

Chapter 62

Offenses and Miscellaneous Provisions*

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Article I. In General

Section 62-1. State Laws Adopted.

Statutory provisions describing, defining and prohibiting conduct in the following sections and subsections of the state statutes and cross references to other sections and subsections of the state statutes are hereby adopted by reference and made a part of this section with the same force and effect as if fully set forth herein:

| <i>Wisconsin Statute §</i> | <i>Offense</i> |
|----------------------------|--|
| 287.81 | Littering |
| 939.22 | Words and Phrases Defined |
| 940.20 | Battery: Special Circumstances |
| 941.10 | Negligent Handling of Burning Materials |
| 941.12(2), (3) | Interfering with Firefighting Equipment; Interfering with Access to Fire Hydrant |
| 941.13 | False Alarms |
| 941.20(1) | Endangering Safety by Use of Dangerous Weapon |
| 941.23 | Carrying Concealed Weapon |
| 941.24 | Possession of Switch Blade Knife |
| 943.01(1) | Damage to Property (less than \$1,000) |
| 943.13 | Trespass to Land |
| 943.14 | Criminal Trespass to Dwellings |
| 943.20 | Theft |
| 943.50 | Retail Theft (value not greater than \$1,000) |
| 944.20(1) | Lewd and Lascivious Behavior |
| 944.30 | Prostitution |
| 944.31 | Patronizing Prostitutes |
| 944.33(1) | Pandering |
| 945.01 | Definitions |
| 945.02 | Gambling |
| 945.04 | Permitting Premises to be Used for Commercial Gambling |
| 946.41(1), (2) | Resisting or Obstructing an Officer |
| 946.42(1), (2) | Escape |
| 946.70 | Impersonating Peace Officers |
| 946.72(2) | Tampering with Public Records and Notices |
| 947.01 | Disorderly Conduct |
| 947.013(1m), (1r) | Harassment |
| 947.06 | Unlawful Assemblies |
| 948.45 | Contributing to truancy. |
| 951.01 | Definitions |

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|------------|---|
| 951.02 | Mistreating Animals, except that such adoption does not include any actions that constitute felonies as specified in Wisconsin Statute § 951.18(1). |
| 961.573(1) | Possession of Drug Paraphernalia |

Section 62-2. Penalty.

Except as otherwise provided, any person who shall violate any provision of this chapter shall be subject to a penalty as provided in Section 1-14 of this code. In addition to any penalty imposed for violation of Wisconsin Statute § 943.01(1) in Section 62-1, any person who shall cause physical damage to or destroy any public property shall be liable for the costs of replacing or repairing such damaged or destroyed property. The parent or parents of any unemancipated minor child who violates Wisconsin Statute § 943.01(4) may also be held liable for the cost of replacing or repairing such damaged or destroyed property in accordance with Wisconsin Statute § 895.035.

Sections 62-3 – 62-30. Reserved.

Article II. Offences Against Public Peace and Safety

Division 1. Generally

Section 62-31. Disorderly conduct.

(a) *Prohibited.* No person within the City shall:

- (1) In any public place engage in violent, noisy, riotous, abusive, indecent, profane, boisterous, unreasonable 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) *Defecating: urinating in public places.* It shall be unlawful for any person to defecate or urinate outside of designated sanitary facilities, upon any sidewalk, street, alley, public parking lot, park, playground, cemetery or other public area within the city, or upon any private property in open view of the public, or in the halls, rooms without restroom facilities, stairways or elevators of public or commercial buildings, or to indecently expose his person.

Section 62-32. Disorderly Conduct with a motor vehicle prohibited.

(a) *Unnecessary noise and display of power.* It shall be unlawful for any person to operate a motor vehicle in such a manner which shall make or cause to be made any loud, disturbing or unnecessary sounds or noises such as may tend to annoy or disturb another in or about any public or private area in the City.

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- (b) *Compression brakes.* No person shall use motor vehicle brakes, which are in any way activated or operated by the compression of the engine of such motor vehicle or any unit or part thereof. This prohibition shall not apply to emergency police, fire and ambulance vehicles. It shall be an affirmative defense to prosecution under this subsection that compression brakes were applied in an emergency or were necessary for the protection of persons or property where means of protection were not available or feasible.
- (c) *Unnecessary smoke.* It shall be unlawful for any person to operate a motor vehicle in such a manner which shall make or cause to be made any smoke, gases or odors which are disagreeable, foul or otherwise offensive which may tend to annoy or disturb another in or about any public or private area in the City.
- (d) *Unnecessary acceleration.* It shall be unlawful for any person to operate a motor vehicle in such a manner which shall make or cause to be made any stones, gravel, soil, dirt, water, snow, slush, ice, rubber or any other debris to be thrown by the wheels of such motor vehicle upon the person or property of any private or public entity in the City, or for the driver to make any unusual move, turns, or stops with a motor vehicle, including excessive acceleration or any sudden veering or acceleration of a vehicle that would alarm or the safety of any pedestrian or other vehicular traffic.
- (e) *Avoidance of traffic control device.* It shall be unlawful for any person to operate a motor vehicle in such a manner as to leave the roadway and travel across private property to avoid an official traffic control device, sign or signal.
- (f) *Operation in restricted area.* It shall be unlawful for any person to operate a motor vehicle in such a manner as to leave the roadway and park, stop or travel upon or across any public or private property, parking lot, driveway, or business service area for any purpose, except the official conduct of business located on said property without the consent of the owner or lessee of the property. This section shall specifically include, but not limited do:
- (1) Public park property;
 - (2) Cemetery properties;
 - (3) School district property;
 - (4) Medical facilities;
 - (5) Funeral homes;
 - (6) Service stations;
 - (7) Grocery Stores;
 - (8) Restaurants;
 - (9) Financial institutions; and
 - (10) Other similar-type businesses with service driveways or drive-up or drive-through facilities.
- (g) *Stopping and parking.* It shall be unlawful for any person to stop or park a motor vehicle in any manner on any public or private property or parking lot contrary to a regulatory sign posted

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thereon which may permit parking by certain persons and limits, restricts, or prohibits parking as to other persons without the consent of the owner or lessees of the property. Any vehicle parked in violation of this section may be removed or towed by the property owner at the vehicle owner's expense.

