

Ordinance No. 1959-2026

**ORDINANCE AMENDING 9.01 –
OFFENSES AGAINST STATE LAWS SUBJECT TO FORFEITURE**

WHEREAS, Chapter Nine of the Municipal Code contains, by incorporation, portions of the State's Criminal Code; and,

WHEREAS, State Statutes are regularly amended, repealed and recreated; and,

WHEREAS, it is deemed proper and necessary to update the Municipal Code to parallel current State Statutes;

WHEREAS, Ordinance 1684 was adopted by the Common Council of the City of Kaukauna, repealing 9.944.30, 9.944.31, and 9.944.33(1);

WHEREAS, inadvertently the Municipal Code Section was not updated to reflect the repeal of 9.944.30, 944.31, and 9.944.33(1).

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Kaukauna that Section 9.01, Offenses Against State Laws Subject to Forfeiture, be repealed and recreated to read as follows:

9.01 Offenses Against State Laws Subject To Forfeiture

This section is enacted pursuant to Wis. Stat. § 66.0107 and is intended to conform to and remain consistent with Wisconsin State law. All statutes adopted by reference in this section are adopted as amended from time to time.

The following Wisconsin Statutes, are adopted by reference to define offenses against the peace and good order of the City, provided that such statutes shall be enforced only to the extent authorized by law and only as noncriminal violations subject to a forfeiture as provided in Section 25.04 of this Code.

Statute	Offense
134.71	Violations by secondhand dealers
175.25	Illegal storage of junked vehicles
218.0145	Used cars/prohibited acts
218.0147	Motor vehicles/sale to minor

97.627	Careless smoking
939.05	Parties to crime
939.22	Words and phrases defined
939.32(1)(b)	Attempt
940.60(1)	Battery
941.01	Negligent operation of vehicle
941.10	Negligent handling of burning material
941.12(2) and (3)	Interfering with firefighting
941.13	False alarms
941.20(1)	Reckless use of weapons
941.23	Carrying concealed weapon
941.235	Carrying firearm in public building
941.237	Carrying handgun where alcoholic beverages may be sold and consumed
941.2965	Restrictions on use of facsimile firearms
941.297	Sale or distribution of imitation firearms
941.299	Restrictions on the use of laser pointers
941.315(1), (2) and (5) (a)	Possession, distribution or delivery of nitrous oxide
941.316(1), (2) and (4)	Abuse of hazardous substance
941.35	Emergency telephone calls
941.36	Fraudulent tapping of electric wires or gas or water meters or pipes
941.37(1) and (2)	Obstructing emergency or rescue personnel
942.01	Defamation
942.03	Giving false information for publication
942.05	Opening letters
942.06	Use of polygraphs and similar tests
942.07	Use of genetic tests
942.08	Invasion of privacy
943.01(1)	Criminal damage to property (less than \$2,500.00)

943.014	Demolition of historic building without authorization
943.017(1)	Graffiti
943.07(3) and (4)	Criminal damage to railroads
943.11	Entry into locked vehicle
943.125	Entry into locked coin box
943.13	Trespass to land
943.14	Criminal trespass to dwellings
943.145	Criminal trespass to a medical facility
943.15	Entry onto a construction site or into a locked building, dwelling, or room
943.20	Theft (less than \$2,500.00)
943.21	Fraud on hotel or restaurant keeper, recreational attraction, taxicab operator or gas station (less than \$2,500.00)
943.215	Absconding without paying rent
943.22	Use of cheating tokens
943.23(4m)	Knowingly a passenger in vehicle operated without owner's consent
943.24	Issue of worthless checks (less than \$2,500.00)
943.26(1)	Removing or damaging encumbered real property
943.34	Receiving stolen property (less than \$2,500.00)
943.37	Alteration of property identification marks
943.38(3)	Forgery
943.392	Fraudulent data alteration
943.41(1), (2), (3)(a) to (d), (4)(b), (5), (6)(a), (b) and (d)	Financial transaction card crimes (less than \$2,500.00)
943.46(1), (2), (4)(a) to (c) and (5)	Theft of cable television service
943.47(1), (2), (3)(a) to (c) and (5)	Theft of satellite cable programming
943.50	Retail theft, shoplifting—Less than \$2,500.00
943.55	Removal of shopping cart

943.61	Theft of library material (less than \$2,500.00)
943.62	Unlawful receipt of payments to obtain loan for another (less than \$2,500.00)
943.70	Computer crimes (except acts punishable as felonies)
943.45	Theft of telecommunications service
944.15	Public fornication
944.17	Sexual gratification
944.20	Lewd and lascivious behavior
944.36	Solicitation of drinks prohibited
945.02	Gambling
946.40	Refusing to aid officer
946.41	Resisting or obstructing officer
946.42(1) and (2)	Escape
946.46	Encouraging violation of probation, extended supervision or parole
946.49(1)(a)	Bail jumping
946.495	Violation of nonsecure custody order
946.66	False complaints of police misconduct
946.67	Compounding crime
946.70	Impersonating peace officers
946.72(2)	Tampering with public records and notices
946.75	Denial of right of counsel
947.01	Disorderly conduct
947.011(1), (2) and (3) (a)	Disrupting a funeral or memorial service
947.012	Unlawful use of telephone
947.0125	Unlawful use of computerized communication systems
947.013	Harassment
947.04	Drinking in common carriers
947.06	Unlawful assemblies

947.07	Causing violence or breach of the peace by damaging or destroying a U.S. flag
948.10	Exposing genitals or pubic area
948.11(1), (2)(b), (c), (4) and (5)	Exposing a child to harmful material or harmful descriptions or narrations
948.21	Neglecting a child (except acts punishable as felonies)
948.60(1), (2)(a), (d) and (3)	Possession of a dangerous weapon by a person under 18 years of age
948.61(1), (2)(a), (3) and (4)	Dangerous weapons other than firearms on school premises
951.01- 951.18	Crimes against animals (except acts punishable as felonies)
961.41(3g)	Possession of marijuana. No person shall possess 25 grams or less of marijuana, as defined in Wis. Stats. § 961.01(14), subject to the exceptions in Wis. Stats. § 961.41(3g).
961.573(1) and (2)	Possession of drug paraphernalia
961.574(1) and (2)	Manufacture or delivery of drug paraphernalia
961.575(1) and (2)	Delivery of drug paraphernalia to a minor
961.576	Advertisement of drug paraphernalia

This ordinance shall be in full force and effect from and after its adoption and publication.

Passed and adopted by the City of Kaukauna Common Council this 21st day of July, 2026.

APPROVED:

Anthony J. Penterman, Mayor

ATTEST: _____
Kayla Nessmann, Clerk

