

CHAPTER 41
OFFENSES AGAINST PUBLIC HEALTH, PROPERTY
SAFETY AND ORDER

41.01 WISCONSIN STATUTES ADOPTED

The following enumerated sections of the Wisconsin Statutes in connection with the herein-described misdemeanor offenses are hereby and by reference made part of this code. For the purpose of this section, the definitions of words and phrases contained in Chapters 939 to 951 and Chapter 961 of the Wisconsin Statutes, along with any future amendments, revisions or modifications are hereby adopted and by reference made part hereof with the same force and effect as if fully set forth herein.

41.02 CARRYING A CONCEALED WEAPON (SS.941.23)

Any person except a peace officer who goes armed with a concealed and dangerous weapon.

41.03 CRIMINAL DAMAGE TO PROPERTY (SS.943.13)

Whoever intentionally causes damage to any physical property of another without that person's consent.

41.04 CRIMINAL TRESPASS TO LAND (SS.943.13)

Whoever enters any enclosed, cultivated or undeveloped land of another person without the express or implied consent of the owner or occupant.

41.05 CRIMINAL TRESPASS TO DWELLINGS (SS.943.14)

Whoever intentionally enters the dwelling of another without the consent of some person lawfully upon the premises, under circumstances tending to create or provoke a breach of the peace.

41.06 THEFT OF PROPERTY (SS.943.20)

Whoever intentionally takes and carries away, uses, transfers, conceals, or retains possession of movable property of another without the other's consent and with intent to deprive the owner permanently of possession of such property.

41.07 FRAUD ON HOTEL, RESTAURANT OR TAXICAB (SS.943.21)

Whoever obtains any beverage, food, lodging or other service or accommodation at any campground, hotel, motel, boarding house, or restaurant and then intentionally absconds without paying for it.

Having obtained any transportation services from a taxicab operator, and then intentionally absconds without paying for the service.

41.08 ISSUANCE OF WORTHLESS CHECKS (SS.943.24)

Whoever issues any check or other order for the payment of not more than \$1,000 which, at the time of issuance, he or she intends shall not be paid.

41.09 RECEIVING STOLEN PROPERTY (SS.943.34)

Whoever intentionally receives or conceals stolen property.

41.10 FRAUDULENT USE OF A CREDIT CARD (SS.943.41)

No person shall acquire financial transaction card from the person, possession, custody or control of another without the cardholder's consent.

41.11 RETAIL THEFT (SS.943.50)

Any person, who intentionally alters the price, carries away merchandise, conceals merchandise, removes a theft detection device or uses a theft-shielding device to permanently deprive the merchant of their property for resale.

41.12 FORNICATION (SS.944.20)

Whoever has sexual intercourse in public.

41.13 LEWD AND LASCIVIOUS BEHAVIOR (SS.944.20)

Whoever commits an indecent act of sexual gratification with another with knowledge that they are in the presence of others; or, publicly and indecently exposes genitals or pubic areas.

41.14 REFUSING TO AID OFFICER (SS.946.20)

Whoever, without reasonable excuse, refuses or fails upon command, to aid any person known by the person to be a peace officer.

41.15 RESISTING/OBSTRUCTING AN OFFICER (SS.946.41)

Whoever knowingly resists or obstructs an officer while such an officer is doing any act in an official capacity and with lawful authority.

41.16 BATTERY (SS.940.19)(1)

Whoever causes bodily harm to another by an act done with intent to cause bodily harm to that person or another without the consent of the person so harmed.

41.18 NEGLIGENT HANDLING OF BURNING MATERIAL (SS.941.10)

Whoever handles burning materials in a highly negligent manner, or burning material is handled in a highly negligent manner if handled with criminal negligence, under circumstances in which the person should realize that a substantial risk and unreasonable risk of serious damage to another's property is created.

41.20 USE OF A WEAPON (SS.941.20)

(a) Definitions

As used herein, the term firearm or firearms shall mean any revolver, pistol, shotgun, rifle, or similar device which is designed or intended to propel projectile or projectiles by the burning of powder within a cartridge or barrel that creates a quantity of gas to expand and propel the projectile or projectiles.

(b) Prohibited Activities and Uses.