Section 62-33. (1) Entry into vehicle of another.

No person shall intentionally enter the enclosed portion or compartment of the vehicle of another, regardless of whether locked or otherwise secured, without consent of the owner or person lawfully in possession and control of the vehicle.

Section 62-33. (2) Possession of Marijuana.

- (a) **Definitions.** In this ordinance the following definitions are included and incorporated by reference as follows:
- (1) *Marijuana* (defined as tetrahydrocannabinols under Section 961.14(4) of the Wisconsin statutes) has the same meaning as the definition found in Section 961.01(14)
- (b) **Determination**
- (1) The weight of the substance for purposes of subsection (3)(b)(i) of this section includes the tetrahydrocannabinols and the weight of any marijuana that contained the tetrahydrocannabinols.
- (c) **Use or Possession**
- (1) No person may possess or attempt to possess tetrahydrocannabinols included under Section 961.41(4)(t) of the Wisconsin statutes, except as provided in Section 961.41(3g) (intro)
 - (2) This ordinance shall not apply to any person who:
 - i. Is charged with possession of more than 5 grams of marijuana.
 - ii. Is charged with possession of any amount of marijuana following a conviction for possession of marijuana, in this state.

Section 62-34. Prohibition against Public Intoxication.

- (a) *Intent and Purpose.* It is the policy of the City of Tomahawk to comply with Chapter 51, Wisconsin Statutes, as well as to provide for the safety, welfare and health of the public as is permitted under Section 62.11(5), Wisconsin Statute, while prohibiting certain harmful conduct of intoxicated persons. Being publicly intoxicated makes a person vulnerable to injury, robbery, assault and a number of other difficulties. This section addresses the behavior of the individual rather than his or her blood alcohol content level, thus encouraging responsible behavior while consuming alcohol, providing a benefit to both the individual and the public. Nothing in this ordinance is intended to contradict those elements proscribed under Chapter 51, Wisconsin Statute.
- (b) *Definitions.* The following terms shall be defined as follows in this Section:
- (1) *Controlled Substance.* A substance as defined in Section 961.01(4), Wisconsin Statute.
 - (2) *Controlled Substance Analog.* A substance as defined in Section 961.01 (4m), Wisconsin Statute.

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- (3) *Incapacitated Person.* A person, who as a result of the use of alcohol, a controlled substance, a controlled substance analog or any combination of an intoxicant, a controlled substance and a controlled substance analog is unconscious or whose judgement is so impaired that he or she is incapable of making a rational decision, as evidenced objectively by indicators such as extreme physical debilitation, physical harm or threats of harm to him or herself or to any other person, or to property.
 - (4) *Intoxicated Person.* A person whose mental or physical functioning is substantially impaired as a result of the use of alcohol, a controlled substance, a controlled substance analog or any combination of an intoxicant, a controlled substance and a controlled substance analog.
 - (5) *Public Place.* A place to which the public has access, and includes, but not limited to, places owned or controlled by the City, county or state, any public street, highway, sidewalk, parking lot, alley, parks, schools, places of worship and places of business. Places of business include premises open to the public where alcohol is consumed including a licensed alcohol establishment.
 - (6) *Public Nuisance.* Conduct by an individual that is a disturbance of the peace, including, but not limited to, endangering him or herself or other persons or property, engaging in behavior that is disruptive, harassing or threatening in nature to other persons, acting in an unruly or combative manner, creating loud noises to the disturbance of other persons, refusing to follow the instructions of a law enforcement or community service officer, refusing to follow the instructions of a law enforcement or community service officer, refusing to follow the instructions to leave a place of business by the owner, employee or other person in charge thereof, or otherwise disturbing the peace in any public place.
- (c) *Intoxication in Public Places Prohibited.* No person shall, in a public place, conduct him or herself in such a manner as to be an intoxicated or incapacitated person and to create a public nuisance.

Section 62-35. Social Host

- (a) **Intent and Purpose.** The Common Council intends to discourage underage possession and consumption of alcohol, even if done within the confines of a private residence, and intends to hold persons civilly responsible who host events or gatherings where persons under 21 years of age possess or consume alcohol regardless of whether the person hosting the event or gathering supplied the alcohol. The Common Council finds:
- (1) Events and gatherings held on private or public property where alcohol is possessed or consumed by persons under the age of 21 are harmful to those persons and constitute a potential threat to public health requiring prevention or abatement.
 - (2) Prohibiting underage consumption acts to protect underage persons, as well as the general public, from injuries related to alcohol consumption, such as alcohol overdose or alcohol related traffic collisions.
 - (3) Alcohol is an addictive drug which, if used irresponsibly, could have drastic effects on those who use it as well as those who are affected by the actions of an irresponsible user.

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- (4) Often, events or gatherings involving underage possession and consumption occur outside the presence of parents. However, there are times when the parent(s) is/are present and condone the activity, and in some circumstances, provide the alcohol.
- (5) A deterrent effect will be created by holding a person responsible for hosting an event or gathering where underage possession or consumption occurs.

(b) **Definitions.** The following terms shall be defined as follows in this Section

- (1) *Control* means the power to direct, manage, oversee, supervise, organize, conduct and shall also mean hosting, allowing, permitting or sponsoring. A person need not be present on the premises to be in control.
- (2) *Event or Gathering* means any group of three or more persons who have assembled or gathered together for a social occasion or other activity.
- (3) *Host or Allow* means to aid, conduct, entertain, organize, supervise, control or permit a gathering or event.
- (4) *Knowingly Permit* means there must be evidence or a reasonable inference from evidence that the person knew or should have known that consumption of alcoholic beverages would occur.
- (5) *Premises* shall have the meaning under Section 12.02(14m) of the Wisconsin Statute, and shall also include all public or private property, regardless of whether said property is described in a license or permit.
- (6) *Public or Private Location* means any home, yard, farm, field, land, apartment, condominium, hotel or motel room or other dwelling unit, or a hall or meeting room, park or any other place of assembly, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically for a party or other social function, and whether owned, leased, rented or used with or without permission or compensation.
- (7) *Underage Person* is any individual under 21 years of age.

