0310)

7-4-22: SHINING WILD ANIMALS AFTER HOURS AND WHILE POSSESSING WEAPONS PROHIBITED

- A. State Statute Adopted: Except for §29.314(3), Wis. Stats., §29.314, Wis. Stats., regulating the shining of wild animals after hours and while possessing weapons as prohibited by §29.314(4) and (5), Wis. Stats., including any and all existing and future amendments thereto is hereby adopted in its entirety.

- B. Penalty: Any person violating subsection 7-4-22A above shall be subject to the penalty set forth in §29.314, Wis. Stats., including any and all existing and future amendments thereto.
- C. Natural Resources Assessment: Upon conviction of any violation of subsection 7-4-22A above, the court shall also impose the Natural Resources Assessment set forth in §29.987, Wis. Stats., including any and all existing and future amendments thereto. (Ord. 96-0310, 3-12-1996)

7-4-23: REGULATION OF FIREWORKS

- A. State Statute Adopted: Except for §167.10(6m) and (8), Wis. Stats., §167.10, Wis. Stats., regulating the sale, possession, storage and handling of fireworks as prohibited by §167.10(2), (3) and (6), Wis. Stats., including any and all existing and future amendments thereto is hereby adopted in its entirety.
- B. Penalty: Any person violating subsection 7-4-23A above shall be subject to the penalties set forth in §167.10(9)(b) or (c), Wis. Stats., including any and all existing and future amendments thereto.
- C. This Section does not apply and may not be enforced within any town, city or village in Green County that has adopted or adopts an ordinance in conformity with §167.10, Wis. Stats. (Ord. 96-0310)

7-4-24: WELFARE FRAUD

- A. State Statute Adopted: Except for §49.95(5) Wisconsin Statute, Wisconsin Statute §49.95, which prohibits the unlawful receipt of "public assistance" and regulates the proper administration of public assistance, including any and all existing and future amendments thereto is hereby adopted in its entirety.
- B. Penalties:
 - 1. Any person violating subsection 7-4-24A above shall be subject to a Class Two forfeiture where the total amount of public assistance unlawfully received in violation of §49.95(1), (6) or (9), Wis. Stats., is less than or equal to three hundred dollars (\$300.00).
 - 2. Any person violating subsection 7-4-24A above shall be subject to a Class One forfeiture where the total amount of public assistance unlawfully received in violation of §49.95 (1), (6) or (9), Wis. Stats., is more than three hundred dollars (\$300.00) but less than or equal to one thousand dollars (\$1,000.00).
 - 3. Any person violating subsection 7-4-24A above by conduct in violation of §49.95 (2), (3), (4m), (7) or (10), Wis. Stats., shall be subject to a Class Three forfeiture regardless of the value of public assistance involved in said violation.
- C. It is the intent of Green County that any person who is charged with welfare fraud following a prior conviction for welfare fraud or some other violation under Chapter 49, Wis. Stats., or a local ordinance enacted in conformity therewith, or where the total amount of public assistance unlawfully received is more than one thousand dollars (\$1,000.00), shall not be prosecuted under this subsection of this Code, but instead shall be prosecuted for a criminal violation of Chapter 49, Wis. Stats., whenever possible. (Ord. 96-0310)

7-4-25: PARTIES TO A VIOLATION

- A. Except as set forth in subsection C of this Section, whoever is concerned in the commission of a violation of this Chapter for which a forfeiture is imposed is a principal and may be charged with and convicted of a violation although he or she did not directly commit it and although the person who directly committed it has not been convicted of the violation. (§939.05, Wis. Stats.)
- B. A person is concerned in the commission of the violation if the person:
 - 1. Directly commits the violation;
 - 2. Aids and abets the commission of it; or
 - 3. Is a party to a conspiracy with another to commit it or advises, hires, counsels or otherwise procures another to commit it.
- C. Subsection B2 and 3 of this Section shall not apply to violations of Sections 7-4-1, 7-4-6, 7-4-13, 7-4-14, 7-4-15, 7-4-16, 7-4-17, 7-4-18, 7-4-21 and 7-4-22 of this Chapter, except as may be applicable by the express language in said Sections. (Ord. 96-0310)

7-4-26: USE OF COUNTY OFFICE BUILDING GROUNDS

- A. Use Of Sidewalks: The use of rollerblades, roller skates, skateboards, and similar recreational apparatus is prohibited on Green County office building grounds and parks. (Ord. 97-0420)
- B. Violations: Violations of the use of sidewalks ordinance in subsection A of this Section shall be enforced by citations issued by the Green County Sheriff and/or Monroe Police. The penalty for violation of this ordinance is set forth in the penalty section at subsection 7-4-31 D of this County Code. (Ord. 97-0630)

7-4-27: OPEN OUTDOOR BURNING

The purpose of this section is to protect the health, safety and welfare of the citizens of Green County and their property by establishing minimum standards for the prevention of fire.

