

ORDINANCE NO. 02152023B

**AN ORDINANCE TO REPEAL CHAPTER 1 STATE STATUTES ADOPTED
OF TITLE 9 OFFENSES AND NUISANCES FOR THE TOWN OF BURKE,
DANE COUNTY, WISCONSIN**

SECTION 1: the Town Board of supervisors of the Town of Burke, Dane County Wisconsin does hereby ordain as follows:

Whereas, the Town of Burke Code of Ordinances Title 9 Chapter 1 is repealed and recreated as follows:

TITLE 9 - Offenses and Nuisances

CHAPTER 1

9-1-1 State Safety Statutes Adopted.

The provisions of the following Wisconsin Statutes are hereby adopted as ordinances and are incorporated herein as if fully set forth. Any act required to be performed or prohibited by any provision incorporated herein is required or prohibited by this section. Any future amendment of any statutory provision incorporated herein that the Town may adopt as an ordinance is hereby adopted as an ordinance and is incorporated herein as if fully set forth as of the effective date of that future amendment. Any offense that would be a felony if charged as a violation of a Wisconsin Statute is not adopted.

29.601	Noxious Substances
97.627	Causing Fires by Tobacco Smoking
118.07	Health and Safety Requirements
118.08	School Zones; Crossings
118.09	Safety Zones
118.10	School Safety Patrols
118.105	Control of Traffic on School Premises
118.11	School Fences
118.123	Reports and Records; Forfeitures
118.163	Municipal Truancy and School Dropout Ordinances
125.09 ⁽¹⁾⁻⁽³⁾	General Alcohol Beverage Restrictions
134.65	Cigarette and Tobacco Products Retailer License
134.66	Restrictions on Sale or Gift of Cigarettes or Nicotine or Tobacco Products
167.10	Regulation of Fireworks
173.10	Investigation of Cruelty Complaints
173.24	Reimbursement for Expenses
175.25	Storage of Junked Automobiles
175.60 ⁽¹⁶⁾	Prohibited Acts (Concealed Weapon)
254.92	Purchase or Possession of Tobacco Products Prohibited
287.81	Littering

938.125	Jurisdiction over Juveniles
938.17	Jurisdiction over Traffic, Boating, Snowmobiling, All-Terrain Vehicle Violations and over Civil Law and Ordinance Violations
938.342	Disposition, Truancy, and School Dropout Ordinance Violations
938.343	Disposition of Juveniles, a Civil Law or an Ordinance
938.344	Disposition, Certain Intoxicating Liquor, Beer, and Drug Violations
938.345	Disposition of Juvenile Adjudged in Need of Protection or Services
939.05(2)(b)	Parties to Crime – Aiding and Abetting
939.22	Words and Phrases Defined
940.19(1)	Battery
940.291	Law Enforcement Officer; Failure to Render Aid
940.42	Intimidation of Witnesses; Misdemeanor
940.44	Intimidation of Victims; Misdemeanor
941.01	Negligent Operation of Vehicle
941.10	Negligent Handling of Burning Material
941.12(2)	Interfering with Fire Fighting-Equipment
941.12(3)	Interfering with Fire Fighting-Hydrant
941.13	False Alarms and Interference with Firefighting
941.20(1)	Endangering Safety by use of Dangerous Weapon
941.23	Carrying Concealed Weapon
941.235	Carrying Firearm in a Public Building
941.26	Machine Guns and Other Weapons
941.2965	Restrictions on Use of a Facsimile Firearm
941.297	Sale or distribution of Imitation Firearms
941.35	Emergency Telephone Calls
941.36	Fraudulent Tapping of Electric Wires or Gas or Water Meters or Pipes
941.37(1)(2)	Obstructing Emergency or Rescue Personnel
942.01	Defamation
942.03	Giving False Information for Publication
942.05	Opening Letters
942.10	Use of a Drone
943.01(1)	Damage to Property
943.017	Graffiti
943.11	Entry into Locked Vehicle
943.125	Entry into Locked Coin Box
943.13	Trespass to Land
943.14	Criminal Trespass to Dwellings
943.145	Criminal Trespass to a Medical Facility
943.15	Entry onto Construction Site or into Locked Building, Dwelling or Room
943.20	Theft
943.21(3)	Fraud on Hotel, Innkeeper, Recreational Attraction, Taxicab Operator, or Gas Station
943.22	Use of Cheating Tokens
943.225	Refusal to Pay for Motor Bus Ride
943.23(1,4,5)	Operating Vehicle Without Owner's Consent