Offenses 41.20(b)(1)

- (1) Whoever endangers another's safety by the negligent operation or handling of a dangerous weapon
- (2) Operates or goes armed with a firearm while he or she is under the influence of an intoxicant.
- (3) Intentionally points a firearm at or toward another.
- (4) Discharging a firearm within the confines of any recorded subdivision as determined by the Plat of Subdivision recorded in the office of the Register of Deeds, Waukesha County, State of Wisconsin, on any lot less than twenty (20) acres in size.
- (5) Discharging a firearm within 500 feet of any building or structure.
- (6) Discharging a firearm within 500 feet of any lot less than twenty (20) acres within a recorded subdivision as determined by the Plat of subdivision recorded in the office of the Register of Deeds, Waukesha County, State of Wisconsin.

(b) Exceptions

The prohibitions of this section shall not pertain to:

- (1) Law enforcement officers duly designated and authorized by the Town, County, State and Federal authority.
- (2) Activities at any private club or target range where those activities have authorized pursuant to the zoning ordinances of the Town of Lisbon and, provided further that those activities are undertaken in accordance with any conditions or limitations imposed upon the private club or target range pursuant to the zoning laws of the Town of Lisbon.
- (3) Activities for the purpose of culling the herd to maintain its health at a deer farm properly licensed by the State of Wisconsin; provided such actions follow the rules and restrictions set forth by the State of Wisconsin.
- (4) Discharging a firearm on ones own property when the discharge of the firearm is directly related to rodent and varmint control activities; and the firearm used is designed or intended to propel a projectile of .22 caliber rimfire or smaller caliber rimfire.

(c) Air Powered Devices

No person shall discharge any air rifle, pistol or similar device in any recorded subdivision, or within 500 feet of the confines of any recorded subdivision, as determined by the Plat of Subdivision recorded in the Office of the Register of Deeds, Waukesha County, Wisconsin.

(d) Hunting

- (1) A shotgun, muzzle loader or bow and arrow may be used in the Town only for hunting purposes providing written permission is obtained from the property owner of the land to which the hunting is to be confined. Written permission shall be carried on the person while hunting. While hunting, a person shall not discharge an arrow, shot, slug or ball which passes beyond the property line of the area to which the hunting is confined.

(2) No person shall discharge a bow and arrow within 150 feet of any building or roadway within the Town. No person shall discharge a firearm within 500 feet of any building or roadway within the Town.

(3) No person shall discharge a bow and arrow or firearm within 600 feet of any Town Park or within 1,000 feet of any hospital or school within the Town.

(4) If a hunter discharges an arrow, shot, slug or ball which strikes an animal and said animal travels beyond the confined hunting area onto an adjacent property, the hunter must notify the property owner of the incident and seek permission for entry onto the property for the intention of retrieving the animal.

(e) Parental Responsibility

If a minor shall violate this section, then his parent or guardian may be held responsible for such violation in the same manner as if such parent or guardian had violated the same, and ignorance of such violation shall not be a defense; prosecution of such parent or guardian shall not be a bar or prosecution of minor.

41.21 ENTRY TO LOCKED VEHICLES (SS.943.11)

Whoever intentionally enters the locked vehicle and enclosed portion or compartment of the vehicle or another without consent and with intent to steal or cause damage.

41.22 DISORDERLY CONDUCT (SS.947.01)

Whoever in a public or private place engages in violent, abusive, indecent, profane, boisterous, unreasonable, loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance.

41.23 POSSESSION OF ALCOHOLIC BEVERAGES AT SCHOOL (SS.125.09)

No person may possess or consume alcohol beverages on school premises.

41.24 HARASSMENT (SS.947.013)

Whoever, with intent, engages in a course of conduct or repeatedly commits acts which harass or intimidate the person and which serves no legitimate purpose.

41.25 PURCHASE OR POSSESSION OF TOBACCO PRODUCTS (SS.938.983)

No person under 18 years of age may buy or attempt to buy any cigarette or tobacco products, falsely represent his or her age for the purpose of receiving any cigarette or tobacco product, or possess any cigarette or tobacco product.

