

**CITY OF DODGEVILLE  
ORDINANCE NO. 2024-03**

**AN ORDINANCE TO AMEND SECTIONS 9.01; 9.02(e); 9.03(b)-(d); 9.04(a); 9.041(b)(1) AND (10); 9.042(a), (d)(1)b., AND (d)(2); 9.044(a); 9.045(b); 9.05(c)(2)b. AND g., (c)(3) AND (e); 9.10; 9.17(d); 9.19(a)(1); 9.22(b)(7)c.-d., (c)(3)-(4), AND (e)(2)a.; 9.24(a)(2) AND (b)(1)a.; AND 9.25 OF THE MUNICIPAL CODE OF THE CITY OF DODGEVILLE, IOWA COUNTY, WISCONSIN, RELATING TO ORDERLY CONDUCT.**

THE COMMON COUNCIL OF THE CITY OF DODGEVILLE, IOWA COUNTY, WISCONSIN, DO HEREBY ORDAIN AS FOLLOWS:

**Section I:** Section 9.01 of the Municipal Code of the City of Dodgeville shall be and hereby is amended to read as follows:

**“Sec. 9.01 Offenses Against State Law Subject To Forfeiture**

The following Statutes following the prefix "9" 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 the penalty for commission of such offenses hereunder shall be limited to a forfeiture imposed under sec. 25.04 of this Code:

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| 9.346.935    | Drinking in Motor Vehicles on Highway                 |
| 9.939.32     | Attempted Battery: Attempted Theft                    |
| 9.940.19(1)  | Battery   |
| 9.40.225(3m) | Fourth Degree Sexual Assault                          |
| 9.940.34     | Duty to Aid Victim or Report Crime                    |
| 9.940.42     | Intimidation of Witnesses                             |
| 9.940.44     | Intimidation of Victims                               |
| 9.941.01     | Negligent Operation of Vehicle Off Highway            |
| 9.941.10     | Negligent Handling of Burning Materials               |
| 9.941.12     | Interfering with or Failing to Assist in Firefighting |
| 9.941.13     | False Alarms and Interference with Firefighting       |
| 9.941.20     | Negligent and Reckless Use of Weapon                  |

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| 9.941.21                | Disarming a Police Officer Prohibited  |
| 9.941.235(1)            | Carrying Firearm into Public Building  |
| 9.941.237               | Carrying a Handgun When Alcoholic Beverages Are Sold or Consumed             |
| 9.941.299(2)(a)         | Intentional Use of a Laser Pointer on Corrections or Law Enforcement Officer |
| 9.941.37                | Obstruction of Emergency Vehicles Prohibited                                 |
| 9.942.09                | Representations Depicting Nudity   |
| 9.943.01(1)             | Criminal Damage to Property (Less Than \$200.00)                             |
| 9.943.012               | Criminal Damage to Religious and Other Property                              |
| 9.943.017               | Graffiti   |
| 9.943.06                | Molotov Cocktails  |
| 9.943.11                | Entry into Locked Vehicle  |
| 9.943.125(1) & (2)      | Entry into Locked Coin Boxes   |
| 9.943.13                | Criminal Trespass to Land  |
| 9.943.14                | Criminal Trespass to Dwellings   |
| 9.943.145               | Criminal Trespass to Medical Facility  |
| 9.943.15                | Entry Onto a Construction Site or Locked Building                            |
| 9.943.20                | Theft (Less Than \$100.00)   |
| 9.943.21(1m)(a) and (c) | Fraud on Innkeepers, Taxicab Operators or Recreational Attractions           |
| 9.943.21(1m)(d)         | Fraud on Gas Station   |
| 9.943.24                | Issue of Worthless Checks  |
| 9.943.34                | Receiving Stolen Property  |

