

Chapter 54

OFFENSES AND MISCELLANEOUS PROVISIONS\*

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\*Cross references--Court, ch. 18; law enforcement, ch. 42; traffic and vehicles, ch. 78.

**Sec. 54-1. Weapons.**

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

*Permitted weapon* means a shotgun with a load not to exceed BB shot, and any bow and arrow, but not including crossbows.

*Weapon* means any gun, pistol, rifle, airgun or other device used to propel a missile in the form of a ball, bullet, slug, BB shot or pellet, whether the propelling force is gunpowder, an explosive, compressed air, mechanical action or any other force.

**(b) Discharge.**

- (1) *Prohibited area.* No person shall discharge a weapon within the area in the village described as follows:

Commencing at the most southeasterly point of the village, at Lake Michigan, proceed westerly on CTH KR, as extended, to its intersection with STH 31; thence north on STH 31 to its intersection with Braun Road; thence west on Braun Road to its intersection with 90th Street; thence following the westerly boundary line of the Village of Startevant to its intersection with CTH H, north of STH 11; thence north on CTH H to its intersection with Fancher Road; thence north on Fancher Road to its intersection with Gittings Road; thence east on Gittings Road to its intersection with Airline Road; thence south on Airline Road to its intersection with CTH C; thence east on CTH C to its intersection with Emmertsen Road; thence north on Emmertsen Road to its intersection with STH 38; thence east on STH 38 to the easternmost village limits.

INCLUDES  
PIKE R.  
PARKWAY  
AREA

- (2) *Farmers.* The prohibition set forth in subsection (b)(1) of this section shall not apply to a farmer owning not less than ten acres who may use a weapon for rodent control on his own premises, provided the missile discharged will stop on or over such farmer's land.
- (3) *Use of permitted weapons.*
- a. *Permit required.* No person shall discharge a permitted weapon or use a bow and arrow at any time within the prohibited area described in subsection (b)(1) of this section, except the owner of any land within such area may apply to the police department for a yearly permit to discharge a permitted weapon or use a bow and arrow on such owner's land. Such owner shall then certify to the chief of police that any discharge of a permitted weapon or use of a bow and arrow can occur without danger to any other resident of the village and, in any event, that any discharge of a permitted weapon or use of a bow and arrow can occur not less than 500 feet from any public or private street, alley, highway, park, picnic ground, playground, railroad right-of-way, dwelling, industrial business, professional or mercantile establishment or any school, hospital or other institution. If the chief of police or his designee is satisfied that such land can be so used, he shall grant

a permit, which shall contain a description of the owner and his land, together with a statement that such permit may be revoked upon conviction of a violation of any ordinance relating to such issuance, or county ordinance or law which relates to illegal weapons discharge. A permit may be denied or revoked if conditions of the land or surrounding lands change so as to no longer be in compliance with this section. If the chief of police or his designee declines to issue such permit, the affected owner may appeal such decision to the village board for review.

- b. *Guests of permittees.* A person who is a guest of the owner who has been issued a permit under subsection (b)(3)a. of this section may discharge a permitted weapon or use a bow and arrow on the land of the permittee, provided such guest has the owner's written permission on his person at the time.

(4) *Possession of weapons.* Notwithstanding any other provision of this section, no person shall have any weapon, whether a permitted weapon or otherwise, in the prohibited area described in subsection (b)(1) of this section where a permit to discharge a permitted weapon or use a bow and arrow has not been issued, unless such weapon, whether a permitted weapon or otherwise, is unloaded and enclosed in a carrying case or other suitable container or is unstrung in the case of a bow and arrow.

(5) *Exceptions.*

- a. A person may discharge a weapon within the village only in the following specific cases:
1. As permitted by subsection (b)(2) of this section.
  2. A public official while in the lawful discharge of official duty.
  3. A member of the Armed Forces of the United States or the state while in the lawful discharge of his official duty.
  4. Any person while in the lawful defense of his person or property.
  5. Any person while on a clearly defined target range or shooting gallery, provided the missile discharged will stop on or over the target range or shooting gallery.
  6. Any person outside the prohibited area described in subsection (b)(1) of this section, if he is the owner of such land or a guest of the owner of such land who has written permission of the owner on his person at the time; is at least 500 feet from any public or private street, alley, highway, park, picnic ground, playground, railroad, right-of-way, dwelling, industrial business, professional or mercantile establishment, or any school, hospital or institution; and the missile discharged will stop on or over such land.
- b. Crossbows may be permitted by the chief of police or his designee beyond the prohibited area described in subsection (b)(1) of this section. Any person desiring to use a crossbow shall be properly licensed under law and the chief of police shall issue permits in accordance with subsection (b)(3) of this section.