41.26 POSSESSION OF A CONTROLLED SUBSTANCE (SS.961.14 (4)(t))

No person shall possess any substance that is outlined as prohibited in the Uniformed Controlled Substances Act (Chapter 961 of the Wisconsin Statutes).

41.27 POSSESSION OF DRUG PARAPHERNALIA (SS.961.573 (1)(2))

No person under the age of 18 may use, or possess with the primary intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance outlined in the Uniformed Controlled Substances Act.

41.28 PARTIES TO A CRIME (SS.939.05)

Whoever intentionally aids and abets the commission of a crime.

41.29 UNLAWFUL ASSEMBLY (22.947.06)

An unlawful assembly included an assembly of persons who assemble for the purpose of blocking or obstructing the lawful use by any other person, or persons of any public or private thoroughfares, property or of and positions of access or exit to or from any public or private building, or dwelling place, or any portion thereof and which assembly does in fact so block or obstruct the lawful use of any other person, or persons if any such private or public thoroughfares, property or any position of access or exit to or from any public or private building, or dwelling place, or any portion thereof.

41.30 RESIDENTIAL PICKETING

It is unlawful for any person to engage in picketing before or about the residence or dwelling of any individual.

41.31 CONTRIBUTING TO THE DELINQUENCY OF MINORS (SS.948.40)

No person may intentionally encourage or contribute to the delinquency of a child.

41.32 DISTURBING THE PEACE

Any person who performs, does, or becomes involved in any of the following acts within the Town of Lisbon is guilty of disturbing the peace.

(a) Aids, assists or encourages in causing or participating in a riot, disturbance or diversion tending to incite a breach of the peace;

(b) Collects together with another person or persons for any unlawful purpose of for any purpose to the harassment or disturbance of residents of a neighborhood in the Town of Lisbon, or to the detriment of the public health, welfare, safety or good order of the Town;

(c) Obstructs or interferes with the free use of travel on public streets or other public right of ways in the Town;

(d) Disobeys an order directed by a member of the Police Department, other law enforcement agency, or the Fire Department while in the performance of official duties;

(e) No person owning, occupying, or having charge of any building or premises, or any part thereof, or any vehicle, shall cause or allow any loud, excessive, or unusual noise in the operation or use of any radio, stereo, television or other mechanical device, instrument or machine that will disturb the comfort or repose of the persons therein or in the vicinity.

41.33 GRAFFITI (SS.943.017)

Whoever intentionally marks, draws or writes with paint, ink or another substance on or intentionally etches into the physical property of another without the other person's consent.

41.34 POLLUTION

No person shall pollute the air or any watercourse by excessive discharge of waste products or foreign matter.

41.35 LITTERING

No person shall litter any public or private property with paper or other debris or foreign matter. Any stored or transported materials susceptible to blowing or scattering shall be adequately covered or protected to prevent littering.

41.36 UNLAWFUL USE OF A TELEPHONE (SS.947.012)

(a) Whoever with intent to harass or offend telephones another and uses any obscene, lewd or profane language or suggests any lewd or lascivious act.

(b) Makes or causes the telephone of another repeatedly to ring, with intent to harass any person at the called number.

(c) Makes repeated telephone calls, whether or not conversation ensues, with intent solely to harass any person at the called number.

(d) Utilizes the 911 Emergency telephone system for any purpose other than to report an emergency, "Emergency" is defined, for the purposes of this subsections, as a situation in which immediate response by public safety personnel is essential and an existing or very probable situation exists of bodily harm or life threatening condition, property loss or damage, or the escape or a suspect in a criminal offense.

41.37 CURFEW

It shall be unlawful for any person under the age of 17 years to congregate, loiter, stroll, stand or play in or upon the public streets, highways, roads, alleys, parks, public buildings, places of amusement and entertainment, vacant lots, or any public places in the Town of Lisbon either on foot or in or upon any conveyance being driven or parked thereon between the hours of 11:00 P.M. and 5:00 A.M. of the following day unless accompanied by his parent, guardian, or other adult person having the custody or control of such minor.

41.38 UNDERAGE POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGE (SS.125.07(1) OR (4)(a), (b) or (bm), 125.085(3)(b) or 125.09(2))

No person under the legal drinking age set forth by the State of Wisconsin shall possess or consume any alcoholic beverage in a public or private place, unless in the direct company of their parents or legal guardian.

