

**VILLAGE OF MELROSE
PEACE AND ORDER - CHAPTER 8**

8.10 LOITERING PROHIBITED: No person shall sit, stand or loiter upon the entrance, steps or doorway of any store, shop, hall, office or other building in the village, nor shall any person obstruct the same in any fashion so as to hinder, impede or annoy the owner, lessee or other person desiring to enter or leave the store, shop, hall, office or other building.

8.11 SEE ATTACHED

8.15 SEE ATTACHED

8.20 PUBLIC USE OF INTOXICANTS: It shall be unlawful for any person:

1. **POSSESSION:** To be in possession of any glass or open container containing intoxicating liquor or fermented malt beverages on any thoroughfare, street, sidewalk, or their public way in the village, except village owned parks and other city owned recreation areas.
2. **REMOVAL FROM LICENSED PREMISES:** To remove any glass or open container containing any intoxicating liquor or fermented malt beverage from the licensed premises where it was served.
3. **PUBLIC INTOXICATION:** To be in a state of intoxication in or upon any street or public place within the village
4. **PRIVATE DWELLINGS:** To be used in a state of intoxication in any private dwelling, so as to annoy another person.

8.30 LITTERING, DESTRUCTION OF PROPERTY PROHIBITED:

1. **LITTERING:** No person shall throw, deposit, dump, or discharge any glass, rubbish, filth or debris upon the streets, alleys, public parks or other property of the village or upon any private property not owned by him or upon the surface of any body of water in the village.
2. **BILLS/POSTERS:** No person shall post or in any other manner put up any written or printed bill, notice, or advertisement upon any building or fence without the consent of the owner or lessee thereof.
3. **UTILITY POLES:** No person shall post, paint, paste, tack, fasten or attach in any manner, any hand bill, poster, placard, picture notice or advertisement upon any electric light or telephone pole or on any wire attached thereto. Nor shall any person disfigure any such pole by cutting, marking or driving nails, brads, or other devices into said poles, provided, however, that nothing in this section shall

prevent the Village from attaching to said poles a neatly painted bulletin board for legal notices.

4. **CIRULARS:** No person shall throw any missile, circular, notice or pamphlet at the occupants of any vehicle or throw or place any missile, circular, notice or pamphlet in or on any vehicle whether the vehicle is occupied or not.
5. **DISTRIBUTION OF PRINTED MATERIAL:** No person shall upon the public streets distribute any handbill, circular, notice or printed matter of any kind if the distribution of such materials result in the littering of streets or other public ways.
6. **DESTRUCTION OF PROPERTY:** No person shall willfully, maliciously or wantonly break the glass on any street lamp post or in any window or sky light, or extinguish any lamp or climb upon any post, or destroy, remove, throw down or injure any fence or other enclosure on land belonging to or lawfully occupied by another, or interfere with any gate or bars in any such enclosure, or destroy, injure or carry away any tree or any plants, shrubs, vegetables or any building, signboard, or remove any useful or ornamental tree.

8.40 CURFEW FOR MINORS:

1. **LOITERING PROHIBITED:** No person, under the age of eighteen years, shall congregate, loiter, wander, stroll, stand, play or travel in or upon any public street, sidewalk, highway, road, alley, park, vacant lot, public building, or any public place within the Village of Melrose, Jackson County, Wisconsin, either on foot or in or upon any conveyance being driven or parked thereon, unless accompanied by his or her parent, spouse or guardian or other adult person having legal care and custody of such person. The prohibition of this section shall not apply to any person under eighteen years of age who is:
 - a) Returning to his or her home directly from and immediately after the end of any educational, athletic or social events sponsored by any accredited school, tax exempt church, or governmental unit or agency, which event such person could properly and is in fact attend.
 - b) Returning directly from and going directly to his or her place of employment, which place of employment is known and approved by his or her parent, spouse or guardian, or other adult person having legal care and custody of such person.
 - c) Returning directly from or going directly to any other activity which has been specifically approved in advance in writing by his or her parent, spouse or guardian, or other adult person having legal care or custody of such person, provided such person while returning from or going to such person while returning from or going to such other place or activity.

2. **APPLICATION/HOURS:** The prohibitions of this section shall be applicable to all persons over the age of fourteen years, but under the age of eighteen years from 10:00 p.m. until 5:00 a.m. of the following day commencing Sunday. Further, the prohibitions of this section shall be applicable to all persons under the age of fourteen years from 10:00 p.m. until 5:00 a.m. of the following day, Sunday through Saturday.
3. **RESPONSIBILITY OF PARENTS:** No parent, spouse or guardian, or other adult person having legal care or custody of a person under the age or eighteen years, shall suffer or permit or by inefficient control, allow such person to violate the provisions of sub(1), above. Provided that any such parent, spouse, guardian or other adult person who shall have made a missing person notification to the law enforcement authorities shall not be considered to have suffered, permitted or allowed any person to be in violation of sub(1), above.
4. **RETURN TO PARENTS:** A person under the age of eighteen years violating the provisions of this section may be taken into custody by any law enforcement officer and either returned to his or her parent, spouse or guardian, or such person, or be referred to the appropriate authorities for action in accordance with the provision of chapter 48 of the Wisconsin Statutes, as amended from time to time, which are incorporated herein by reference.