7-4-27-1: APPROVED BURNING

Open burning shall be permitted at all times as permitted by current state and federal law, without limitation, except during periods of fire ban. During periods of fire ban, burning shall be allowed only as follows:

- 1. Fires in any UL approved container.
- 2. A grill or fireplace which has been specifically designed and constructed so as to provide the safe burning of combustibles.
- 3. Burning related to the training of any local municipal fire department or which is specifically authorized by and under the supervision of a local municipal fire department.

4. Burning related to fire prevention either sponsored by or under the supervision of the Wisconsin Department of Natural Resources or the Green County Fire Chief's Association.

7-4-27-2: BURNING BAN

- A. Outdoor open burning will be prohibited when local circumstances make the fires potentially hazardous. Such a prohibition will be administered by an open burning ban issued by the Green County Sheriff's Department at the written direction of the Green County Fire Chief's Association. Such a ban may be issued on a County-wide level or at the Township level and shall be issued after considering the criteria in paragraph B.
- B. An open burning ban may be issued under paragraph A above after considering the following:
 1. Current weather conditions including, but not limited to, thermal inversions, wind, ozone alerts and very dry conditions.
 2. The risk to public safety and welfare.
- C. During a period of burning ban, it shall be unlawful to engage in any burning other than as detailed in Section 7-4-27-1. This ban on burning shall include the burning of any fence rows, burning of trash in open barrels, or recreational fires, including campfires or bonfires which do not meet the criteria listed in paragraph 7-4-27-1.

7-4-27-3: ENFORCEMENT

- A. Any open burning ban issued as above, shall remain in effect until lifted by the Green County Sheriff's Department upon the written request of the Green County Fire Chief's Association. A 48-hour advance notification of the open burning ban shall be made by the Green County Sheriff through local media, including radio, television and newspaper, as well as posting notice with the Green County Clerk's office before the ban can take effect.
- B. Any person who violates this ordinance shall be subject to the penalties contained in Section 7-4-31-C of the Green County Code. (Ord. 98-0301)

7-4-28: (Reserved For Future Use¹)

7-4-29: (Reserved For Future Use²):

7-4-30: VIOLATIONS, JUDGMENTS, COMMUNITY SERVICE AND RESTITUTION

- A. Procedures: A judgment obtained for the violation of any ordinance in this Chapter may be enforced in the same manner as any civil judgment. Penalties imposed for violations of said ordinances shall be made according to the schedule of forfeitures listed in Section 7-4-31 of this Chapter as hereinafter enacted. The procedures set forth in §938.17, (formerly §48.17), §800.09, §800.093 and §800.095, Wis. Stats., including any and all existing and future amendments thereto, and all of the possible dispositions authorized in §938.342 (formerly

¹Repealed by Ord. 96-0310 and reserved for future use.

²Repealed by Ord. 96-0310 and reserved for future use.

§48.342), §938.343 (formerly §48.343), §938.344 (formerly §48.344), Wis. Stats., including any and all existing and future amendments thereto, shall be applicable to violations of these ordinances set forth in this Chapter, by juveniles, underage persons and adults.