41.39 PUBLIC DRINKING PROHIBITED

No person shall consume or have in his possession open containers of intoxicants of fermented malt beverages, or intoxicating liquor, in or upon any public thoroughfare. By thoroughfare, this section shall be construed to include any public road, street, alley, highway, freeway, interstate, county trunk highway, or public right of way.

41.40 OPERATION OF ATV'S, TRAIL BIKES & MINI-BIKES

Operation of All-Terrain Vehicles and off road motorized bikes shall not be operated on any Town lands except on the traveled portion of any public thoroughfare and parking areas specifically designated for such traveling or parking. "Travel portion" is defined as the paved or otherwise surfaced portion of the roadway and the prepared shoulders, but shall not include the

grass areas within the statutory limits of the highways and contiguous to the traveled portion thereof.

- (a) No person shall operate a motorized bike or ATV on the property of another without the property owner's consent.
- (b) No operation between the hours of 9:00 P.M. and 8:00 A.M.
- (c) No operation within 50 feet of a dwelling.
- (d) No operation on the shoulders or in the drainage ditches, of public streets and highways.
- (e) No operation in excess of 25 mph.
- (f) No operation with more than one passenger.
- (g) No Operation without protective headgear.
- (h) No operation on a public street or highway unless the driver has an Operator's license and the vehicle is licensed by and meets the equipment requirement of the State of Wisconsin.
- (i) Must be at least 13 years of age to operate.
- (j) No operation within any recorded subdivision or within 500 feet of the confines of any recorded subdivision, as determined by the Plat of Subdivision recorded in the office of Register of Deeds, Waukesha County, Wisconsin.

41.41 TRUANCY

(a) Definitions

(1) "Truancy" means any absence for part or all of one or more days from school during which the school attendance officer, principal, or teacher has not been notified of the legal cause of such absence by the parent or guardian of the absent pupil, and also intermittent attendance carried on for the purpose of the defeating of the intent of the compulsory school attendance provisions of Wis. Stat. 118.15.

(2) "Truant" means a pupil who is absent from school without an acceptable excuse under Wis. Stat. 118.16(4) for part or all of any day on which school is held during a school semester.

(3) "Habitual Truant" means a pupil who is absent from school without an acceptable excuse under Wis. Stat. 118.15 and 118.16(4) for part or all of five (5) or more days on which school is held during a school semester.

(4) "Acceptable Excuse" has meaning as defined in Wis. Stat. 118.15 and 118.16.

(b) Any person under the age of 18 found by the court to be a habitual truant shall be subject to one or more of the following;

(1) Suspension of the person's operating privileges for not less than 30 days nor more than one (1) year, as defined in Wis. Stat. 340.01(40). The court shall immediately take possession of any suspended license and forward it to the Department of

Transportation together with a notice stating the reason for the duration of the suspension.

(2) An order for the person to participate in counseling, a supervised work program, or other community service as described in Wis. Stat. 938.34(5)(g). The cost of any such counseling, supervised work program or other community service may be assessed against the person, parents, or guardians of the person, or both.

(3) An order for the person to remain at home except during hours in which the person is attending religious worship or a school program including travel time required to get to and from the place of worship or school program. The order may permit the person to leave his/her home if the person accompanied by a parent or guardian.

(4) An order for the person to attend an educational program as described in Wis. Stat. 938.34(7d).

(5) An order for the person to attend school.

(6) Subject to Wis. Stat. 938.37, a forfeiture of not more than \$500 plus costs for each occurrence. All or part of the forfeiture plus costs may be assessed against the person, the person's parents, or guardian of the person, or both.

(7) Any other reasonable conditions consistent with this subsection including a curfew, restriction as to going to or remaining on specified premises, and restrictions on associating with other children or adults.

(8) An order for the person's parents, guardian, or legal custodian to participate in counseling at the parent's, guardian's, or legal custodian's own expense or to attend school with the person, or both.

(c) Contributing to Truancy

(1) Except as provided below, any person 17 years of age or older who, by act or omission, knowingly encourages or contributes to the truancy of a child shall be subject to a forfeiture of not more the \$200 plus costs.