8.50 POSSESSION AND USE OF FIREARMS (See Attached Addendum 7/2/14):

1. **DISCHARGE PROHIBITED:**
 - a) **Firearms:** It shall be unlawful for any person to discharge or fire shotgun, rifle, pistol, fowling piece or firearm of any description from which shot, ball or balls bullets or any missile of any kind is or are expelled therefrom by the force of powder or other combustible matter within the territorial limits of the Village of Melrose, except that this section shall not apply to any officer of the village or law of said state.
 - b) **Airguns/ Slingshots/Bows and Arrows:** It shall be unlawful for any person to discharge or shoot any airgun or air pistol of any description, to shoot or discharge any slingshot or similar device, or shoot any bow and arrow, crossbow or other similar device within the territorial limits of the Village of Melrose.
2. **POSSESSION PROHIBITED:** No persons, except a sheriff, Police officer, their deputies, or any law enforcement personnel, shall have in their possession or carry or bear any firearms, rifle, handgun, spring or air gun, or bow and arrow device within any public or business establishment within the village limits of the Village of Melrose.

This subsection shall not prohibit or hinder the sale, purchase or trade of such firearms or devices as listed above by retail business establishments doing so in the normal course of its regular business, nor to hinder a prospective customer in his or her attempt to buy, sell or trade such firearms or devices to or from said retailer.

This subsection shall not prohibit the owner of a public or business establishment to have in his or her possession a firearm if such owner finds that same is necessary for the protection of life or property. In that instance it will be up to the owner to have such firearm properly registered and will be bound by the appropriate provisions of the Wisconsin Statutes in relation to the possession of that particular firearm.

3. **CONFISCATION:** It shall be the duty of the Village Marshal of the Village of Melrose to arrest, with or without warrant, any person found violating any of the provisions of this section, and to seize and confiscate, with or without warrant, any article or instrument declared herein to be a dangerous weapon which he finds being used in violation of the provisions of the code. Upon such seizure said marshal will hold said articles or instruments until they are ordered destroyed by the court hearing the matter of the violation.

**VILLAGE OF MELROSE
ADDENDUM - ORDINANCE NO. 8.50**

**AN ORDINANCE REPEALING AND RECREATING SECTION 8.50 OF THE
CODE OF ORDINANCES OF THE VILLAGE OF MELROSE REGULATING
DISCHARGE OF FIREARMS AND WEAPONS.**

The Village Board of the Village of Melrose, Jackson County, Wisconsin, do ordain as follows:

SECTION 1: Section 8.50 of the Code of Ordinances of the Village of Melrose is hereby created so as to read as follows:

1. **Discharge Prohibited.** Except as provided in subsections (a) and (b), no person shall discharge or fire a firearm, which includes rifles, handguns, shotguns or any weapon which acts by force of gunpowder, within the territorial limits of the Village of Melrose.
 - (a) Law enforcement officers in the performance of their duty are exempt.
 - (b) The restriction on the discharge of firearms does not apply and may not be enforced if the actor's conduct is justified, or had it been subject to a criminal penalty, would have been subject to a defense described in Wis. Stat. § 939.45.
2. **Other Weapons.** Except as provided in subsection (a), no person shall discharge or shoot an air gun, air pistol, BB gun, pellet gun, dart gun, slingshot, bow and arrow, crossbow, or any other similar device within 100 yards, from a building located on another person's land.
 - (a) This restriction does not apply if the person who owns the land on which the building is located provides permission for discharge within 100 yards of the building.
3. Nothing in this section shall prohibit nor hinder the sale, purchase or trade of such firearms or weapons as listed above by retail business establishments doing so in the normal course of its regular business, nor hinder a prospective customer in his or her attempt to buy, sell or trade such firearms or weapons to or from said retailer.
4. Any person violating a provision of this Ordinance shall be subject to a forfeiture of not less than \$10.00 and not greater than \$500.00, plus costs, as authorized by law.

SECTION 2: SEVERABILITY

If any part of this ordinance is for any reason found to be invalid or unconstitutional by reason of any decision by any court of competent jurisdiction, such decision shall not affect the validity of any other part of this ordinance.

SECTION 3: CONFLICTING ORDINANCES

All other ordinances or parts of ordinances of the Village of Melrose inconsistent or in conflict herewith are hereby repealed.