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| 9.943.41(3)  | Illegal Use of Credit Card                                     |
| 9.943.45(1)  | Theft of Telecommunication Services                            |
| 9.943.455(2) | Theft of Cellular Telephone Services                           |
| 9.943.46     | Theft of Cable Television Service                              |
| 9.943.47     | Theft of Satellite Cable Programming                           |
| 9.943.50     | Shoplifting  |
| 9.943.61     | Theft of Library Material                                      |
| 9.943.75(2)  | Intentional Release of Certain Animals Without Owner's Consent |
| 9.944.17     | Sexual Gratification   |
| 9.944.20     | Lewd and Lascivious Behavior                                   |
| 9.944.23     | Making Lewd, Obscene or Indecent Drawings                      |
| 9.944.30     | Prostitution   |
| 9.944.31     | Patronizing Prostitutes  |
| 9.944.33     | Pandering  |
| 9.944.34     | Keeping Place of Prostitution                                  |
| 9.945.02     | Gambling   |
| 9.946.40     | Refusing to Aid Officer  |
| 9.946.41     | Resisting or Obstructing Officer                               |
| 9.946.42     | Escape   |
| 9.946.44     | Assisting or Permitting Escape                                 |
| 9.946.65     | Obstructing Justice  |
| 9.946.70     | Impersonating Peace Officer                                    |
| 9.946.72     | Tampering with Public Records and Notices                      |

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| 9.947.01           | Disorderly Conduct  |
| 9.947.011          | Disrupt Funeral or Memorial Service   |
| 9.947.0125         | Illegal Use of Computerized Communication System  |
| 9.947.013          | Harassment Prohibited   |
| 9.947.015          | Bomb Scares   |
| 9.947.06           | Unlawful Assemblies   |
| 9.948.10           | Exposing Genitals or Pubic Area to a Child  |
| 9.948.11(2)(b)     | Exposing a Child to Harmful Material  |
| 9.948.40           | Contributing to the Delinquency of a Child  |
| 9.948.45           | Contributing to Truancy   |
| 9.948.53(2)(a)     | Child Care Worker Leaving Child Unattended  |
| 9.948.55(3)        | Leaving/Storing Loaded Firearm within Reach of a Child and Child Publicly Possesses or Exhibits Firearm |
| 9.948.60           | Possession of a Dangerous Weapon by a Child   |
| 9.948.61           | Dangerous Weapons on School Premises  |
| 9.948.62           | Receiving Stolen Property from Child (Value Under \$500.00)   |
| 9.948.63           | Receiving Property from Child   |
| 9.951.01-.18       | Crimes Against Animals  |
| 9.961.573(1) & (2) | Possession of Drug Paraphernalia  |
| 9.961.574(1) & (2) | Manufacture or Delivery of Drug Paraphernalia   |
| 9.961.575(1) & (2) | Delivery of Drug Paraphernalia to a Minor”  |

**Section II:** Section 9.02(e) of the Municipal Code of the City of Dodgeville shall be and hereby is amended to read as follows:

“(e) *Penalty Provision.* Any person who violates this section shall be subject to a forfeiture as set forth in sec. 25.04.”

**Section III:** Section 9.03(b)-(d) of the Municipal Code of the City of Dodgeville shall be and hereby is amended to read as follows:

“(b) *Exceptions.* Section (a) shall not apply to:

(1) A person hunting with a bow and arrow or a crossbow except:

- a. No person may hunt with a crossbow or bow and arrow within 100 feet of a building located on another person's land unless the person who owns the land on which the building is located allows the hunter to hunt within 100 feet of the building. For purposes of this subsection, "building" means a permanent structure used for human occupancy and includes a manufactured home.
- b. No person may hunt with a crossbow or bow and arrow in any City park or other property owned by the City.

(2) A person engaged in an activity (e.g., Civil War reenactment) authorized by the Council if the object, arrow, stone, snowball, BB, pellet, or other missile or projectile is a reasonably necessary tool or prop for the person engaged in such activity authorized by the Council or the Council's designee.

(3) Use of duly supervised rifle or pistol or archery ranges, shooting galleries or shooting or archery competitions or archery activities on private property under the direct personal supervision of a parent or an adult guardian or sponsoring organization or entity further than 100 feet of neighboring building unless permitted by the neighbor.

(c) The Chief of Police or their designee shall be authorized to grant exceptions to this section, in the sole discretion of the Chief of Police or their designee, when said exception is requested no less than three (3) business days prior to the date the activity will take place. By receiving an exception to this section, the person(s) receiving the exception agree to indemnify, defend and hold the City harmless for any acts and/or omission of the indemnifying party and its officers, agents, participants, partners, affiliates, representatives and volunteers, as applicable, as it may relate to activity that will be performed as a result of the exception.

(d) *Penalty.* Any person who shall violate any provision of this section shall, upon conviction, be subject to a forfeiture as set forth in sec. 25.04.”