(2) Subsection (a) does not apply to a person who has under his/her control a child who has been sanctioned under Wis. Stat. 49.26(1)(h).

(3) An act or omission contributes to the truancy of a child whether or not the child is adjudged to be in need of protection of services if the natural and probable consequences of that act or omission would be to cause the child to be truant.

41.42 PROVIDING ALCOHOL TO UNDERAGE PERSONS (SS.125.07)

(a) No person may procure for, sell, dispense or give away any alcohol beverages to any underage person not accompanied by his or her parent, guardian or spouse who has attained the legal drinking age.

(b) No adult may knowingly permit or fail to take action to prevent the illegal consumption of alcohol beverages by an underage person on premises owned by the adult or under the control of that adult.

41.43 ALTERNATIVE JUVENILE SANCTIONS

Court Authority to impose alternative juvenile dispositions and sanctions.

(a) For a juvenile adjudged to have violated an ordinance, a court is authorized to impose any of the dispositions listed in Wis. Stat. 938.343 and 938.344 in accordance with the provisions of those statutes.

(b) For a juvenile adjudged to have violated an ordinance, who violates a conditions of a dispositional order of the court under Wis. Stat. 938.343 or 938.344, the municipal (6)(d) in accordance with the provisions of those statutes.

(c) This section in enacted under the authority of Wis. Stat. 938.17(2)(cm).

41.44 LOITERING

(a) Loitering for improper purpose prohibited.

No person shall loiter or lounge in any public street or highway or alley or in any public place or on any private premises without invitation from the owner or occupant thereof for any immoral, illegal or improper purpose or insult or to disturb any person by any act, gesture or language.

(b) Obstruction of highway by loitering prohibited.

No person shall obstruct any street, bridge, sidewalk or crossing by lounging or loitering in or upon the same after being requested to move on by any Police Officer.

(c) Obstruction of traffic by loitering prohibited.

No person shall loaf or loiter in groups or crowds upon the public streets, alleys, sidewalks, street crossings or bridges or in any other public places within the Town in such a manner as to prevent, interfere with, or obstruct the ordinary free use of said public streets, sidewalks, street crossings, bridges or other public places by persons passing along and over the same after being requested to move on by any Police Officer or by any person in authority at such places.

(d) Loitering after being requested to move prohibited.

No person shall lounge or loiter in groups or crowds upon the streets, sidewalks or adjacent doorways or entrances, street crossings or bridges or in any other public place or on private premises without invitation from the owner or occupant, after being requested to move by any Police Officer or by any person in authority at such places.

(e) Loitering in Public Places prohibited.

No person shall loiter, lounge or loaf in or about any depot, theater, dance hall, restaurant, store, public sidewalk, public parking lot or other places of assembly or public use after being requested to move on by any Police Officer, proprietor of the place of business, or by any person in authority at such place. Upon being requested to move, a person must immediately comply with such request by leaving the premises or area thereof at the time of the request.

(f) Loitering at schools prohibited.

Offenses 41.44(f)(1)

(1) Non-students loitering in school or playgrounds prohibited. No person not in official attendance, or other official business, shall enter in, congregate, loiter, wander, stroll, stand or play in any school building in the Town or in or about any playground area or parking area adjacent thereto between 7:00AM and 4:00PM on official school days, provided this Section shall not apply to one who is a guest or invitee of the school authorities.

(2) Student or pupil in school or playgrounds prohibited. Any student or pupil scheduled to be in class shall not enter in, congregate, loiter, wander, stroll, stand or play in any school building in the Town or in or about any playground area or parking area adjacent thereto between 7:00AM and 4:00PM on official school days.