SECTION 4: EFFECTIVE DATE

Upon passage and publication, this ordinance shall take effect and be in force as provided by law.

/signed/
Tory Lockington
Village President

/signed/
Dan Ciechanowski
Village Clerk

Passed: 7/2/14
Approved: 7/2/14
Published: 8/13/14

VILLAGE OF MELROSE

8.60 AN ORDINANCE REPEALING AND RECREATING SECTION 8.60 OF THE CODE OF ORDINANCES OF THE VILLAGE OF MELROSE RELATING TO DISORDERLY CONDUCT IN THE VILLAGE OF MEROSE, JACKSON COUNTY, WISCONSIN

The Village Board of the Village of Melrose, Jackson County, Wisconsin, do ordain as follows:

SECTION 1: ~~Section 8.60 of the Code of Ordinances of the Village of Melrose is hereby repealed and recreated so as to read as follows:~~

~~DISORDERLY CONDUCT: It shall be unlawful for any person to:~~

- ~~1. In any public or private place engage in violent, noisy, riotous, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct which such conduct tends to cause or provoke a disturbance 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.~~
- ~~3. 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 Village of Melrose, upon any private property in open view of the public, or in the halls, stairways or elevators of public or commercial buildings.~~
- ~~4. Possess or use fireworks without a user's permit from the President of the Village of Melrose or from an official or employee of the Village designated by the President. This local regulation of fireworks shall adopt Wis. Stats. 167.10~~

Deleted (See Attached Addendum dated 5-6-15)

SECTION 2: SEVERABILITY

If any part of this ordinance is for any reason found to be invalid or unconstitutional by reason of any decision by any court of competent jurisdiction, such decision shall not affect the validity of any other part if the ordinance.

SECTION 3: EFFECTIVE DATE

Upon passage and publication, this Ordinance shall take effect and be in force as provided by law.

Signed by:
LeRoy Craig, President
Village of Melrose

Attest signed by:
Judith Andersen, Clerk
Village of Melrose

Dated: 12/04/2002
Passed: 12/04/2002
Published: 12/18/2002

VILLAGE OF MELROSE

ORDINANCE 8.60

AN ORDINANCE REPEALING AND RECREATING SECTION 8.60 OF THE CODE OF ORDINANCES OF THE VILLAGE OF MELROSE RELATING TO DISORDERLY CONDUCT IN THE VILLAGE OF MELROSE

The Village Board of the Village of Melrose, Jackson County, Wisconsin, do ordain as follows:

SECTION 1: Section 8.60 of the Code of Ordinances of the Village of Melrose is hereby repealed and recreated so as to read as follows:

1. **Disorderly Conduct:** It shall be unlawful for any person to: In any public or private place engage in violent, noisy, riotous, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct which such conduct tends to cause or provoke a disturbance or tends to annoy or disturb any other person.
2. **Physical Disorderly Conduct:** It shall be unlawful for any person to: Intentionally cause, provoke, or engage in any fight, brawl, riot, or noisy altercation other than a bona fide athletic contest.
3. **Unsanitary Disorderly Conduct:** It shall be unlawful for any person to: 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 Village of Melrose, upon any private property or in open view of the public, or in the halls, stairways or elevators of public or commercial buildings.
4. **Phone Disorderly Conduct:** It shall be unlawful for any person to: With the intent to annoy another, frighten, intimidate, threaten, abuse or harass another person, calls by telephone or sends a message to the person on a electronic mail or other computerized communication system with the reasonable expectation that the person will receive the message and that message threatens, intimidates or uses any obscene, lewd or profane language or suggests any lewd or lascivious act.
5. **Harassment:** It shall be unlawful for any person to: With the intent to harass or intimidate another person, does any of the following: strikes, shoves, kicks or otherwise subjects the person to physical contact or attempts or threatens to do the same or engages in a course of conduct or repeatedly commits acts which harass or intimidate the person and which serve no legitimate purpose.
 - (a) In this section "Course of Conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose.

6. It shall be unlawful to Possess or use fireworks without a user's permit from the President of the Village of Melrose or from an official or employee of the Village designated by the President. This local regulation of fireworks shall adopt Wis. Stats. 167.10

7. Penalty. Any person violating this ordinance shall be subject to a forfeiture as specified in the Village of Melrose Code of Ordinances.

SECTION 2: SEVERABILITY

If any part of this ordinance is for any reason found to be invalid or unconstitutional by reason of any decision by any court of competent, jurisdiction, such decision shall not affect the validity of any other part of this ordinance.

SECTION 3: CONFLICTING ORDINANCES

All other ordinances or parts of ordinances of the Village of Melrose inconsistent or in conflict herewith are hereby repealed.