- B. Citation And Summons: Persons accused of violating these ordinances may be cited and summoned to appear in the Green County Circuit Court by use of one of the forms of appropriate municipal citations as set forth by Section 7-4-32 of this Chapter, as hereinafter set forth. A uniform appearance deposit may be required of any person issued a citation and summons for a violation of any ordinance enacted under this Chapter as set forth in Section 7-4-33 of this Chapter as hereinafter enacted.
1. Upon default in payment of the prescribed forfeiture, plus all applicable court costs, statutory assessments and surcharges, and restitution, the Green County Circuit Court shall follow the procedures set forth in §800.09 and §800.095, Wis. Stats., including imprisonment in the County jail for a period not to exceed ninety (90) days, performance of a community service work or suspension of the person's Wisconsin operating privileges as set forth in §800.095(4)(b)1, 2, 3, or 4, Wis. Stats., including any and all existing and future amendments thereto.
 2. Upon a juvenile's failure to comply with the terms of any dispositional order entered for a violation of these ordinances, including an order for the payment of a forfeiture, applicable court costs, assessments and surcharges, and restitution, the Green County Juvenile Court shall impose an alternative disposition pursuant to the procedures set forth in §938.343(2) (formerly §48.343(2)), Wis. Stats., and, in addition, may impose any appropriate sanction against the juvenile for violating any written conditions of the Juvenile Court's dispositional order, as authorized by §938.355(6)(d)2, 3 and 4, Wis. Stats., including any and all existing and future amendments thereto, except that no juvenile shall be placed in a secure detention facility for violation of any of these ordinances.
- C. Restitution: If the Circuit Court finds that the violation involves an ordinance that prohibits conduct that is the same as or similar to conduct prohibited by State statute punishable by fine or imprisonment or both, and further finds that the violation resulted in damage to the property or physical injury to a person other than the alleged violator, the Circuit Court may order restitution to be paid by the violator as part of the judgment pursuant to §800.093, Wis. Stats. Except for violations of subsections 7-4-9D and E of this Chapter, restitution shall not exceed the amount of two hundred dollars (\$200.00). Before ordering a juvenile to make restitution, the Juvenile Court shall make the necessary finding as required by §938.343(4) (formerly §48.343(4)), Wis. Stats.
- D. Personal Jurisdiction Or Juvenile Violator: In lieu of issuance of a municipal citation as set forth in Section 7-4-32 of this Code, the Green County District Attorney may issue appropriate process to obtain personal jurisdiction over the violator pursuant to §800.01 and §800.02, Wis. Stats., or, if the violator is a juvenile, as defined by §938.02(10m) (formerly §48.02(2)), Wis. Stats., who is twelve (12) years of age or older, issue a petition pursuant to §938.125 (formerly §48.125), Wis. Stats., or §938.17 (formerly §48.17), Wis. Stats., alleging a violation of any sections or subsection of Title 7, Chapter 4 of this Code and notifying the child to appear in Green County Juvenile Court.
- E. Alternative Sentences: AODA And Community Service Program:

1. Purpose: It is the intent of Green County to protect the health, safety and welfare of its citizens and youth, to promote respect for the rights and property of other persons, and to deter further violations of the laws of the State, and to that end, Green County recognizes that other alternatives to the imposition of monetary forfeitures for violations of the various sections and subsections of Title 7, Chapter 4 of this Code may be as effective a means to accomplish these goals.
2. AODA And Counseling Program: If the Circuit Court finds that the inappropriate or illegal consumption of alcohol beverages or controlled substances was a factor in any violation of Title 7, Chapter 4 of this Code, the Court may, after accepting a plea of no contest or guilty to the violation, and with the agreement of the violator, stay the imposition of any forfeiture or license suspension ordered, in whole or in part, and order that the violator submit to an alcohol and other drug (AODA) assessment at an approved treatment facility, and thereafter, participate in an outpatient alcohol and other drug treatment program at an approved facility, if such treatment is recommended as part of the alcohol and other drug assessment. The Court shall enter an appropriate order staying the imposition of forfeiture or license suspension, specifying the date(s) within which the AODA assessment and any outpatient treatment shall be completed by the defendant, and requiring the defendant to be financially responsible for the costs of the AODA assessment and any outpatient treatment.
3. Community Service Program: For any violation of Title 7, Chapter 4 of this Code, the Circuit Court may, after accepting a plea of no contest or guilty to the violation, stay the imposition of any forfeiture or license suspension ordered, in whole or in part, and order that the violator perform community service for a public agency or a nonprofit charitable organization. The Court shall enter an appropriate order staying the imposition of forfeiture or license suspension, specifying the date(s) within which the community service shall be completed by the defendant, and requiring the defendant to document and report the hours of community service completed to a Community Service Coordinator or Community Service Agency designated by the Court.
4. Noncompliance: Upon a defendant's noncompliance with an order entered pursuant to subsection 7-4-30E2 or E3 above, the Circuit Court may, upon proper notice to the violator, vacate or revoke the court's previous order and impose any appropriate penalty or disposition.
5. Conformity With Wisconsin Statutes: The Circuit Court shall, through the adoption and approval of written policies and procedures and through the use of appropriate notices and forms, ensure that the alternative sentences ordered under this subsection are in conformity with the appropriate provisions of Chapters 48, 125, 800 and 938, Wis. Stats., as may pertain to violations of Title 7, Chapter 4 of this Code by juveniles, underage persons and adults. (Ord. 96-0310)