(c) **Prohibited Acts.** No person may host or allow an event or gathering at any premises or public or private location under the person's control, where alcohol is present, and knowingly permit or fail to take reasonable steps to prevent the possession or consumption of alcohol by an underage person. This subsection does not apply to legally protected religious observances.

- (1) A person is responsible for violating this Section if the person intentionally aids, advises, hires, counsels or conspires with or otherwise procures another to commit the prohibited act.
- (2) A person who hosts an event or gathering does not have to be present at the event or gathering to be responsible.

(d) **Exceptions**

- (1) This Chapter does not apply to conduct solely between an underage person and his or her parents while the parent is present and in control of the underage person.
- (2) This Chapter does not apply to situations where underage persons are lawfully in possession of alcohol or alcoholic beverages during the course and scope of employment.

Section 62-36-50. Reserved.

Division 2. Fireworks*

Section 62-51. Sale and Discharge Restricted.

Wisconsin Statute § 167.10, regulating the sale and use of fireworks, exclusive of any penalty imposed thereby, is adopted by reference and made a part of this section as though set forth in full.

Sections 62-52 – 62-70. Reserved.

Division 3. Noise.

Section 62-71. Loud and Unnecessary Noise Prohibited.

- (a) No person shall make or cause to be made any loud, disturbing or unnecessary sounds or noises such as may tend to annoy or disturb another in or about any public street, alley, park or any private residence.
- (b) No person shall operate a motor vehicle so as to cause the tires thereof to squeal, the horn to blow or the motor to race excessively.

Section 62-72. Loitering or Prowling.

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 that the person takes flight upon appearance of a police or peace officer, refuses to identify him or herself or manifestly endeavors to conceal him or herself or any object. Unless flight by the person or other circumstance makes it impractical, a police or peace officer shall prior to any arrest for an offense under the section afford the person an opportunity to dispel any alarm which would otherwise be warranted by requesting him or her to identify him or herself and explain his or her 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 expectation given by the person was true and, if believed by the police or peace officer at the time, would have dispelled the alarm. Any person violating this section shall be subject to the penalty as set out in Section 62-155.

Section 62-73. Trespass on Private Property.

No person shall enter onto private property in the city of Tomahawk without the invitation of the owner or occupant of the property, and no person shall remain on those premises after the owner or

occupant or his or her agent has requested the person to leave the property. For the purpose of this ordinance, the owner or occupant of any business is deemed to have an open invitation to the general public to enter such business until the person has been requested to leave by the owner, occupant or his or her agent.

For the purpose of this ordinance, any property owner or person in possession may designate the Tomahawk police department as its agent for the purposes of warning persons who have trespassed onto that person's property to remove themselves. The chief of police shall provide forms designating his or her department as agent for this purpose. Any person violating this section shall be subject to the penalty as set out in Section 62-155.

Section 62-74. Obstruction of Private Doorways.

No person shall obstruct private doorways by his or her own actions or in combination with others, after the police or other peace officer has requested the person or persons to stop the obstruction and their refusal to do so. Any person violating this section shall be subject to the penalty as set out in Section 62-155.

Sections 62-75 – 62-90. Reserved.

Division 4. Open Cisterns, Wells, Basements or Other Dangerous Excavations

Section 62-91. Capping and Filling Wells or Similar Structures.

- (a) The owner of any real estate shall securely protect any well, seepage pit, cistern, cesspool, septic tank, or other similar structures in active use with a cover of concrete, metal or wood covered with sheet metal, securely fastened and of sufficient weight so it cannot be removed by small children and so as to make it free from danger to persons going upon such real estate.
- (b) Whenever any shallow dug well, seepage pit, cistern, cesspool or septic tank is abandoned or its use discontinued, the owner of the real estate upon which it is located shall promptly fill the same to grade.
- (c) Whenever any drilled, bored or deep dug well, except test wells of ten inches or less in diameter, is abandoned or its use discontinued, the owner of the real estate upon which it is located shall promptly fill the same, either with alternate layers of sand or clay and concrete, and seal with a concrete cover at least five inches thick, or in accordance with recommendations of the department of health and family services.
- (d) Whenever any mine shaft, exploration shaft or test well is abandoned or its use discontinued, the operator or contractor shall promptly fill same to grade or enclose the same with a fence of strong woven wire not less than 46 inches wide with one barbwire above or cap same with a reinforced concrete slab at least six inches thick or with a native boulder at least three times the diameter of the top of the shaft or test well bore. The strands of the woven wire shall not be smaller than Number 12 wire and the cross wires and meshes shall not be smaller than Number 16 wire. The strands shall not be more

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than 12 inches apart, and the meshes shall not exceed eight inches square. All wires must be tightly stretched and securely fastened to sufficient posts firmly set not more than eight feet apart. In case any person shall neglect to repair or rebuild such fence which the person is so required to build and maintain, any person may complain to the department of commerce or to the local governing body, which shall give notice in writing to the person who is required to build and maintain such fence. The department of commerce or the local governing body shall then proceed to examine the fence, and if it shall determine that such fence is insufficient, it shall notify the person responsible for its erection and maintenance and direct the person to repair or rebuild the fence within such time as it shall deem reasonable. Any person refusing to comply with such order shall be subject to the penalties provided.

- (e) Existing abandoned mine shafts, exploration shafts or test wells shall be securely protected by owner of the real estate upon which it is located.

Sections 62-92 – 62-110. Reserved.

Division 5. Abandoned or Unattended Iceboxes, Etc.

Section 62-111. Refrigerators and Iceboxes.

Any person who discards or abandons any refrigerator, icebox or deep freeze locker, having a capacity of 1½ cubic feet or more, which is no longer in use, and which has not had the door removed, or such portion of the latch mechanism removed to prevent latching or locking of the door, is guilty of a misdemeanor. Any owner, lessee or manager who knowingly permits such a refrigerator, icebox or deep freeze locker to remain on premises under his or her control without having the door removed or such portion of the latch mechanism removed to prevent latching or locking of the door is guilty of a misdemeanor.