**Section IV:** Section 9.04(a) of the Municipal Code of the City of Dodgeville shall be and hereby is amended to read as follows:

*“(a) Definitions.*

- (1) *“Marijuana”* means all parts of the plants of the genus Cannabis, whether growing or not, the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin, including tetrahydrocannabinols. *“Marijuana”* does include the mature stalks if mixed with other parts of the plant, but does not include fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil or cake or sterilized seed of the plant which is incapable of germination. *“Marijuana”* does not include hemp.
- (2) *“Hemp”* means the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomer, whether growing or not, with a delta-9-tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis or the maximum concentration allowed under federal law up to 1 percent, whichever is greater, as tested using post-decarboxylation or other similarly reliable methods. *“Hemp”* does not include a prescription drug product that has been approved by the U.S. food and drug administration.”

**Section V:** Section 9.041(b), (b)(1), and (b)(10) of the Municipal Code of the City of Dodgeville shall be and hereby is amended to read as follows:

*“(b) Definitions.* For the purpose of construction and application of Sections 9.041, 9.042, and 9.044, the following definitions shall apply:

- (1) *“Cigarette”* has the meaning given in Wis. Stat. § 139.30(1m).
- (10) *“Vapor Product”* has the meaning given in Wis. Stat. § 139.75(14).”

**Section VI:** Section 9.042(a), (d)(1)b., and (d)(2) of the Municipal Code of the City of Dodgeville shall be and hereby is amended to read as follows:

*“(a) Definition.* The definitions set forth in Wis. Stat. § 134.66(1) and sec. 9.041 of this Code are hereby adopted by reference and made apart hereof.

*(d) Penalties.*

- (1)
  - b. A person who commits a violation is subject to a forfeiture as set forth in sec. 25.04.
- (2) Whoever violates sub.(b)(2) above shall be subject to a forfeiture as set forth in sec. 25.04.”

**Section VII:** Section 9.044(a) of the Municipal Code of the City of Dodgeville shall be and hereby is amended to read as follows:

*“(a) Prohibition.* It shall be unlawful for any person to use any cigarettes, tobacco products, or vapor products on premises owned or rented by or under the control of a school board, except on premises which the school board has rented to other non-educational purposes and has permitted the use of cigarettes, tobacco products, and vapor products on such premises.”

**Section VIII:** Section 9.045(b) of the Municipal Code of the City of Dodgeville shall be and hereby is amended to read as follows:

*“(b) Penalties.* Any person who violates this section relating to the prohibition of smoking in various enclosed places shall be subject to a forfeiture as set forth in sec. 25.04 for each violation. As prescribed by the State statutes, a warning notice shall be issued to the “person in charge” for the first violation.”

**Section IX:** Section 9.05(c)(2)b., (c)(2)g., (c)(3), and (e) of the Municipal Code of the City of Dodgeville shall be and hereby is amended to read as follows:

*“(c) Possession or Use.*

(2) Paragraph (c)(1) above does not apply to:

b. The possession or use of explosives in accordance with rules or general order of the department of safety and professional services.

g. Except as provided in par. (c)(3) below, the possession of fireworks while transporting the fireworks to a city, village, or town where the possession of the fireworks is authorized by permit or ordinance.

(3) Paragraph (a) above applies to a person transporting fireworks under par. (c)(2)g above if , in the course of transporting fireworks through the City, the person remains in the City for a period of at least 12 hours.

*(e) Penalties.*

(1) A person who violates subs. (b) or (c) above shall be subject to a forfeiture as set forth in sec. 25.04.

(2) A parent or legal guardian of a minor who consents to the use of fireworks by the minor shall be subject to a forfeiture as set forth in sec. 25.04.”

**Section X:** Section 9.10 of the Municipal Code of the City of Dodgeville shall be and hereby is amended to read as follows:

**“Sec. 9.10 Keeping of Livestock and Poultry Regulated**

No person shall keep or maintain any poultry or fowl, or any livestock such as horses, cattle, sheep, or goats in the City, except in agricultural zoning districts or pursuant to a chicken license issued under sec. 12.16.”

**Section XI:** Section 9.17(d) of the Municipal Code of the City of Dodgeville shall be and hereby is amended to read as follows:

“(d) *Penalty.* Any person who shall violate this section shall, upon conviction be subjected to a forfeiture as set forth in sec. 25.04.”

