

Chapter 9

Offenses Against Property

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SEC. 9-1 PURPOSE.

The purpose of this ordinance is to maintain property within the Town of Barnes in free and clear from destruction or defacement and in order to ensure safety and healthful conditions for all persons.

SEC. 9-2 STATE OFFENSES AGAINST PROPERTY LAWS ADOPTED.

The statutory provisions describing and defining regulations with respect to offenses against property against the peace and good order of the Town provided the penalty for commission of such offenses hereunder shall be limited to a forfeiture imposed under the general penalty provisions of this Code of Ordinances in Sec. 1-7. Any future amendments, revisions or modifications of the Statutes incorporated herein by reference are intended to be made part of this Code.

<u>Wis. Stat. Section</u>	<u>Title</u>
943.13	Trespass to Land
943.24	Issue of Worthless Checks

SEC. 9-3 DESTRUCTION, DEFACEMENT OF PROPERTY.

- (a) No person shall willfully injure or intentionally deface, draw, mark, write with paint or other substance, etch or destroy unlawfully remove, take or meddle with any property of any kind or nature within the Town of Barnes and belonging to the Town of Barnes, its departments without the owner's consent.
- (b) **Parental Liability.** Pursuant to Sec. 895.035, Wis. Stats., the parents of an unemancipated minor shall be liable for the damage or defacement of the property caused by the willful, malicious or wanton act of such

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minor; such liability shall not exceed Five Thousand (\$5,000.00) Dollars.

SEC. 9-4 LITTERING.

(a) **Definitions.** As used in this ordinance, the following definitions apply:

- (1) **"Garbage"** waste resulting from the handling, preparation, cooking and consumption of food; waste from the handling, storage and sale of produce.
- (2) **"Refuse"** combustible trash, including, but not limited to, paper, cartons, boxes, barrels, wood, excelsior, tree branches, yard trimmings, wood furniture, bedding; noncombustible trash, including but not limited to, metals, tin cans, metal furniture, dirt, small quantities of rock and pieces of concrete, glass, crockery, other mineral waste; street rubbish, including but not limited to, street sweepings, dirt, leaves, catch-basin dirt, contents of litter receptacles. Provided, refuse shall not include earth and wastes from building operations such as food processing wastes, boiler house cinders, lumber, scraps and shavings.
- (3) **"Ashes"** residue from fires used for cooking and heating buildings.

(b) **Littering prohibited.**

- (1) No person shall leave, place, throw or deposit or cause or permit any other person to leave, place, throw or deposit, in or upon any street or public place, or in or upon any vacant or private lot or premises, any ashes, rubbish, garbage, refuse or other like or similar substances or materials.
 - a. It shall be unlawful to place or permit to remain anywhere in the Town of Barnes any garbage, or other material subject to decay other than leaves or grass, excepting in a tightly covered container.
 - b. It shall be unlawful to cause or permit to accumulate any dust, ashes or trash of such a material that it can be blown away by the wind

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anywhere in the Town of Barnes excepting in a covered container.

- c. It shall be unlawful to deposit or permit to fall from any vehicle any garbage, refuse or ashes on any public street, road or alley in the town, provided, that this section shall not be construed to prohibit placing garbage, refuse or ashes in a container complying with the provisions of this ordinance preparatory to having such material collected and disposed of in the manner provided herein. Any garbage, refuse or ashes or building materials being carried by a motor vehicle on a public street, road or alley in the Town of Barnes shall be fully covered.
- d. It shall be unlawful to dump or place any garbage, refuse or ashes on any premises in the town without the consent of the owner of such premises.

SEC. 9-5 FORFEITURES and PENALTIES.

The forfeitures and penalties provided for in this section shall be applicable to violations of Sections 9-3 and 9-4 of this Ordinance in accordance with Chapter 1.