(Code 1989, § 9.15)

Sections 62-112 – 62-122. Reserved.

Section 62-123. Sport or Exercise Prohibited.

No person shall engage in any sport or exercise, alone or with others, regardless of whether such activity involves the use of equipment, on the streets and sidewalks in the following area, to-wit, bounded on the North by Somo Avenue, on the West by Railway Street, on the South by Spirit Avenue, and on the East by 4th Street. For the purpose of this ordinance, walking and jogging shall not be considered a sport or exercise, and shall be permitted. No person shall be convicted of a violation of this section unless such a person has been warned by a police or peace officer that his or her conduct is in violation of this ordinance, and such person fails to comply with the request to stop such behavior. Any person violating this section shall be subject to the penalty as set out in Section 62-155.

Division 6. Menacing or Aggressive Panhandling Prohibited

Sections 124. Menacing or Aggressive Panhandling Prohibited

1. Purpose. The purpose of this ordinance is to ensure unimpeded pedestrian traffic flow, to maintain and protect the physical safety and well-being of pedestrians and to otherwise foster a safe and harassment-free climate in public places in the City of Tomahawk.
2. Definition. As used in this section:
 - a. "Intersection" has the meaning designated in Section 340.01(25), Wisconsin Statute.
 - b. "Public place" or "Place open to the public" is an area generally visible to public view and includes streets, sidewalks, bridges, alleys, plazas, parks, driveways, parking lots, automobiles (whether moving or not), and buildings open to the general public including those which serve food or drink, or provide entertainment, and the doorways or entrances in buildings or dwellings and the grounds enclosing them.
 - c. "Known panhandler" means a person who within one year previous to the date of arrest for violation of this section has been convicted in a court of competent jurisdiction or any civil or criminal defense involving panhandling.
 - d. A conversation or gesture or both shall be constructed as "threatening" if a reasonably prudent individual would perceive such conduct as intending to result in the procurement of money or goods by threat or coercion.
 - e. Behavior shall be construed as "aggressive" or "intimidating" if a reasonably prudent individual could be deterred from passing through or remaining in or near any thoroughfare, or place open to the public because of fear, concern or apprehension.
3. In or near any thoroughfare or place open to the public, no person either individually or as part of a group shall procure or attempt to procure a handout from another in a manner or under circumstances manifesting an express or implied threat or coercion. Among the circumstances which may be considered in determining whether such purpose or behavior is manifested are the following: that such person is a known panhandler; that such person repeatedly and in a threatening fashion, beckons to, stops, or attempts to stop passer(s)-by; that such person engages passer(s)-by in threatening conversation; or that such person utilizes threatening bodily gestures. The violator's conduct must be such as to demonstrate a specific intent to induce, solicit, or procure from another goods or money by threat or coercion. No arrest shall be made for a violation of this subsection unless the arresting officer first affords such person an opportunity to explain such conduct, and no one shall be convicted of violating this subsection if it appears at trial that the explanation given was true and disclosed a lawful purpose.
4. In or near any thoroughfare or place open to the public, no person either individually or as part of a group shall procure or attempt to procure a handout from another in an aggressive or intimidating manner. Among the circumstances which may be considered in determining whether such purpose or behavior is manifested are the following; that such person is a known panhandler; that such person continues to beckon to, accost or follow or ask passer(s)-by for a handout after the passer(s)-by has failed to respond or has told the person "no"; that such person engages in a course of conduct or

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commits any act which harasses or intimidates the passer(s)-by; or that such person utilizes or attempts to utilize bodily gestures or physical contact to impede the path of any passer(s)-by, including but not limited to unwanted touching or blocking the path or impeding the free movement of the passer(s)-by. The violator's conduct must be such as to demonstrate a specific intent to induce, solicit, or procure from another goods or money by aggressive or intimidating behavior. No arrest shall be made for a violation of this subsection unless the arresting officer first affords such person an opportunity to explain such conduct, and no one shall be convicted of violating this subsection if it appears at trial that the explanation given was true and disclosed a lawful purpose.

5. It shall be unlawful for any person to procure or attempt to procure a handout within fifty (50) feet of an automatic teller machine (ATM) or within twenty-five (25) feet of any open sidewalk café.
6. It shall be unlawful for any person, after having been warned that such activity is prohibited, to procure or attempt to procure a handout within twenty-five (25) feet of an intersection or within twelve (12) feet of any building that contains nonresidential uses or within twenty (20) feet of any building entrance that contains nonresidential uses.
7. It shall be unlawful for any person to sit or recline on a public sidewalk with an intent to procure or attempt to procure a handout.
8. Penalty. Any person violating this section shall be subject to a forfeiture of not less than \$10 nor more than \$200, notwithstanding any provision of this chapter setting a different penalty.
9. Severability. The provisions of this section are severable. If any provision of this section is held to be invalid or unconstitutional or if the application of any provision of this section to any person or circumstance is held to be invalid or unconstitutional, such holding shall not affect the other provisions or applications of this section which can be given effect without the invalid or unconstitutional provisions or applications. It is hereby declared to be the intent of the Common Council that this section would have been adopted had any invalid or unconstitutional provision or applications not been included herein.

Sections 125-130. Reserved.

Article III. Minors*

Division 1. Generally

Sections 62-131 – 62-150. Reserved.

Division 2. Curfew

Section 62-151. Curfew Hours.

Curfew Hours, for the terms of this ordinance means: for minors who are 14 years of age and under the age of 18 years, the hours between 11:00 P.M. and 6:00 A.M., of what would be the following day. For minors under the age of 14 years the hours between 10:00 P.M. and 6:00 A.M. of the following day.

Section 62-152. Offenses.

- (1) It shall be unlawful for any minor as referred to in Section 62-151 to congregate, occupy or remain in or upon the public streets, highways, roads, alleys, parks, public buildings, places of amusement and entertainment, vacant lots or any other public places in the city of Tomahawk, either on foot or in any
- (2) A parent or guardian of a minor commits an offense if he or she willingly permits or by insufficient control allows a minor to remain in the public place or upon the premises of an establishment as set out in this subsection within the city during the hours of curfew.