SECTION 4: EFFECTIVE DATE

Upon passage and publication, this ordinance shall take effect and be in force as provided by law.

/signed/ _____

Tory Lockington, Village President

/signed/ _____

Dan Ciechanowski, Village Clerk

Passed: 5/6/15

Approved: 5/6/15

Published: 5/13/15

VILLAGE OF MELROSE

8.61 AN ORDINANCE PROHIBITING THE PURCHASE OR POSSESSION OF TOBACCO PRODUCTS BY A PERSON UNDER THE AGE OF EIGHTEEN (18) YEARS IN THE VILLAGE OF MELROSE, JACKSON COUNTY, WISCONSIN.

The Village Board of the Village of Melrose, Jackson County, Wisconsin, do ordain as follows:

SECTION 1: AUTHORITY

Pursuant to Sections 66.0109, 134.66, 778.25(1)(a), 254.92(2) of the Wisconsin Statutes, and any subsequent amendments thereto, this ordinance is hereby created to prohibit the purchase or possession of tobacco products by a person under the age of eighteen (18) years within the Village of Melrose. Any violation of this ordinance shall be treated as a civil forfeiture.

SECTION 2: DEFINITION

For the purpose of this ordinance, “tobacco products” means any substance containing tobacco leaf, including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco or dipping tobacco.

SECTION 3: PURCHASE BY MINORS PROHIBITED

It shall be unlawful for any person under the age of eighteen (18) years to purchase tobacco products, or to misrepresent their identity or age, or to use any false or altered identification for the purpose of purchasing tobacco products.

SECTION 4: POSSESSION BY MINORS PROHIBITED

It shall be unlawful for any person under the of eighteen (18) years to possess any tobacco products; provided that the possession by a person under the age of eighteen (18) years under the direct supervision of the parent or legal guardian of such person in the privacy of the parent’s or guardian’s home shall not be prohibited.

SECTION 5: STATUES ADOPTED

The provisions of Sections 66.0109, 134.66, 778.25(1)(a), 254.92(2) of the Wisconsin Statutes, and any subsequent amendments thereto.

SECTION 6: PENALTY

Any person who violated this ordinance shall be subject to a disposition under Section 254.92(2) of the Wisconsin Statutes, or any subsequent amendments thereto.

SECTION 7: CONFLICTING ORDINANCE

All other ordinances or part of ordinances of the Village of Melrose inconsistent or in conflict herewith are hereby repealed.

SECTION 8: SEVERABILITY

If any part of this ordinance is for any reason found to be invalid or unconstitutional by reason of any decision by any court or competent jurisdiction, such decision shall not affect the validity of any part of this ordinance.

SECTION 9: CODE OF ORDINANCES

After the effective date of this Ordinance, same be known if Section 8.61 of the Code if Ordinances of the Village of Melrose.

SECTION 10: EFFECTIVE DATE

Upon passage and publication, this Ordinance shall take effect and be in force as provided by law.

Signed by:
LeRoy Craig, President
Village of Melrose

Attest signed by:
Judith Andersen, Clerk
Village of Melrose

Dated: 04/04/2001
Passed: 04/04/2001
Published: 04/11/2001

VILLAGE OF MELROSE

8.62 AN ORDINANCE PROHIBITING POSSESSION OF DRUG PARAPHERNALIA AND MARIJUANA WITHIN THE VILLAGE OF MELROSE, JACKSON COUNTY, WISCONSIN

The Village Board of the Village of Melrose, Jackson County, Wisconsin, do ordain as follows:

SECTION 1: AUTHORITY

Pursuant to Sections 66.115, 66.051, 961.577 and 938.344(2e) of the Wisconsin Statutes which are hereby incorporated by reference, this ordinance is hereby created to prohibit within the Village of Melrose, the possession of drug paraphernalia, and marijuana, punishable as civil forfeiture.

SECTION 2: POSSESSION OF DRUG PARAPHERNALIA AND MARIJUANA PROHIBITED

1. **DRUG PARAPHERNALIA:** The statutory provisions in Sections 961.571 through 961.575 of the Wisconsin Statutes describing and defining regulations with respect to Drug Paraphernalia, exclusive of any provisions therein for which the statutory penalty is imprisonment, are hereby adopted and made a part of this ordinance as if set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference required or prohibited by this ordinance. Any future amendments, revisions or modifications of the statutes incorporated herein by reference are intended to be made part of this ordinance.
2. **MARIJUANA POSSESSION:**
 - a) It is unlawful for any person to possess and material, compound, mixture or preparation which contains 25 grams or less of tetrahydrocannabinol (THC) or marijuana or its salts, isomers or salts of isomers, unless the substance was obtained directly from, or pursuant to a valid prescription or order of a practitioner within the meaning of Section 961.01(19). Wisconsin Statutes, while acting in the course of his professional practice, or except as otherwise authorized by Chapter 961, Wisconsin Statutes.
 - b) A positive Dequenois-Levine test for tetrahydrocannabinol, or other test of comparable validity, shall be prima facie evidence that the substance is or contains tetrahydrocannabinol.

