

## CHAPTER 2

### Offenses Against Public Safety and Peace

- 9.2.1 Regulation of Firearms
- 9.2.2 Harassing or Obscene Telephone Calls
- 9.2.3 Sale and Discharge of Fireworks Restricted
- 9.2.4 Loitering Prohibited
- 9.2.5 Disorderly Conduct
- 9.2.6 Possession of Controlled Substances
- 9.2.7 Failure to Obey Lawful Order

#### SEC. 9-2-1 REGULATION OF FIREARMS.

- (a) **Definition.** “Firearms” are herein defined to mean and include all weapons used for the purpose of propelling bullets, shot or other missiles, whether from cartridge, shell or other container, by explosives or compressed air, and shall include, without limitation because of specific enumeration, all forms of shotguns, rifles, revolvers and other similar types of equipment whereby such bullets, shot or missiles are propelled through the air by reason of discharge therefrom by explosives, caps or compressed air.
- (b) **Discharge of Firearms Restricted.**
  - (1) The discharge of firearms and slingshots shall be so controlled that the bullet, shot or missile propelled therefrom shall not pass upon the premises of another, or upon public highways or other public grounds.
  - (2) Firearms shall not be used in such manner as to be in reckless disregard of the lives or property of persons upon the public highways or public grounds of the Town or property of others.
  - (3) The discharge of firearms shall not interfere with the peace, quiet and enjoyment of their property by any neighboring resident.
- (c) **Explosive Devices.** No person shall discharge or detonate any dynamite, nitroglycerin or other explosive within the Town without first obtaining a permit to do so from the Town Clerk.

#### Sec. 9-2-2 HARASSING OR OBSCENE TELEPHONE CALLS.

Whoever commits any of the following acts shall be subject to the general penalty as provided in this Code of Ordinances:

- (a) Makes any comment, request, suggestion or proposal which is obscene, lewd, lascivious or indecent.
- (b) Makes a telephone call, whether or not conversation ensues, with the intent to abuse, threaten or harass any person at the called number or numbers;
- (c) Makes or causes the telephone of another repeatedly or continuously to ring, with intent to harass any person at the called number or numbers;

- (d) Makes repeated telephone calls, during which conversation ensues, solely to harass any person at the called number or numbers;
- (e) Knowingly permits any telephone under his control to be used for any purpose prohibited by this Section;
- (f) In conspiracy or concerted action with other persons, makes repeated calls or simultaneous calls solely to harass any person at the called number or numbers.

**SEC. 9-2-3 SALE AND DISCHARGE OF FIREWORKS RESTRICTED.**

No person shall sell, expose or offer for sale, use, keep, discharge or explode any fireworks except toy pistol paper caps, sparklers and toy snakes within the limits of the Town unless he shall be authorized by a fireworks permit as provided in Title 7 of the Code of Ordinances. The term "fireworks" as used in this Section shall be defined as provided in Sec. 167.10(1), Wis. Stats., and shall be deemed to include all rockets or similar missiles containing explosive fuel.

**SEC. 9-2-4 LOITERING PROHIBITED.**

No person shall loiter or prowl in a place, at a time or in a manner not usual for law abiding individuals under circumstances that warrant alarm for the safety of persons or property in the vicinity. Among the circumstances which may be considered in determining whether such alarm is warranted is the fact the person takes flight upon appearance of a police or peace officer, refuses to identify himself or manifestly endeavors to conceal himself or any object. Unless flight by the person or other circumstances makes it impracticable, a police or peace officer shall, prior to any arrest for an offense under this Section, afford the person an opportunity to dispel any alarm which would otherwise be warranted, by requesting him to identify himself and explain his presence and conduct. No person shall be convicted of an offense under this Subsection if the police or peace officer did not comply with the preceding sentence, or if it appears at trial that the explanation given by the person was true and, if believed by the police or peace officer at the time, would have dispelled the alarm.

**SEC. 9-2-5 DISORDERLY CONDUCT.**

- (a) **Disorderly Conduct Prohibited.** No person within the Town of Packwaukee shall:
  - (1) In any public or private place engage in violent, noisy, riotous, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct which tends to cause or provoke an immediate disturbance of public order or tends to annoy or disturb any other person.
  - (2) Intentionally cause, provoke or engage in any fight, brawl, riot or noisy altercation other than a bona fide athletic contest.
- (b) **Disorderly Conduct With Motor Vehicle.** No person shall make unnecessary and annoying noises with a motor vehicle, including motorcycles and all-terrain vehicles, by squealing tires, excessive acceleration of the engine or by emitting unnecessary and loud muffler noise.
- (d) **Defecating or Urinating in Public Places.** It shall be unlawful for any person to

- (e) defecate or urinate outside of designed sanitary facilities, upon any sidewalk, street, alley, public parking lot, park, playground, cemetery or other public area within the Town, or upon any private property in open view of the public, or in the halls, stairways or elevators of public or commercial buildings, or to indecently expose his person.

**SEC. 9-2-6 POSSESSION OF CONTROLLED SUBSTANCES.**

- (a) **Controlled Substances.** It shall be unlawful for any person to possess a controlled substance contrary to the Uniform Controlled Substances Act, Chapter 161 of the Wisconsin Statutes.
- (b) **Possession of Marijuana.** No person shall possess any amount of marijuana, tetrahydrocannabinol or any derivative thereof, unless the substance was obtained directly from, or pursuant to a valid prescription or order of, a licensed physician or pharmacist for a valid medical purpose.

State Law Reference: Chapter 161, Wis. Stats.

**SEC. 9-2-7 FAILURE TO OBEY LAWFUL ORDER.**

It shall be unlawful for any person to fail to obey the direction or order of a law enforcement officer while such police officer is acting in an official capacity in carrying out his or her duties.