

# **CHAPTER 7**

## **PEACE AND ORDERLY CONDUCT**

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This chapter describes orderly conduct which includes proper control of animals and public nuisances.

## **7.01 ORDERLY CONDUCT**

### **(1) Firearms and Ammunition: Discharge, Possession and Sale**

- A. No person except a sheriff, police officer or other law officer shall fire or discharge any firearm, rifle, spring gun, air gun, pellet gun, crossbow or other weapon within the Village of Loganville.
- B. This section shall prevent hunting within the Village except where owners shall have been issued written permits to shoot on their premises by the Village President after it was determined that such privileges are necessary for the protection of property.
- C. Penalty – Any person violating this section shall be subject to a fine. See fee schedule. In addition, may be subject to prosecution, court and costs associated.

### **(2) Disorderly Conduct**

No person in the Village of Loganville:

- A. In any public or private place, engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct which tends to cause or provoke a disturbance or annoy other persons.
- B. Intentionally cause, provoke or engage in any fight, riot, or noisy altercation.
- C. No person shall stand, sit, loaf, loiter or engage in any sport or exercise on any public street, sidewalk, bridge or public ground within the Village in such a manner as to prevent or obstruct the free passage of pedestrians or vehicle traffic or to hinder or prevent free passage to any place of business, church, public hall or meeting place.

### **(3) Loud and Unnecessary Noise Prohibited**

- A. General: No person shall make or cause to be made any loud, disturbing or unnecessary sounds or noises such as may annoy or disturb a person on any public area or private residence.
- B. Public address systems or amplifiers may not be used to increase volume that disturbs the peace and quiet.
- C. Construction, Machinery or other loud equipment, including mowers, saws, etc. Between the hours of 10pm to 6:30am no person shall do work that disturbs the peace. This shall not apply to machinery

- D. Animal Noise: No person shall keep an animal which makes loud disturbing or barking noises during quiet hours.

(4) Loitering and Curfew

- A. It is unlawful for any person younger than 18 to be on the streets, or public grounds in the Village between eleven o'clock (11pm) and five o'clock (5am) unless accompanied by a responsible person or parent.
- B. Loitering in Public Places. No person shall loiter, lounge or loaf in or about any public sidewalk, parking lot or area after being requested to move by the owner or person in charge or any peace officer.

(5) Damage to property

- A. Willful damage. No person shall willfully, maliciously or purposefully deface, injure or destroy any public property or any private property. Persons damaging property will be liable to owner or Village for any destruction, costs associated with prosecution.
- B. Littering. No person shall deposit any refuse, waste, garbage or other litter upon the streets, sidewalks, parks or other Village property or upon any private property or upon any water or stream within the village.

(6) Use of Fireworks

- A. Definition: Fireworks means anything manufactured, processed or packaged for exploding, emitting sparks or combustion which does not have another common use.
- B. Exclusions: Fireworks does not include the use of sparklers, confetti sprays or streamers, toy snakes or poppers. Nor does this section address use by festivals, fairs, civic organizations, fire departments.
- C. Use: No person shall possess or use fireworks without a permit from the Village signed by the President and Fire Chief. Permit shall include
  1. Name and address of applicant
  2. Date and location of use.
  3. Notification of neighbors
  4. Insurance coverage
  5. Any safety, health issues, water nearby etc.
  6. Applicant must be over 21 years of age and a resident of the Village of Loganville.

D. Per WI Stat 167.10(3) sub 7m the Village of Loganville or officials are not civilly liable for damage to any person or property caused by fireworks for the sole reason that the village issued a permit in accordance the requirements and ordinance.

## **7.02 ANIMAL CONTROL**

- (1) Food and shelter. Any and all animals kept win the Village limits shall be provided water, food and shelter as provided in by state statute.
- (2) Run at Large Prohibited. It is unlawful for any animal to be allowed to run at large within the village limits. All pets must be contained by a leash or in immediate control of person or owner.
- (3) Any animal found running at large shall be taken by Sauk County. Any person is authorized to take any animal found at large and turn same over to the Sauk County Sheriff or the Humane Officer.
- (4) Animal Waste. No person having any animal shall permit it to deposit any waste off premises of owner. Person in control of animal shall clean up after animal in all public or private areas.
- (5) Number of domestic animals in a premises. No more than four (4) animals shall be kept in any premises in the Village. It may be a combination of dogs and cats but total may not exceed four.
- (6) Licensing. All dogs must be licensed in the Village yearly. Proof of current rabies vaccination certificates shall be required. Licenses are purchased in the clerk's office. See fee schedule. Unlicensed dogs may be taken by the Sheriff's Dept.
- (7) Livestock. No person may keep or maintain any animal raised for fur or any livestock as horses, cattle, pigs, or sheep in the residential districts.
- (8) Poultry. Chickens may be raised provided conditions are met. No roosters, no more than 10 hens, coop must be maintained including a fenced run. An application / permit to keep chickens must be on file in the village office.