SECTION 3: PENALTY

1. Any person violating any of the provisions of this ordinance shall, upon conviction, pay a forfeiture of not more than \$500.

2. Any person under 18 years of age who violates this ordinance shall be subject to a disposition under Section 938.344(2e) of the Wisconsin Statutes.
3. **PENALTY ENHANCER:** In the event a violation of Section 2 of this ordinance takes place within one thousand (1,000) feet of any private or public school, church, park, playground , or on or within a school bus, the forfeiture prescribed by this ordinance shall be doubled.

SECTION 4: CONFLICTING ORDINANCES

All other ordinances or parts of Ordinances of the Village of Melrose inconsistent or in conflict herewith are hereby repealed.

SECTION 5: SERVERABILITY

If any part of this ordinance is for any reason found to be invalid or unconstitutional by reason of any decision by any court of competent jurisdiction, such decision shall not affect the validity of any other part of this ordinance.

SECTION 6: CODE OF ORDINANCES

After the effective date of this ordinance, same be known of Section 8.62 of the Code of Ordinance of the Village of Melrose.

SECTION 7: EFFECTIVE DATE

Upon passage and publication, this Ordinance shall take effect and be in force as provided by law.

Signed by:
LeRoy Craig, President
Village of Melrose

Attest signed by:
Judith Andersen, Clerk
Village of Melrose

Dated: 02/03/1999
Passed: 02/03/1999
Published: 02/10/1999

VILLAGE OF MELROSE

ORDINANCE 8.63

AN ORDINANCE CREATING SECTION 8.63 OF THE CODE OF ORDINANCES OF THE VILLAGE OF MELROSE RELATING TO RESISTING OR OBSTRUCTING A POLICE OFFICER IN THE VILLAGE OF MELROSE

The Village Board of the Village of Melrose, Jackson County, Wisconsin, do ordain as follows:

SECTION 1: Section 8.63 of the Code of Ordinances of the Village of Melrose is hereby created so as to read as follows:

1. It is a violation of this ordinance for any person to knowingly resist, obstruct or aid such person engaging in activity against an officer while such officer is doing an act in an official capacity and with lawful authority adopting 946.41 and 946.415 of the Wisconsin State Statutes.
 - a. "Officer" means a peace officer or other public officer or public employee having the authority by virtue of the officer's or employee's office or employment to take another into custody.
2. **Obstructing:** It is a violation of this ordinance to obstruct an officer which includes without limitation to knowingly giving false information to the officer or knowingly placing physical evidence with intent to mislead the officer in the performance of his or her duty including the service of any summons or civil process.
3. **Resisting:** It is a violation of this ordinance to knowingly resist and fail to comply with an officer's attempt to take a person into custody which includes the intentional retreat or remaining in a building or place and, through action or threat, attempts to prevent the officer from taking him or her into custody. It is a violation for a person to intentionally assist or aid a person in violation of this section.
4. **Causing Injury:** Whoever violates sub. (3) and causes bruises, abrasions, minor cuts or scrapes or soft tissue injury to an officer or any person assisting the officer is subjected to an increased fine. "Soft Tissue injury" means an injury that may or may not require medical attention to a tissue that connects, supports, or surrounds other structures and organs of the body and includes tendons, ligaments, fascia, skin, fibrous tissues, fat, synovial membranes, muscles, nerves, and blood vessels.
5. **Refusing to Aid:** It is a violation of this ordinance that whomever, without reasonable excuse, refuses or fails, upon command, to aid any person known by the person to be a peace officer as indicated adopting 946.40 of the Wisconsin State Statutes.
 - a. This section does not apply if, under the circumstances, the officer was not authorized to command such assistance.

6. Penalty. Any person violating this ordinance shall be subject to a forfeiture as specified in the Village of Melrose Code of Ordinances.

SECTION 2: SEVERABILITY

If any part of this ordinance is for any reason found to be invalid or unconstitutional by reason of any decision by any court of competent jurisdiction, such decision shall not affect the validity of any other part of this ordinance.

SECTION 3: CONFLICTING ORDINANCES

All other ordinances or parts of ordinances of the Village of Melrose inconsistent or in conflict herewith are hereby repealed.

SECTION 4: EFFECTIVE DATE

Upon passage and publication, this ordinance shall take effect and be in force as provided by law.