**Section XII:** Section 9.19(a)(1) of the Municipal Code of the City of Dodgeville shall be and hereby is amended to read as follows:

“(a) *Hazardous Substance Spills.*

(1) *DNR Notification Required.* Any person who possesses or controls a “hazardous substance,” as defined in §292.01, Wis. Stats., which has been discharged or spilled, or who causes the discharge or spilling of such hazardous substance, shall immediately notify the Wisconsin Department of Natural Resources of any such spill or discharge as required in §292.11, Wis. Stats.”

**Section XIII:** Section 9.21(b) of the Municipal Code of the City of Dodgeville shall be and hereby is amended to read as follows:

“(b) No person shall bring, or cause to be brought, upon school property any intoxicating liquor, fermented malt beverage or controlled substance, as defined in Ch. 961, Wis Stats., excepted and unless with written consent of the school principal.”

**Section XIV:** Section 9.22(b)(7)c.-d., (c)(3)-(4), and (e)(2)a of the Municipal Code of the City of Dodgeville shall be and hereby is amended to read as follows:

“(b)*Citation.* The citation shall contain the following:

(7) A statement which, in essence, informs the alleged violator, as follows:

c. If a cash deposit is made and the alleged violator does not appear in court, he or she will be deemed to have tendered a plea of no contest and submitted to a forfeiture, plus costs, fees, and surcharges imposed under Ch. 814, Wis. Stats., not to exceed the amount of the deposit or, if the court does not accept the plea of no contest, a summons shall be issued demanding him or her to appear in court to answer the complaint.

d. If no cash deposit is made and the alleged violator does not appear in court at the time specified, the court may issue a summons or warrant for the violator’s arrest or consider the



nonappearance to be a plea of contest and enter judgment, or an action may be commenced to collect the forfeiture, plus costs, fees, and surcharges imposed under Ch, 814 Wis. Stats.

*(c) Deposits.*

(3) The costs, fees, and surcharges imposed under Ch. 814 Wis. Stats., shall be added to all forfeitures hereunder, except where said forfeitures are derived from citations issued for violations of ordinances for which State law controls or for ordinances involving nonmoving traffic violations. Said assessments shall be in an amount determined after deducting the court costs.

(4) The deposit, including costs, pertaining to any minor receiving a citation under this section shall in no event exceed the maximum penalties provided in Ch. 48, Wis. Stats., plus the costs, fees, and surcharges imposed under Ch. 814 Wis. Stats., except that such costs, fees, and surcharges shall not be assessed against minors unless Wisconsin law so provides.

*(e) Issuance of Citation*

*(2) City Officials.*

a. The Building Inspector, the Director of Public Works, the Zoning Administrator, the Fire Chief, the Fire Inspector and the Weed Commissioner may issue citations with respect to those sections of this Code which are directly related to their responsibilities.”

**Section XV:** Section 9.24(a)(2) and (b)(1)a. of the Municipal Code of the City of Dodgeville shall be and hereby is amended to read as follows:

*“(a) Prohibition of Truancy.* A person under 18 years of age is prohibited from being a truant.

*(2) Penalty.* Upon finding that a person under the age of 18 is a truant, the Court shall enter an order for a forfeiture as set forth in sec. 25.04, subject to §938.37, Wis. Stats., and subject to a maximum cumulative forfeiture amount of not more than \$500.00 for all violations committed during a school semester. All or part of the forfeiture plus costs may be assessed against the person, the parents or guardian of the person, or both.

*(b) Prohibition of Habitual Truancy.* A person is prohibited from being a habitual truant.

*(1) Definitions.* For purposes of this subsection.

a. *“Habitual Truant.”* A pupil who is absent from school without an acceptable excuse under §118.15, Wis. Stats., for part or all of 5 or more days on which school is held during a school semester.”

**Section XVI:** Section 9.25 of the Municipal Code of the City of Dodgeville shall be and hereby is amended to read as follows:

**“Sec. 9.25 Penalty**

Any person who shall violate any provision of this chapter shall be subject to a penalty as provided in sec. 25.04 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 od 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.”

**Section XVII:** This ordinance shall become effective upon its passage and publication as required by law.

Adopted and approved this 17th day of September 2024.

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Barry N. Hottman, Mayor

ATTEST:

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Lauree Aulik, City Clerk

Date Adopted: \_\_\_\_\_  
Date Published: \_\_\_\_\_  
Effective Date: \_\_\_\_\_