### **7.03 PUBLIC NUISANCES**

(1) Definition: A public nuisance is a thing, act, occupation, condition or use of property which shall continue for such a length of time as to:

- A. Annoy, injure or endanger the safety of the public
- B. Offend the public morals or decency
- C. Unlawfully interfere with passage on any street, alley, or public area.

(2) Public Health – Conditions that place public health in jeopardy

- A. Breeding places for Vermin
- B. Stagnant water
- C. Noxious odors
- D. Pesticides.

(3) Morals and Decency

- A. Gambling houses
- B. Unlicensed sale of alcohol or drug distribution
- C. Illegal drinking
- D. Continuous ordinance violations

(4) Public Safety

- A. Tree limbs or branches
- B. Building code violations
- C. Abandoned refrigerators
- D. Open pits or areas
- E. Unlawful assembly

(5) Storage of Junk prohibited

No person, except a licensed dealer shall accumulate, store or allow any junk outside any building on any public or private property within the village.

(6) Recreational vehicle storage

No person will store any recreational equipment on any street right of way for more than 24 hours.

(7) Firewood storage

No person shall store firewood on residential premises except use on that premise. No firewood may be located on the front setback or as creates an unsightly condition.

#### **7.04 GARBAGE AND LITTER**

- (1) Unsightly Conditions – It is hereby declared that it is a public nuisance to maintain garbage, litter, debris, old cars, appliances or any materials which would render any street, alley or premises in an unsightly condition offensive to the aesthetic welfare of the Village.
- (2) Violation and Penalty – Persons maintaining any of the above on premises occupied by them shall be subject to a forfeiture (see Fee Schedule) Upon receiving a 30 day notice from the Village Clerk to remove the specific nuisance.

#### **7.05 SNOW REMOVAL FROM SIDEWALKS**

- (1) Owner and/or Occupant Responsibility – The owner and/or occupant of all lots fronting or abutting upon the sidewalks in the Village of Loganville shall remove all snow from the sidewalks in front of their respective premises within Twenty-four (24) hours after the same shall have ceased to fall.
- (2) Violation and Penalty – Any owner and/or occupant neglecting to or refusing to remove the snow from the sidewalks in front of their premises so occupied or owned by them within the aforementioned time period shall have the snow removed at their expense to be levied as a special assessment against the premises.

#### **7.06 WEEDS AND NON-ORNAMENTAL VEGETATION PROHIBITED WITHIN MUNICIPAL BOUNDARIES**

- (1) Pursuant to the authority contained in 66.96, Wis. Stats., it shall be unlawful for any property owner to allow any noxious weeds to grow on his or her property located within the Village boundaries. Noxious weeds are defined as those itemized in 66.96(2) and any subsequent resolution of the Village Board. No property owner shall allow any vegetative matter or grass not intended for either ornamental or commercial use to grow to a height of more than six (6) inches on property located within the village boundaries.
- (2) Weed Commissioner – A weed commissioner shall be appointed by the Village President as provided by statute and shall hold those powers authorized under Wis. Stat. 66.98 with respect to the eradication of weeds. The weed commissioner and/or his/her designee shall also be responsible for the enforcement of the height restrictions set forth in Section 7.06(A)

(3) Enforcement – Failure to cut noxious weeds shall entitle the weed commissioner to proceed to collect the costs of abatement as provided by Wis. Stat. 66.98. In addition to or as an alternative to the enforcement provided by State Statute, any violation of the above-referenced height restrictions, shall be punishable by a forfeiture. See Fee Schedule. This provision shall not require the weed commissioner to abate the weeds nor shall there be any offset to this penalty for the commissioner's failure to abate.

#### **7.06 BURNING RESTRICTED**

- (1) Burning within the Village of Loganville may only be done in 55 gallon drums, State-approved incinerators or other facilities expressly approved by the Village Board. All burning equipment must have appropriate protection to prevent the proliferation of cinders and burning material. It is unlawful at any time to burn recyclable materials, non-burnable items (plastic, rubber, organic material which has not been completely dried, flammable liquids, chemicals or other materials regulated by State and/or Federal law). Any burning to be done in non-authorized containers must be accomplished through written permission which may be given by the Village Board on a case-by-case basis.
- (2) It is illegal to burn within the village unless in a barrel. Villagers may have a campfire or firepit, not to exceed 3 feet in width. Such areas must have boundaries, rocks, stone, metal etc. to contain fire. All fires must be attended at all times. No building or hazardous materials may be burned in the Village. Follow DNR notice for burn conditions. See Fee Schedule for penalty