/signed/

Tory Lockington, Village President

/signed/

Dan Ciechanowski, Village Clerk

Passed: 5/6/15

Approved: 5/6/15

Published: 5/13/15

VILLAGE OF MELROSE

8.70 AN ORDINANCE REPEALING AND RECREATING SECTION 8.70 OF THE CODE OF ORDINANCES OF THE VILLAGE OF MELROSE WITH REGARD TO THEFT FROM PERSONS AND BUSINESSES WITHIN THE VILLAGE OF MELROSE.

The Village board of the Village of Melrose, Jackson County, Wisconsin, do ordain as follows:

Section 870 of the Code of Ordinances of the Village of Melrose is hereby repealed and recreated so as to read as follows:

SECTION 1: THEFT

1. This section is adopted in conformity with Section 943.20(1)(a) of the Wisconsin Statutes and said statute is incorporated herein by reference.
2. No person shall intentionally take and carry away, use, transfer, conceal, or retain possession of movable property, having a value of \$500.00 or less, of another without the other's consent and with intent to deprive the owner permanently of possession of such property.

SECTION 2: FAILURE TO RETURN PROPERTY

1. This section is adopted in conformity with Section 943.20(1)(e) of the Wisconsin Statutes and said statute is incorporated herein by reference.
2. No person shall intentionally fail to return any personal property, having a value of \$500.00 or less, which is in his or her possession by virtue of a written lease or rental agreement within ten (10) days after the lease or rental agreement has expired.

SECTION 3: RETAIL THEFT

1. This section is adopted in conformity with Section 943.50 of the Wisconsin Statutes and said statute is incorporated herein by reference.
2. It shall be unlawful for any person to intentionally alter indicia of price or value of merchandise, to take and carry away, to transfer, conceal or retain possession of merchandise held for resale by a merchant or property of a merchant without his or her consent and with intent to permanently deprive the merchant of possession, or the full purchase price of the property.

SECTION 4: FRAUD ON A HOTEL OR RESTAURANT KEEPER

1. This section is adopted in conformity with Section 943.21 of the Wisconsin Statutes and said statute is incorporated herein by reference.

2. Whoever does either of the following may be penalized as provided in Section 7 of the ordinance:
 - a) Having obtained any beverage, food, lodging or other service or accommodation at any campground, hotel, motel, boarding or lodging house, or restaurant, intentionally absconds without paying for it.
 - b) While a guest at any campground, hotel, motel, boarding or lodging house, or restaurant, intentionally defrauds the keeper thereof in any transaction arising out of the relationship as guest.

SECTION 5: USE OF CHEATING TOKENS

1. This section is adopted in conformity with Section 943.22 of the Wisconsin Statutes and said statute is incorporated herein by reference.
2. Whoever obtains the property or services of another by depositing anything which he or she knows is not lawful money or an authorized token in any receptacle used for the deposit of coin or tokens is subject to the penalties set forth in Section 7 herein.

SECTION 6: DEFINITIONS

This ordinance hereby adopts and includes any definitions set forth in Sections 943.20(1)(e), 943.20(2), 943.50(1) and 943.21(2) of the Wisconsin Statutes and said definitions are incorporated herein by reference.

SECTION 7: PENALTIES

Any person who shall violate any provision of this ordinance may be made to forfeit not more than \$500.00, plus costs of prosecution for each offense, and in default of payment thereof, may be incarcerated in the County Jail for not more than thirty (30) days.

SECTION 8: SEVERABILITY

If any part of this ordinance is for any reason found to be invalid or unconstitutional by reason of any decision by any court of competent jurisdiction, such decision shall not affect the validity of any other part of this ordinance.

SECTION 9: CONFLICTING ORDINANCE

All other ordinances or parts of ordinances of the Village of Melrose inconsistent or in conflict herewith are hereby repealed.

SECTION 10: EFFECTIVE DATE

Upon passage and publication, this ordinance shall take effect and be in force as provided by law.

Signed by:
LeRoy Craig, President
Village of Melrose

Attest signed by:
Judith Andersen, Clerk
Village of Melrose

Dated: 08/04/1999
Passed: 08/04/1999
Published: 08/11/1999, 08/18/1999

8.80 NOISE PROHIBITED: No person shall use, operate or permit to be played, used or operated any radio, television, phonograph, musical instrument or other device in such a manner as to disturb the peace and quiet of the neighborhood. The operation of any such machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly heard at a distance of 50 feet from the point of operation or use shall be prima facie evidence of a violation of this section.

8.85 STORAGE OF MOTOR VEHICLES; PROHIBITED ACTIVITY: No person, firm or corporation shall store or place, or permit to be stored or placed, any motor vehicle beyond reconditioning for use on the public highways in any lot or yard in the Village of Melrose, except in a licensed junk yard. No such motor vehicle may be kept on any street or driveway for a period exceeding 48 hours; such restriction may not be avoided by moving said vehicle from place to place to avoid application of the 48 hour limit. A motor vehicle shall be deemed to be beyond reconditioning for use if the estimated cost of reconditioning for use exceeds the estimated market value that the vehicle would have after such reconditioning.