Section 62-153. Defenses.

- (a) It is a defense to the prosecution of any violation of this ordinance if the minor is included in any of the following:
 - (1) Accompanied by or supervised by the minor's parents, guardian, or some other adult person;
 - (2) On errand at the direction of the minor's parent or guardian;
 - (3) In a motor vehicle involved in interstate travel;
 - (4) Engaged in any employment activity or going to or returning home from an employment activity;
 - (5) Involving an emergency;
 - (6) On a sidewalk or area abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the police department about the minor's presence;

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- (7) Attending a school, religious or other recreational activity supervised by adults, and sponsored by the city, a religious organization, civic organization or such similar entity that has responsibility for the minor, or going directly to or returning directly home from an official school, religious or other recreational activity sponsored by the city, a civic organization, religious entity or other similar entity.

Section 62-154. Enforcement.

Before taking any enforcement action under this section, the police officer shall ask the apparent offender's age and the reason for being in a public place, and the officer shall not issue a citation under this section unless the officer reasonably believes that an offense has occurred and that based upon any response and/or other circumstances no defense is present.

Section 62-155. Penalties.

A person who violates any provision of this ordinance is guilty of one offense for each curfew period, as defined in Section 62-151, violated. Each offense upon conviction is punishable by a forfeiture not to exceed \$50 for the first offense, nor \$200 for any subsequent offense.

Sections 62-156 – 62-170. Reserved.

Division 3. School Truancy

Section 62-171. Prohibition of Habitual Truancy or Truant

A child is prohibited from being either a habitual truant or truant.

Section 62-172. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Acceptable Excuse means an acceptable excuse as defined in Wisconsin Statute §§ 118.15, 118.16(4).

Habitual Truant means a pupil who is absent from school without an acceptable excuse for part or all of five or more days on which school is held during the school semester.

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.

Section 62-173. Penalty – Habitual Truant.

Upon finding that a child is a habitual truant, the court shall enter a dispositional order making one or more of the following dispositions authorized by Wisconsin Statute § 118.163 and/or Wisconsin Statute § 938.342, or their successor statutes:

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- (1) Suspend the child's operating privilege, as defined in Wisconsin Statute § 340.01(40), for not less than 30 days nor more than one year. The judge shall immediately take possession of the suspended license and forward it to the state department of transportation, together with notice stating the reason for and duration of the suspension.
- (2) Order the child to participate in counseling, community service or a supervised work program under Wisconsin Statute § 938.34(5g). The costs of any such counseling, supervised work program or other community service work may be assessed against the person, the parent or guardian of the person or both.
- (3) Order the child to remain at home except during the hours in which the child is attending religious worship or a school program, including travel time required to get to and from the school program or place of worship. The order may permit a child to leave his or her home if the child is accompanied by a parent or guardian.
- (4) Order the child to attend school or an educational program under Wisconsin Statute § 938.34(7d), or its successor statute.
- (5) Order the Department of Workforce Development to revoke, under Wisconsin Statute § 103.72, a permit under Wisconsin Statute § 103.70, authorizing the employment of the child.
- (6) Order the child to be placed in a teen court program as described in Wisconsin Statute § 938.342(1g) (f).
- (7) Impose a forfeiture not to exceed \$500 plus costs, subject to Wisconsin Statute § 938.37. All or part of the forfeiture plus costs may be assessed against the child, the parents or guardian of the child, or both.
- (8) Impose any other reasonable conditions consistent with this section, including a curfew, restrictions as to going to or remaining on specified premises and restrictions on associating with other children or adults.
- (9) Order the child to be placed under formal or informal supervision, as described in Wisconsin Statute § 938.34(2), for up to one year.
- (10) Order the child's parent, guardian, or legal custodian to participate in counseling at the parent's, guardian's or legal custodian's own expense or to attend school with the child, or both.
- (11) In the event that the child violates the dispositional order issued pursuant to this section, the court may issue an order for sanctions, including secure detention, pursuant to Wisconsin Statute § 938.355(6m). Or the municipal court may petition the court assigned to exercise jurisdiction under Wisconsin Statute, Chapters 48 and 938 for an order for sanctions, including secure detention, pursuant to Wisconsin Statute § 938.355(6m).

Section 62-174. Same – Truancy.

Upon finding that a child is truant, the court may enter a dispositional order making one or more of the following dispositions authorized by Wisconsin Statute §118.163, or its successor statute:

- (1) An order for the child to attend school.
- (2) A forfeiture of not more than \$50 plus costs for a first violation, or a forfeiture of not more than \$100 plus costs for any second or subsequent violation committed within 12 months of a previous violation, subject to Wisconsin Statute § 938.37, and subject to a maximum cumulative forfeiture amount of not more than \$500 plus costs for all violations committed during a school semester. All or part of the forfeiture plus costs may be assessed against the child, the parent or guardian of the child, or both.

Section 62-175. School Attendance.

No person shall, having under his or her control a child who is between the ages of six and 18 years, allow that child to be in noncompliance with Wisconsin Statute § 118.15 or its successor statute.

Section 62-176. Contribution to Truancy.

No person 17 years of age or older, by any act or omission, shall knowingly encourage or contribute to the truancy or habitual truancy of a child. An act or omission contributes to the truancy or habitual truancy of a child, whether or not the child is so adjudged if the natural and probable consequences of that act or omission would be to cause the child to be truant.

Sections 62-177 – 62-190. Reserved.

Division 4. Purchase or Possession of Tobacco Products

Section 62-191. Definitions.

The following words, terms, and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Cigarette means any roll of tobacco wrapped in paper or any substance other than tobacco. (Wis. Stats §.139.30(1m))

Electronic delivery device means any product containing or delivering nicotine or other similar substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. Electronic delivery device includes any device manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name description, or any component part of such product whether or not sold separately. Electronic delivery device does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product and is being marketed and sold solely for such an approved purpose.

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Law Enforcement Officer means any person employed by the state or any political subdivision of the state, for the purpose of detecting and preventing crime and enforcing laws or ordinances and who is authorized to make arrests for violations of the laws or ordinances he or she is employed to enforce.