(Code 1993, § 9.02)

Chapter 58

PARKS AND RECREATION\*

- Sec. 58-1. Prohibited activities; hours; variances.  
Sec. 58-2. Violations; penalties.

\*Cross references—Any ordinance naming public grounds and parks saved from repeal, § 1-8(11); streets, sidewalks and other public places, ch. 70.

## Sec. 68-1. Prohibited activities; hours; variances.

(a) *Prohibited activities.* No person within the village shall do any of the following within or upon any park or public recreational area operated by the village or park commission:

- (1) *Damage property.* Intentionally mark, deface, disfigure, damage, displace or remove any structure, equipment, facility or other park property, either real or personal, including trees, shrubbery and landscaping.
- (2) *Litter.* Scatter, litter, throw, dispose of or leave any garbage, rubbish, bottle, can, trash, debris or other waste material in any waters in, or contiguous to, any park or public recreational area or any place on the grounds thereof.
- (3) *Animals.* Bring or harbor any dogs, horses or other animals at any time in or upon any park or public recreational area, except when required for activities or amusements authorized by the park commission or village board, whichever body has jurisdiction.
- (4) *Firearms.* Have in his possession or under his control, or discharge any firearm, airgun, sling shot or any other dangerous or deadly weapon or explosive of any kind while in or upon any park or public recreational area, except law enforcement officers.
- (5) *Fireworks.* Use, discharge, explode or bring any fireworks in or upon any park or public recreational area. For purposes of this subsection, the term "fireworks" shall include all material and devices enumerated under Wis. Stats. § 167.10(1), but shall not include paper caps manufactured in accordance with United States Interstate Commerce Commission regulations for packing and shipping. This subsection shall not prohibit pyrotechnic displays authorized by a permit issued by the president in accordance with the provisions of Wis. Stats. § 167.10(3).
- (6) *Drive, ride or park in grass areas.* Drive, operate, park, ride or leave standing any vehicle, motor vehicle, motor driven cycle, bicycle or horse in or upon any park or public recreational area, except on the roads, ways, trails and areas established therefor. Vehicles specifically designed to help individuals whose mobility is handicapped, which access park facilities or public recreational areas, are exempt from this subsection when such vehicles are used for such purposes. Snowmobiles, minibikes, go-carts and all other unlicensed vehicles are prohibited at all times in village parks and public recreational areas.
- (7) *Intoxicating liquor.* Bring into or have in his possession, or consume, any intoxicating liquor, except beer, upon or in any park or public recreational area.
- (8) *Disorderly conduct.* Use any loud, violent, obscene or profane language, conduct himself in a disorderly manner or commit any nuisance while in or upon any park or public recreational area.
- (9) *Bottles.* Bring any bottle of any type into any park.

- (10) *Fires.* Build, or cause to be built, a fire of any kind in or upon any park or public recreational area, except within areas designated for fires, in designated fireplaces provided for such purpose, or except for portable grills in restricted areas and if ashes are properly disposed of.
- (11) *Locked and posted areas.* Enter any building, or part thereof, or any area in or upon any park or public recreational area which is locked or in disregard of posted signs or notices.
- (12) *Sale of merchandise.* Sell or vend any article or merchandise in any park or public recreational area without the written consent of the park commission or village board, whichever body has jurisdiction.
- (13) *Signs and notices.* Post any notice or sign in or upon any park or public recreational area within the village without the written consent of the park commission or village board, whichever body has jurisdiction.
- (14) *Sound devices.* Operate any sound track, loudspeaker, amplifier, motor or other mechanical or electronic device that produces loud and undue noise in or upon any park or public recreational area without the written consent of the park commission or village board, whichever body has jurisdiction.
- (15) *Games.* Play softball, baseball, football or any other ball game or horseshoes, except at locations specifically designated for such purpose by the park commission or village board, whichever body has jurisdiction.

(b) *Hours.* The park hours shall be set by the park commission and appropriate signs giving notice thereof shall be posted at all village parks.

(c) *Variance.* A variance for a specified period of time to any and all of the restrictions set forth in this section may be granted by the park commission or village board, whichever party has jurisdiction, provided that at no time may such a grant of variance have the effect of permitting any group the exclusive use of any park or recreational area maintained by the village.

(Code 1993, § 19.01)

**Sec. 58-2. Violations; penalties.**

Except as otherwise provided, any person who violates any provision of this chapter shall, upon conviction, be subject to a forfeiture as provided in section 1-15.

(Code 1993, § 19.05)