41.45 PENALTIES

The penalty for violating sections of the Lisbon Town Code are as follows:

(a) 41.02 Carrying a concealed weapon (941.23)

\$500.00 (Bail) + Costs

(b) 41.03 Criminal damage to property (943.13)

\$200.00 + Costs

(c) 41.04 Criminal trespass to land (943.13)

\$100.00 + Costs

(d) 41.05 Criminal trespass to dwelling (943.14)

\$200.00 (Bail) + Costs

(e) 41.06 Theft of property (943.20)

\$200.00 (Bail) + Costs

(f) 41.07 Fraud on hotel, restaurant, or taxicab (943.21)

\$250.00 (Bail) + Costs

(g) 41.08 Issuance of worthless checks (943.24)

\$200.00 (Bail) + Costs

(h) 41.09 Receiving stolen property (943.34)

\$200.00 (Bail) + Costs

(i) 41.10 Fraudulent use of credit card (943.41)

\$500.00 (Bail) + Costs

(j) 41.11 Retail theft (943.50)

\$200.00 (Bail) + Costs

(k) 41.12 Fornication (944.15)

\$100.00 (Bail) + Costs

(l) 41.13 Lewd and Lascivious behavior (944.20)

\$250.00 (Bail) + Costs

(m) 41.14 Refusing to aid an officer (946.40)

\$100.00 (Bail) + Costs

(n) 41.15 Resisting or obstructing an officer (946.41)

\$500.00 (Bail) + Costs

(o) 41.16 Battery (940.19)

\$500.00 (Bail) + Costs

(p) 41.17 Burning Permits

\$100.00 + Costs

(q) 41.18 Negligent handling of burning material (941.18)

\$125.00 + Costs

(r) 41.20 Use of a weapon (941.20)

Negligent use of Firearm

500.00 (Bail) + Costs

Any Hunting Violations

\$100.00 + Costs

(s) 41.21 Entry to locked vehicles (943.11)

\$500.00 (Bail) + Costs

(t) 41.22 Disorderly conduct (947.01)

Class 1 - \$150.00

Class 2 - \$300.00

Class 3 - \$500.00

(u) 41.23 Possession of alcoholic beverages at school (125.09)

Bail + Costs (Depends on age and number of violations)

(v) 41.24 Harassment (947.013)

\$100.00 + Costs

(w) 41.25 Purchase or possession of tobacco products (938.983)

\$50.00 + Costs

(x) 41.26 Possession of controlled substances (961.14(4)(t))

\$500.00 + Costs

(y) 41.27 Possession drug paraphernalia (961.573(1)(2))

\$500.00 + Costs

(z) 41.28 Parties to a crime (939.05)

\$50.00 + Costs

(aa) 41.29 Unlawful assembly (947.06)

\$250.00 (Bail) + Costs

(bb) 41.30 Residential picketing

\$150.00 + Costs

(cc) 41.31 Contributing to the delinquency of a minor (948.40)

\$250.00 (Bail) + Costs

(dd) 41.32 Disturbing the peace

Class 1 - \$150.00

Class 2 - \$300.00

Class 3 - \$500.00

(ee) 41.33 Graffiti (943.017)

\$500.00 + Costs

(ff) 41.34 Pollution

\$100.00 + Costs

(gg) 41.35 Littering

\$100.00 + Costs

(hh) 41.36 Unlawful use of a telephone (947.012)

\$125.00 + Costs

(ii) 41.37 Curfew

\$50.00 + Costs

(jj) 41.38 Underage possession or consumption of alcohol (125.07(1) or (4)(a), (b) or (bm), 125.0853(3)(b) or 125.09(2))

Deposit + Costs (Depends on age and number of violations)

(kk) 41.39 Public drinking

\$50.00 + Costs

(ll) 41.40 Operation off ATV's, trail bike's and mini bike's

\$60.00 + Costs

(mm) 41.41 Truancy

\$50.00 + Costs

(nn) 41.42 Providing alcohol to underage person (125.07)

\$450.00 + Costs

(oo) 41.44 Loitering

\$50.00 + Costs

6.02 Dogs Running at Large

\$50.00 + Costs

Chapter 8 (Parks)

\$100.00 + Costs

41.46 WARRANT SERVICE FEES

Pursuant to the provisions of Section 814.70, 814.705 and 814.71, Wisconsin Statutes, the Town of Lisbon Police Department shall charge a warrant service fee of \$25 whenever the Department serves a warrant or commitment order upon an individual, except that the statutory fee imposed by Section 814.70 shall apply if larger than the \$25 municipally imposed fee. Warrant fees shall be deposited in the Town General Fund. If there is more than one defendant or person served at a given address, the \$25 warrant service fee shall apply to each person served. If the person has warrants from multiple jurisdictions, the warrant service fee shall be assessed with regard to each such jurisdiction.