8.90 VILLAGE MARSHALL:

1. **POSITION CREATED:** There is hereby created the position of Village Marshall, who shall possess the powers and duties as set forth in Sections 61.28 and 61.29, Stats.
2. **APPOINTMENT:** The Village Marshall shall be appointed by the Village Board of the Village of Melrose, and shall serve for such time and under such conditions as designated by said Board, at all times serving at the Board's pleasure.

VILLAGE OF MELROSE

8.91 AN ORDINANCE PROVIDING FOR AN INCREASED FEE FOR USE OF THE VILLAGE POLICE DEPARTMENT EQUIPMENT OR OFFICERS:

The Village Board of Melrose, Jackson County, Wisconsin, do hereby ordain as follows:

SECTION 1: The Village of Melrose Code is hereby amended by creating a new section to be numbered Section 8.91, which said Section shall read as follows:

8.91 FEE FOR USE OF VILLAGE POLICE DEPARTMENT:

1. **AUTHORITY:** The Village shall charge a fee for Law Enforcement Services that are outside the scope of the Police Department's usual duties; and are at the request of other public agencies or private organizations.
2. **FEE AMOUNT:** The fee amount shall be determined by the Police Chief under the following guidelines:
 - a) **Police Officers:** fee not to exceed twice the hourly wage of the officer;
 - b) **Police Equipment:** fee to be established based on cost to Police Department. Not to exceed twice the cost to the Police Department;
 - c) **Squad Car:** fee to be established based on cost to the Police Department. Not to exceed twice the cost to the Police Department.
3. **USE OF INCREASED FEE AMOUNT:**
 - a) **Police Officers:** At least \$1.00 per hour would be retained by the Village for administration costs.
 - b) **Police Equipment:** At least ten percent of the increased fee would be retained by the Village for administrative costs.
 - c) **Squad car:** At least ten percent of the increased fee would be retained by the Village for administrative costs.
4. **DAMAGES:** Any actual damages to the property of the Village Police Department incurred during the service provided under this section may be billed to the public agency or private organization at the discretion of the Police Chief.

SECTION 2: EFFECTIVE DATE

This Ordinance shall take effect and be in force upon passage and publication as provided by law.

Passed: 08/03/2011
Approved: 08/03/2011
Published:

Signed by:
LeRoy Craig, President
Village of Melrose

Attest signed by:
Judith Andersen, Clerk
Village of Melrose

VILLAGE OF MELROSE

8.11 AN ORDINANCE ESTABLISHING PERIODS OF TIME WHEN NO PERSON SHALL BE ENTITLED TO BE ON PROPERTIES OWNED, LEASED OR UNDER THE CONTROL IF THE VILLAGE OF MELROSE OR THE MELROSE MINDORO SCHOOL DISTRICT AND ESTABLISHING PENALTIES FOR VIOLATION OF THIS ORDINANCE.

The Village Board of the Village of Melrose, Jackson County, Wisconsin, do ordain as follows:

SECTION 1: PROHIBITED ACTIVITIES

Except as set forth in section 3 of this ordinance, no person shall be entitled to be upon the following described properties located within the Village of Melrose during the timeframes as set forth in Section 2 of this Ordinance:

1. All properties owned, leased or under the control of the Village of Melrose located within the Village of Melrose.
2. All properties owned, leased or under the control if Melrose-Mindoro School District as located within the Village of Melrose.

SECTION 2: PROHIBITED HOURS

The prohibitions as set forth in Section 1 of this Ordinance shall be applicable to all persons during the following timeframes:

1. From 10:00 p.m. until 5:00 a.m. of the following day, commencing on Sunday at 10:00 p.m. through Friday at 5:00 a.m.
2. From 12:01 a.m. through 5:00 a.m. on Saturdays and Sundays.

SECTION 3: EXCEPTIONS

Exceptions to Paragraphs 1 and 2 above shall be any activities and /or events approved by the Village Board of the Village of Melrose or by the Melrose Mindoro School District.

SECTION 4: PENALTIES

The penalty for convictions of violation of any of the provisions of this Ordinance shall be a forfeiture not more than \$500.00, plus costs of prosecution for each offense, and in default of payment thereof, the person convicted may be incarcerated in the County Jail for not more than thirty (30) days.

SECTION 5: CODE SECTION

From and after the effective date of this Ordinance, same shall be known as Section 8.11 of the Code of Ordinance of the Village of Melrose.