7-4-31: SCHEDULE OF FORFEITURES

- A. Class One Forfeiture: Any person who violates an ordinance punishable by a Class One forfeiture shall be subject to a forfeiture of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00).
- B. Class Two Forfeiture: Any person who violates an ordinance punishable by a Class Two forfeiture shall be subject to a forfeiture of not more than five hundred dollars (\$500.00).

- C. Class Three Forfeiture: Any person who violates an ordinance punishable by a Class Three forfeiture shall be subject to a forfeiture of not more than two hundred dollars (\$200.00).
- D. Class Four Forfeiture: Any person who violates an ordinance punishable by a Class Four forfeiture shall be subject to a forfeiture of not more than one hundred dollars (\$100.00).
- E. Class Five Forfeiture: Any person who violates an ordinance punishable by a Class Five forfeiture shall be subject to a forfeiture of not more than fifty dollars (\$50.00).
- F. Forfeiture For Violation In Conformity With Wisconsin Statutory forfeiture: Any person who violates an ordinance which has been enacted in strict conformity with a violation Wisconsin Statutes, the penalty for which is a forfeiture, shall be subject to the same forfeiture and penalties as set forth in the Wisconsin Statutes for that violation.
- G. Juvenile Violations: Smoking: Truancy: Alcohol And Drug Violations:
 - 1. Any juvenile who violates Section 7-4-17 of this Chapter is subject to the forfeitures and dispositions set forth in that Section and §938.343 (formerly §48.343), Wis. Stats.
 - 2. Any juvenile who violates subsection 7-4-6B of this Chapter is subject to the dispositions set forth in §938.342 (formerly §48.342), Wis. Stats.
 - 3. Any juvenile who violates subsections 7-4-8F or H is subject to the forfeitures and dispositions set forth in §938.344 (formerly §48.344), Wis. Stats.
 - 4. Where the child is fourteen (14) years of age or older, the imposition of court costs on juveniles, for any violation of Title 7, Chapter 4 of this Code shall be made pursuant to §938.37 (formerly §46.37), Wis. Stats., including any and all existing and future amendments thereto. (Ord. 96-0310)

7-4-32: UNIFORM CITATION AND SUMMONS

A uniform County ordinance violation citation shall be used by the Green County Sheriff's Department to provide alleged violators with proper notice of the ordinance violation alleged and date, time, and place of said violation along with a summons to appear before the Circuit Court for Green County at the Courthouse in Monroe, Wisconsin, at a date and time specified in the citation and shall provide an option of posting a uniform forfeiture deposit in lieu of the defendant's appearance on that date. Other uniform citations adopted by the State for the use of counties and other municipalities may be used in the prosecution of violations under this Chapter. (Ord. 86-1020) (Ord. 92-0240) (Ord. 96-0310)

7-4-33: UNIFORM DEPOSIT SCHEDULE

The uniform deposit schedule on forfeitures covered under Title 7, Chapter 4 of this Code shall be established as follows:

- A. The Resolutions, Legislative and Judicial Committee of the Green County Board shall establish a uniform deposit schedule on all forfeitures covered under Title 7, Chapter 4 of this Code.