Nicotine product means products that contains nicotine and is not any of the following:

- (1) A tobacco product
- (2) A cigarette
- (3) A product that has been approved by the United States Food and Drug Administration for the sale as a smoking cessation product or for another medical purpose and is being marketed and sold solely for such approved purchase, as defined in Wis Stats. §134.66.

Smoke or smoking means burning, holding, inhaling, exhaling or carrying any lighted or heated cigar, cigarette, pipe or heated tobacco or plant product intended for inhalation, whether natural or synthetic, in any manner or form. Smoking includes the use of an electronic delivery device which creates and aerosol or vapor, in any manner or form, or the use of any oral smoking device.

Tobacco Products means cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready-rubbed and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps; clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking. However, the term “tobacco products” does not include cigarettes defined under Wisconsin Statute § 139.30(1m).

Section 62-192. Prohibited acts.

Except as provided in Section 62-193, no person under the age of 18 may do any of the following:

- (1) Buy or attempt to buy any cigarette, nicotine, or tobacco product, or other smoking or electronic delivery device.
- (2) Falsely represent his/her age for the purpose of receiving any cigarette, nicotine or tobacco product or other smoking or electronic delivery device.
- (3) Possess any cigarette, nicotine, or tobacco product, or other smoking or electronic delivery device.

Section 62-193. Exceptions, children employed.

A child may purchase or possess cigarettes, nicotine or tobacco products or other smoking or electronic delivery device for the sole purpose of resale in the course of employment during his or her working hours if employed by a retailer licensed under Wisconsin Statute § 134.65(1).

Section 62-194. Confiscation by law enforcement officer.

A law enforcement officer shall seize any cigarette, nicotine or tobacco product or other smoking or electronic delivery device involved in any violation of Section 62-192 committed in his/her presence.

Section 62-195. Penalty.

Penalty for a violation of this division shall not be more than \$50.

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Section 62-196. Regulation of Tobacco Products; Adoption of State Statutes.

The following Statutes restricting and regulating sale and possession of tobacco products are hereby adopted by reference and penalties for the same shall be limited to a forfeiture imposed under the penalty provisions of this Code of Ordinances. Any future amendments or modifications of the statutes are adopted by reference.

| | |
|------------|---|
| 120.12(20) | School Grounds |
| 134.65 | Cigarette and Tobacco Products Retailer License |
| 134.66 | Restrictions on Sale or Gift |
| 254.92 | Compliance Checks |

Penalty. The penalty for violation of this section shall be as stated in Section 1-14 of this Municipal Code.

Section 62-197. Prohibition on Use of Tobacco Products in City Buildings.

No person shall use cigarette, nicotine or tobacco products or other smoking or electronic delivery device of any kind in any enclosed city building.

Sections 62-198 – 62-210. Reserved.

Article IV. Weapons

Section 62-211. Use of Firearms.

No person, except an authorized police officer or person licensed or certified by the state to carry a firearm, shall discharge any firearm or air-gun within the city or have any firearm or air-gun in his or her possession within the city unless it is unloaded and knocked down or enclosed in a carrying case or other suitable container; provided the council may issue permits to a duly organized gun club to engage in target practice within the city at times and places designated by the chief of police.

Section 62-212. Hunting Prohibited.

No person shall hunt any animal within the city with a firearm, bow and arrow or other weapon.

Section 62-213. Throwing or Shooting of Arrows, Stones and Other Missiles Prohibited.

No person shall throw or shoot any object, arrow, stone, snowball or other missile or projectile, by hand or by any other means at any person or at, in or into any building, street, sidewalk, alley, highway, park, playground or other public place within the city, provided the chief of police may issue permits for the use of bows and arrows for target practice if he or she is satisfied public safety is not threatened thereby.

Section 62-214. Exception; Wildlife Overpopulation.

- (a) From time to time, the common council may designate certain areas of the city as being so overpopulated with certain form of wildlife, such as deer, that it may designate those areas as animal nuisance areas, and allow the hunting and destruction of the nuisance animals within that area.
- (b) Prior to the action of subsection (a) of this section, the council shall order the following:
 - (1) Give notice and conduct a hearing and make findings upon that hearing as to whether or not there is sufficient evidence to warrant the designation of a nuisance animal area.
 - (2) Consult with, and if necessary, obtain any necessary permit or authorization from the state and federal government.
 - (3) If any area is designated as a nuisance animal area, the council shall adopt rules governing the destruction of the animals in that area to ensure that it is done safely and in accordance with any permits or regulations of the state or federal government. The council shall also set the limits of the area together with the times that the destruction will be conducted to include the type of weapons and who will be doing the elimination.

Article V. Smoking Prohibited in Certain Areas

Section 62-215. Purpose.

The purposes of this ordinance are:

- (1) To protect the public health and welfare by prohibited smoking in public places and places of employment;
and
- (2) To guarantee the right of non-smokers to breath smoke-free air.

Section 62-216. Definitions.

Bar means an establishment that is devoted to the serving of alcoholic beverages for consumption by guests on the premises and which the serving of food is only incidental to the consumption of those beverages, included but not limited to, taverns, nightclubs, cocktail lounges, and cabarets.

Childcare Facility means any state licensed or county certified child care facility including, but not limited to, licensed family day care or licensed group day care centers, licensed day camps, certified school-aged programs and head start programs.

Educational Facility means any building used principally for educational purposes in which a school is located or a course of instruction or training program is offered that has been approved or licensed by a state agency or board.

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Employee means any person who is employed by any employer for direct or indirect monetary wages or profit, including those full time, part-time, temporary or contacted from a third party; employee also means any person who serves as a volunteer for a business or non-profit entity.

Employer means any person, partnership, Limited Liability Company, corporation or other entity, including a public or non-profit entity who employs the services of one or more individual persons.

Enclosed Area means all spaces between a floor and a ceiling that is closed in on all sides by doors, walls, or windows, whether open or closed, the combination of which extends from the floor to the ceiling. A wall includes any physical barrier, whether temporary or permanent.