SECTION 6: SEVERABILITY

The provisions of this Ordinance shall be deemed severable and it is expressly declared that the Village Board would have passed the other provisions of this Ordinance irrespective of whether one or more provisions may be declared invalid. If any provisions of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the Ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

SECTION 7: EFFECTIVE DATE

This Ordinance shall take effect and be in force upon passage and publication as provide by law.

Signed by:
LeRoy Craig, President
Village of Melrose

Attest signed by:
Judith Andersen, Clerk
Village of Melrose

Dated: 12/01/2003
Passed: 12/01/2003
Published: 12/17/2003

VILLAGE OF MELROSE

8.15 AN ORDINANCE PROHIBITING LOITERING OR PROWLING PURSUANT TO SECTION 8.15 OF THE CODE OF ORDINANCES OF THE VILLAGE OF MELROSE.

The Village Board of the Village of Melrose, Jackson County, Wisconsin, do ordain as follows:

SECTION 1: Section 8.15 of the code of Ordinances of the Village of Melrose is hereby created so as to read as follows:

LOITERING/PROWLING 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 are the following:

1. That the person takes flight upon appearance of a police or peace officer.
2. That person refuses to identify himself.
3. That person manifestly endeavors to conceal himself or any object.

Unless flight by the person or other circumstances makes it impracticable, a law enforcement officer, prior to any arrest for an offense under this Subsection, shall afford the person an opportunity to dispel and alarm which would otherwise be warranted by requesting that person to identify himself and explain his presence and conduct. No person shall be convicted of an offense under this Subsection if:

1. The police or peace officer did not comply with the preceding sentence, or
2. It appears at trial that the explanation given by the person was true, if believed by the police or peace officer at the time, would have dispelled the alarm.

SECTION 2: SEVERABILITY

If any part of this ordinance is for any reason found to be invalid or unconstitutional by reason of any decision by any court of competent jurisdiction, such decision shall not affect the validity of any other part of this ordinance.

SECTION 3: CONFLICTING ORDINANCE

All other ordinance or parts of ordinances of the Village of Melrose inconsistent or in conflict herewith are hereby repealed.

SECTION 4: EFFECTIVE DATE

Upon passage and publication, this ordinance shall take effect and be in force as provided by law.

Signed by:
LeRoy Craig, President
Village of Melrose

Attest signed by:
Judith Andersen, Clerk
Village of Melrose

Dated: 06/04/2003
Passed: 06/04/2003
Published: 06/18/2003

ORDINANCE NO. 8.90

VILLAGE MARSHALL:

The Village Board of the Village of Melrose, Jackson County, Wisconsin, do ordain as follows:

(1) POSITION CREATED: There is hereby created the position of Village Marshall, who shall possess the powers and duties as set forth in Sections 61.28 and 61.29, Stats.

(2) APPOINTMENT: The Village Marshall shall be appointed by the Village Board of the Village of Melrose, and shall serve for such time and under such conditions as designated by said Board, at all times serving at the Board's pleasure. The Village Marshall oversees all support police employees.

(3) Police Part-time Deputy Marshall: This Police Support employee(s) is paid at an hourly wage to perform a sworn law enforcement function. Officers in this unit must comply with all guidelines as established by the Wisconsin Law Enforcement Standards Board. This unit is a sworn support group that takes all instructions from directives established for the Police Department through the Village Marshall.

(4) Police Reserve Deputy Marshall: This is a salaried Police Support employee(s) that is allowed to have sworn Wisconsin Law Enforcement status. Officers in this unit must comply with guidelines as established by the Wisconsin Law Enforcement Standards Board. This unit is a sworn support group that takes all instructions from directives established for the Police Department through the Village Marshall.

(5) Police Auxiliary Deputy Marshall: This is an all voluntary Police Support employee(s) that does not have Wisconsin Law Enforcement Officer sworn arrest powers. This unit is completely a citizen support group that takes all instructions from directives established for the Police Department through the Village Marshall.

(6) All Police Support Personnel shall be considered appointed for a period of time not to exceed one calendar year. All appointments shall expire on December 31 of each year. A member of any Police Support Personnel unit may be reappointed for the following year by the Village Board. There is no restriction on the number of years a person can be appointed as Police Support Personnel. All Police Support Personnel's employment status shall be considered as Limited Term Employee (LTE) for the Village.

(a) The Police personnel assigned the rank of Sergeant or Corporal by the Village Board is exempt from section 6 of this ordinance as is the Marshall.

(7) The duties, lawful instructions, directions, and any orders that control the Village Marshall's department shall also apply to the Police Support Personnel. All Police Support Personnel shall adhere to the Police Department chain of command and other verbal or written directives.

Signed:

Tory Lockington, Village Board President

Attested:

Jodi Anderson, Village Clerk

Dated: 3-1-17

Passed: 3-1-17

Published: 4-26-17