1. The Resolutions, Legislative and Judicial Committee shall meet yearly to review and revise the uniform deposit schedule established for violations of Title 7, Chapter 4 of this Code and shall notify the Green County District Attorney, Green County Sheriff and Green County Circuit Court Judge in advance of said meeting.
 2. Any revisions to the uniform deposit schedule by the Resolutions, Legislative and Judicial Committee shall be effective the first day of the month following the meeting at which said revisions are made unless a later date is specified by the Committee.
 3. For violations of ordinances enacted in conformity with Wisconsin statutory forfeitures, the uniform deposit schedule shall conform to the uniform deposit schedule promulgated by the Wisconsin Judicial Conference pursuant to §778.25(3) and §778.26(3), Wis. Stats.
- B. The uniform deposit schedule on forfeitures covered under Title 7, Chapter 4 of this Code shall include all applicable court costs, penalty assessments, and other applicable assessments, fees and surcharges as specified in §778.25 and §800.10, Wis. Stats.
- C. A domestic abuse assessment under §973.055, Wis. Stats. may be included as an applicable cost in cases where the Circuit Court determines that a domestic abuse violation under §968.075, Wis. Stats., has occurred.
- D. Restitution to a person other than the offender may be added on to the uniform deposit schedule for any forfeiture set forth in Title 7, Chapter 4 of this Code which involves an ordinance that prohibits conduct that is the same as or similar to conduct prohibited by Wisconsin Statutes punishable by fine or imprisonment or both. Except for violations of subsections 7-4-9D and 7-4-9E of this Chapter, the amount of restitution added on to the uniform deposit schedule shall not exceed the amount of two hundred dollars (\$200.00).
- E. The weapons assessment under §167.31(5), Wis. Stats., shall be included as an applicable cost for violations of Section 7-4-21 of this Chapter.
- F. The natural resources assessment under §29.987, Wis. Stats., shall be included as an applicable cost for violations of Section 7-4-22 of this Chapter. (Ord. 96-0310)

7-4-34: SEVERABILITY CLAUSE

It any provision or clause of this Chapter or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Chapter which can be given effect without the invalid provision or application, and to this end the provisions of this Chapter are declared to be severable. (Ord. 96-0310)

7-4-35: SAVING CLAUSE

This Chapter shall in no way be deemed to supplant or otherwise invalidate any provision of State statutes relating to the subject matter hereof. Any person entrusted with the enforcement of this Chapter may, in the exercise of his or her discretion, proceed under applicable State statutes. (Ord. 96-0310)

7-4-36: ENFORCEMENT

Enforcement of this Chapter shall be primarily by the Sheriff of Green County, the Undersheriff, or by duly authorized deputy sheriffs of the Green County Sheriff's Department.

- A. Except as specified in subsections 7-4-8G, 7-4-13H, 7-4-17C, 7-4-18C, 7-4-19C, 7-4-20C, and 7-4-23C, nothing in this Section shall be construed to limit the applicability of any section or subsection of Title 7, Chapter 4 of this Code to offenses which occur in any city or village within the jurisdiction of Green County.
- B. Nothing in this Section shall be construed to limit the authority or discretion of the Green County District Attorney to issue a complaint and summons or other appropriate process for violations of any section or subsection of Title 7, Chapter 4 of this Code.
- C. Non-Exclusivity: Adoption of Title 7, Chapter 4 of this Code shall not prohibit the Green County District Attorney, the Green County Sheriff, the Undersheriff, or a duly authorized deputy sheriff or any law enforcement officer from proceeding under any other ordinance, regulation, statute, law, rule or order that pertains to the subject matter addressed in this Chapter. (Ord. 96-0310)

7-4-37: EFFECTIVE DATE

This Chapter shall take effect upon passage and publication. (Ord. 96-0310)

7-4-38: AMENDMENTS AND REVISIONS OF CHAPTER

All amendments and revisions of the provisions of Title 7, Chapter 4 of this Code with respect to violations and offenses enacted under the provisions of this Chapter, shall be enacted in conformity with the procedures outlined in Title 7, Chapter 4, Sections 30 through 39 of this Code and shall be enforceable under the same procedures outlined above, unless duly noted in the enacting resolutions or ordinances.

- A. All references to Chapter 938, Wis. Stats., and the various subsections referred to herein, shall be effective on July 1, 1 996. Where reference has been made to the various subsections of Chapter 48, which were amended and renumbered as similar sections of Chapter 938, such reference shall continue in full force and effect until July 1, 1996. (Ord. 96-0310)

7-4-39: REPRESENTATION OF COUNTY INTERESTS

The District Attorney of Green County shall represent the interest of Green County in any matter arising out of a violation of Title 7, Chapter 4 of this Code, except where enacting resolutions or ordinances specifically provide for the corporation counsel to represent the interest of Green County in regard to newly enacted resolutions or ordinances. (Ord. 96-0310)