41.47 ALARM SYSTEM REQUIREMENTS AND FALSE ALARMS PROHIBITED.

(a) INTENT.

Although the Town of Lisbon recognizes that alarm systems serve a public purpose, it is the intent of this section to establish standards and regulations for all alarm systems, as defined in this section, in the Town of Lisbon. Said standards and regulations are intended to prevent carelessness, improper maintenance or any other cause which results in false alarms from privately owned, commercially owned, leased or contracted alarm systems for the purpose of reducing the number of such false alarms received by the Town of Lisbon. Such false alarms initiate police and/or fire department personnel and vehicle response which result in unnecessary expense to the Town, increases the risk of damage to property and injury to persons and dilutes the police and fire protection available for response to other areas of the Town. Such false alarms, therefore, constitute a public nuisance, which must be abated and/or penalized.

(b) DEFINITIONS.

(1) Private alarm system is defined as any device, designed and installed solely for the purpose of detecting and signaling the police and/or fire department, directly or via a central alarm station, to make an emergency response to the signal's location.

A. Direct private alarm system is any private alarm system, which is in any way linked to the police and/or fire department.

B. Indirect private alarm system is any private alarm system, which is in any way linked to a central alarm station.

(2) False alarm is a signal, regardless of how received, resulting in a response by the police and/or fire department when an emergency situation does not exist.

(3) The determination of a False Alarm is made by the Town Administrator in consultation with the contract Sheriff personnel.

(4) Local alarm system is any system which emits either an audible or visual signal, or both, on the exterior of any property, and is not connected to any other location by any means. This does not include any device designed solely for the purpose of alerting a building's occupants of fire, smoke or illegal entry, or any alarm devices on automobiles.

(5) Person shall mean any individual, partnership, corporation or other entity.

(6) Central alarm station shall mean any facility, which receives signals from alarm systems and alerts the police and/or fire department of the need to make an emergency response to the signal.

(c) CENTRAL ALARM STATION DUTIES.

Any person, company, organization or other entity providing a central alarm station monitoring service of alarms covered by this section shall be capable of having a service representative or other authorized key holder respond to the alarm location within thirty (30) minutes after activation.

(d) ALARM CONDITIONS.

Alarms shall not be installed without meeting the following conditions:

(1) The alarm system has the approval of the Underwriters Laboratories or other nationally recognized testing service.

(2) The alarm system has or will be installed in accordance with any applicable requirements of the Town Electrical Code, including necessary permits.

(3) The local alarm system shall have a device, which will shut off any audible signal automatically within fifteen (15) minutes after activation.

(4) Person's shall follow regular alarm testing procedures set forth by the Town Fire Chief.

(5) For indirect private alarm systems the following additional requirements apply:

A. Equipment must meet at least minimum standards as set forth in the Federal Bank Protection Act of 1968.

B. Person's shall remove the alarm system when the service is disconnected.

(6) No person, firm or corporation shall use or cause to be used, any telephone or electronic device or attachment which automatically selects a public primary telephone trunk line of the police or fire department, and then reproduces any pre-recorded message to report any intrusion, robbery or other emergency. Nor will the installation or a private telephone and trunk line for this purpose be allowed.

(5) FALSE ALARM FEES.

Any false alarm from an alarm system responded to by the Town's Police Services in excess of two in any twelve (12) consecutive month period shall incur a special charge for current services rendered. Such charge shall be \$25.00 for the third occurrence and \$50.00 for the fourth and subsequent occurrences. Said fees may be adjusted from time to time by the Town Board as deemed appropriate. The Town shall send a bill for the amount of the charge, to the property owner, and if applicable also to the tenant or other occupant of the property where the false alarm occurred. Such charges that remain unpaid on November 15th of the current year shall become a lien, and shall automatically be extended upon the tax roll as a special charge against the property served pursuant to Section 66.0627 of the Wisconsin Statutes, regardless of whether the resident individual or business causing the alarm is the property owner.

(6) EXEMPTIONS.

Property owned or leased by the Town of Lisbon or the Hamilton, Merton or Richmond School Districts are excluded from the provisions of this ordinance.