943.24 Issuance of Worthless Checks
 943.34(1)(a) Receiving Stolen Property
 943.37 Alteration of Property Identification Marks
 943.38(3) Forgery
 943.392 Fraudulent Data Alteration
 943.41 Financial Transaction Card Crime
 943.455 Theft of Commercial Mobile Service
 943.46 Theft of Video Service
 943.47 Theft of Satellite Cable Programming
 943.50(1-3),(4)(a) Retail Theft, Theft of Services
 943.55 Removal of Shopping Cart
 943.61 Theft of Library Material
 943.70 Computer Crimes
 944.15 Public Fornication
 944.17 Sexual Gratification
 944.20 Lewd and Lascivious Behavior
 944.21 Obscene Material or Performance
 944.23 Making Lewd, Obscene or Indecent Drawings
 944.30 Prostitution
 944.31 Patronizing Prostitutes
 944.32 Soliciting Prostitutes
 944.33 Pandering
 944.36 Solicitation of Drinks Prohibited
 945.01 Definitions (Gambling)
 945.02 Gambling
 945.04 Permitting Premises to be Used for Commercial Gambling
 946.40 Refusing to Aid Officer
 946.41 Resisting or Obstructing Officer
 946.42(2) Escape
 946.46 Encouraging Violation of Probation, Extended Supervision or Parole
 946.69 Impersonating or Falsely Assuming to Act as Public Officer or Employee
 or a Utility Employee
 946.70 Impersonating Peace Officer, Fire Fighters, or Other Emergency Personnel
 946.72(2) Tampering with Public Records or Notices
 947.01 Disorderly Conduct
 947.012 Unlawful Use of Telephone
 947.0125 Unlawful Use of Computerized Communication Systems
 947.013 Harassment
 947.02 Vagrancy
 947.06 Unlawful Assemblies and Their Suppression
 948.01 Definitions Relating to Crimes Against Children
 948.09 Sexual Intercourse with a Child Age 16 years or Older
 948.10 Exposing Genital or Pubic Area
 948.11(1)(b)(2)(b) Exposing a Child to Harmful Material, Descriptions or Narrations
 948.21 Neglecting a Child

- 948.40 Contributing to the Delinquency of a Child
- 948.50 Strip Search by School Employee
- 948.51(1)(2)(3)(a) Hazing
- 948.60 Possession of a Dangerous Weapon by a Person Under 18
- 948.61(1)(2) Dangerous Weapons Other than Firearms on School Premises
- 948.63 Receiving Property from a Child
- 951.01 Definitions Relating to Crimes Against Animals
- 951.015 Construction and Application
- 951.02 Mistreating Animal
- 951.03 Dognapping or Catnapping
- 951.04 Leading Animal from Motor Vehicle
- 951.05 Cruel Transportation of Animal
- 951.06 Expose Animal to Poisonous or Controlled Substance
- 951.07 Illegal Use of Certain Animal Device
- 951.08 Instigating Fight Between Animals
- 951.09 Shooting at Caged or Staked Animal
- 951.095 Harassment of Police Animal
- 951.10 Illegal Sale of Baby Rabbit, Chick, or Other Fowl
- 951.11 Illegal Artificially Colored Animal
- 951.13 Failure to Provide Proper Food and Drink to Confined Animal
- 951.14 Failure to Provide Proper Shelter to Animal
- 951.15 Illegal Neglect or Abandonment of Animal

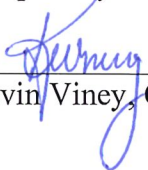
SECTION 2: Now, therefore, be it resolved that the Town Board of the Town of Burke, Dane County, Wisconsin repeals and recreates Chapter 1 from Title 9.

Effective Date. This ordinance shall take effect and be in force from and after its passage and publication as provided by law.


Severability and Conflict. If any section or part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

The above and foregoing ordinance was duly adopted at a regular meeting of the Town Board of the Town of Burke on February 15, 2023 by a vote of ___ ayes, ___ nays, and ___ not voting.

Adopted by the Town of Burke Board of Supervisors on February 15, 2023.



 Kevin Viney, Chair

Attest: 

 PJ Lentz, Clerk