Health Care Facility means an office or institution providing care or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological conditions, including but not limited to, hospital, rehabilitation hospitals or other clinics including weight control clinics, nursing homes, long-term care facilities, homes for the aging or chronically ill, laboratories, and offices of surgeons, chiropractors, physical therapists, physicians, psychiatrists, dentists, and all specialists within these professions. This definition shall include all waiting rooms, hallways, private rooms, semiprivate rooms, and wards within health care facilities.

Person in Charge means the person who ultimately controls, governs or directs the activities abroad a public conveyance or within or at a place where smoking is regulated under this section, regardless of the person's status as owner or lessee.

Place of Employment means any area at which two or more individuals perform any type of a service for consideration of payment under any type of contractual relationship, including but not limited to, any employment relationship with or for a private corporation, partnership, individual or government agency. Place of employment includes any indoor area where two or more individuals gratuitously perform services for which individuals are ordinarily paid. A place of employment includes, but is not limited to, public conveyances, factories, warehouse, offices, retail stores, restaurants, bars, banquet facilities, theaters, food stores, banks, financial institutions, employee cafeterias, lounges, auditoriums, gymnasiums, restrooms, elevators, hallways, museums, libraries, bowling establishments, health care facilities, and rooms or areas containing office equipment used in common. Vehicles used in whole or in part for work purposes are places of employment during hours of operations if more than one person is present. An area in which work is performed in a private residence is a place of employment during hours of operations if:

- (1) The homeowner uses the area exclusively and regularly as a principal place of business and has one or more on-site employees; or
- (2) The homeowner uses the area exclusively and regularly as a place to meet or deal with patients, clients, or customers in the normal course of the homeowner's trade of business.

Private Residence means premises owned, rented or leased for temporary or permanent habitation.

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Public Place means any enclosed, indoor area used by the general public, including, but not limited to, restaurants, bars, and other food or liquor establishments; retail stores and other commercial establishments; educational facilities, both public and private; hospitals; nursing homes; auditoriums; sports arenas, including enclosed areas in outdoor arenas; public transportation vehicles, including buses and taxicabs, and ticket boarding and waiting area of public transportation facilities; meeting rooms; elevators; polling places; restrooms, lobbies, reception areas, hallways and other common-use areas; and common areas of apartment buildings and other multi-unit residential facilities.

Room means a space within a building completely enclosed with walls, partitions, floor and ceiling, except for openings for light, ventilation, ingress and egress.

Smoking means inhaling or exhaling from any lighted cigarette, cigar, pipe or similar tobacco product or other lighted plant product intended for inhalation. A person having in their possession or control a lighted tobacco product or lighted plant product is also considered smoking.

Sports Arena means sports pavilions, bleachers, stadiums, gymnasiums, health spas, boxing arenas, swimming pools, roller and indoor ice rinks and bowling centers.

Tobacco Bar means a bar that generates 50 percent or more of its total annual gross income from the on-site sale of tobacco products, not including any sales from vending machines.

Retail Tobacco Store means a retail establishment that derives more than 80 percent of its gross revenue from the sale of cigars, cigarettes, pipes, or other smoking devices for burning tobacco and related smoking accessories and in which the sale of other products is merely incidental. "Retail Tobacco Store" does not include a tobacco department or section a larger commercial establishment or any establishment with a Class 'B' fermented malt beverages license or Class 'B' intoxicating liquor license or any restaurant.

Section 62-217. Prohibition of Smoking in Public Places.

Except as otherwise provided, it shall be unlawful for any person to smoke in public places, included but not limited to the following:

- (1) Public forms of transportation, including but not limited to, motor buses, taxicabs, or other passenger vehicles
- (2) Theaters, libraries, museums, auditoriums, and other convention halls that are used by or open to the public
- (3) Any child care facility
- (4) Retail stores
- (5) Health care facilities
- (6) Meeting and conference rooms in which people gather for educational, business, professional, union, government, recreational, political, or social purposes
- (7) Polling places
- (8) Service lobbies, waiting areas, and the common areas open to the public of financial institutions, business and professional offices, and multi-unit commercial facilities

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- (9) Self-service laundry facilities
- (10) Enclosed, indoor areas of restaurants
- (11) Common areas of malls
- (12) City buildings
- (13) City-owned vehicles
- (14) Sports arenas, including enclosed places in outdoor arenas
- (15) Enclosed indoor areas of bars
- (16) Bed and breakfast establishments, hotels and motels, except as provided in Section 62-620

Section 62-218. Prohibition of Smoking in Place of Employment.

- (1) It shall be unlawful for any person to smoke cigarettes or tobacco products in places of employment.
- (2) Every building that is a place of employment shall have at least one entrance that is smoke-free. For buildings with fewer than four entrances, no more than one entrance may be designated as a smoking entrance. For buildings with four or more entrances, no more than 25 percent of all entrances may be designated as a smoking entrance.

Section 62-219. Prohibition of Smoking in Outdoor Areas.

Smoking shall be prohibited in the following outdoor places:

- (1) Within a reasonable distance outside any entrance designated smoke free pursuant to subsection 62-219(2) above, open windows, and intake of ventilation systems of enclosed areas where smoking is prohibited, so as to insure that tobacco smoke does not enter those areas.
- (2) In all outdoor arenas, stadiums, and amphitheatres, except in designated areas, which may be established only in perimeter areas at least 15 feet from any seating areas or concession stands. Smoking shall also be prohibited in, and within 15 feet of, bleachers and grandstands for use by spectators at sporting and other public events.
- (3) In indoor common areas of nursing homes, except in designated smoking areas, which must be located at least 15 feet outside entrances, operable windows, and ventilation systems of enclosed areas where smoking is prohibited.

Section 62-220. Where Smoking is not Regulated.

The following areas shall not be subject to the smoking restrictions of this section:

- (1) Private residence, except when used as childcare, adult care or healthcare facility.
- (2) Outdoor areas of places of employment except those covered by the provisions of Section 62-219(2).

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Section 62-221. Signage.

- (1) "Smoke-Free Establishment" or "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly and conspicuously posted in every public place and place of employment where smoking is prohibited by this ordinance, by the owner, operator, manager, or other person in control of that place. Signs shall reference "Tomahawk Code of Ordinances, Chapter 62, Article V."
- (2) "Smoking Allowed" signs shall be clearly and conspicuously posted in every public place and place of employment where smoking is not prohibited by this ordinance, by the owner, operator, manager, or other person in control of that place. Signs shall reference "Tomahawk Code of Ordinances, Chapter 62, Article V".
- (3) Every public place and place of employment where smoking is prohibited by this ordinance shall have posted in every entrance a sign not smaller than eleven by eight and one-half inches clearly stating that smoking is prohibited. Each sign and the language contained therein shall be clearly visible from a distance of at least ten feet. Every vehicle that constitutes a place of employment under this ordinance shall have at least one conspicuous sign visible from the exterior of the vehicle, clearly stating smoking is prohibited.
- (4) All ashtrays shall be removed by the owner, operator, manager, or other person having control of the area.
- (5) It shall be unlawful for any person to remove, deface, or destroy any sign required by this section, or to smoke in any place where any such sign is posted.

Section 62-222. Non-Retaliation; Non-Waiver of Rights.

- (1) No person or employer shall discharge, refuse to hire, or in any manner retaliate against an employee, applicant for employment, or customer because that employee, applicant, or customer exercises any rights afforded by this ordinance or reports or attempts to prosecute a violation of this ordinance. Notwithstanding Section ____, violations of this section shall be punishable by a fine not to exceed \$1000 for each violation.
- (2) An employee who works in a setting where an employer allows smoking does not waive or otherwise surrender any legal rights the employee may have against the employer or any other party.

Section 62-223. Enforcement.

- (1) The police chief, building inspector or an authorized designee shall enforce this ordinance.
- (2) Any citizen who desires to register a complaint under this ordinance may initiate enforcement with the chief of police.
- (3) The police department, fire department, building inspector or their designees shall, while an establishment is undergoing otherwise mandated inspections, inspect for compliance with this ordinance.

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- (4) If an owner, manager, operator, or employee of an establishment subject to this ordinance observes a person violating the ordinance, he or she shall immediately direct the person in violation to stop smoking. If the person violating the ordinance does not stop smoking, the owner, manager, operator or employee shall make reasonable efforts to prevent smoking in prohibited areas by:
 - (a) Approaching smokers who fail to voluntarily comply with this section and requesting that they extinguish their cigarette or tobacco product and refrain from smoking, or
 - (b) Refuse service to anyone smoking in a prohibited area.
- (5) In addition to the remedies provided by the provisions of this section, the chief of police or any person aggrieved provided by the failure of the owner, operator, manager or other person in control of a public place or a place of employment to comply with the provisions of this ordinance may apply for injunction relief to enforce those provisions in any court of competent jurisdiction.

Section 62-224. Violations and Penalties.

- (1) A person who smokes in an area where smoking is prohibited by the provisions of this ordinance shall be guilty of an infraction punishable by:
 - (a) A forfeiture not exceeding \$100 for a first violation.
 - (b) A forfeiture not exceeding \$200 for a second violation within one year.
 - (c) A forfeiture not exceeding \$500 for each additional violation within one year.
- (2) Except as otherwise provided in Section 62-222(1), a person who owns, manages, operators or otherwise controls a public place or place of employment and who fails to comply with the provisions of this ordinance shall be guilty of an infraction, punishable by:
 - (a) A forfeiture not exceeding \$100 for a first violation.
 - (b) A forfeiture not exceeding \$200 for a second violation within one year.
 - (c) A forfeiture not exceeding \$500 for each additional violation within one year.
- (3) In addition to the forfeitures established by this section, violation of this ordinance by a person who owns, operates or otherwise controls a public place or place of employment may result in the suspension or revocation of any permit or license issued to the person for the premises on which the violation occurred.
- (4) Violations of this ordinance is hereby declared to be a public nuisance, which may be abated by the city by restraining order, preliminary and permanent injunction or other means provided by law, and the city may take action to recover the costs of the nuisance abatement.

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- (5) Each day on which a violation of this ordinance occurs shall be considered a separate and distinct violation.

Section 62-225. Clean Indoor Air.

- (1) *Intent and Construction.* The city of Tomahawk finds that it is the interests of the health, safety and welfare of the community to adopt by reference Section 101.123, Wisconsin Statute, and subsequent amendments, additions and recodifications thereto. It is the intent of this ordinance that where there may be conflict between Section 101.123, Wisconsin Statute, or any subsequent amendments, additions and recodifications thereto, and this ordinance, that the provision of the applicable state statute shall apply. This ordinance shall not be constructed to mean that progressive discipline of city employees for violations of laws, rules, and regulations is only authorized where explicitly provides by ordinance.
- (2) In the event that Section 101.123, Wisconsin Statute, as effective July 5, 2010 is repealed by an act of the Wisconsin Legislature, this ordinance shall be null and void.
- (3) *Penalty.* The penalties provided by Section 101.123, Wisconsin Statute, shall be in addition to the penalties provided for violation of this ordinance when a person has violated both laws. In addition to the penalties provided by this ordinance when a person has violated both laws. In addition to the penalties provided by ordinance and Section 101.123, Wisconsin Statute. Any city employee who violates any provision of this ordinance or Section 101.123, Wisconsin Statute, may also be subject to progressive discipline by his or her employer.

Section 62-226. Severability.

In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the common council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

Sections 62-227-240 Reserved.

Article VI. Garage/Rummage Sales

Section 62-241 Garage/Rummage Sale Regulations.

- (1) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meaning ascribed to them in this subsection, exact where context clearly indicated a different meaning:
- Garage sale* means all general sales open to the public, conducted from or on a residential premise, for the purpose of disposing of personal property, including, but not limited to, all sales known as rummage, lawn, yard, porch, room, backyard, patio, flea market, garage sale or privately run estate sales.

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(2) *Place of operation; hours and duration.* Garage sales shall be conducted only between the hours of 7:00am and 7:00pm. No more than two garage sales in one calendar year may be conducted from any premises. Each sale may last no longer than four consecutive days.
(Ord. 2015-07, 11-3-15)

Sections 62-242-250 Reserved.