

9.80.020 Juvenile drinking. No child 10 years or older shall own, possess, ingest, buy, sell, trade, use as a beverage, give away, or otherwise control any intoxicating liquor or fermented malt beverage, or in any other way violate Wis. Stat. §§ 125.07(4) or 125.09(2). (Ord.140-93 Sec.2, 1997; Ord. 138-54 Sec.3, 1994; Ord.135-96 Sec.1, 1992; Ord.126-19 Sec.5, 1982).

9.80.030 Restrictions on purchase or possession of cigarettes or tobacco products. Wis. Stat. § 254.92 is adopted by reference and made a part of this chapter as if fully set forth herein. (Ord. 147-46, Sec. 2, 2003; Ord. 144-24, Sec. 25, 2000; Ord.141-50 Sec.6, 1997; Ord. 139-13 Sec.1, 1995).

9.80.040 Juvenile loitering on school property. No child 10 years or older after first being warned by a law enforcement officer or a school official, shall remain, loiter, or idle on public school grounds in the county during or after scheduled school hours. This section shall not apply to students who have obtained special permission from school officials in accordance with the school's rules and regulations. (Ord.140-93 Sec.3, 1997; Ord.138-54 Sec.4, 1994; Ord.126-19 Sec.7(part), 1982).

9.80.060 Juvenile shoplifting.

A. No child 10 years or older shall intentionally alter indicia or price or value of merchandise or take and carry away, transfer, conceal, or retain possession of merchandise held for resale by a merchant without the merchant's consent and with intent to deprive the merchant permanently of possession, or the full purchase price, of such merchandise.

B. The intentional concealment of unpurchased merchandise which continues from one floor to another or beyond the last station for receiving payments in a merchant's store is evidence of intent to deprive the merchant permanently of possession of said merchandise without paying the purchase price thereof. The discovery of unpurchased merchandise is evidence of intentional concealment on the part of the person so concealing such goods.

C. A merchant or merchant's adult employee who has probable cause for believing that a person has violated this section in his or her presence may detain such person in a reasonable manner for a reasonable length of time to deliver the person to a law enforcement officer, or to the person's parent or guardian. The detained person must be promptly informed of the purpose for the detention and be permitted to make telephone calls, but shall not be interrogated or searched against the person's will before the arrival of a law enforcement officer who may conduct a lawful interrogation of the accused person. Compliance with this subsection entitles the merchant or employee effecting the detention to the same defense in any action as is available to a law enforcement officer making an arrest in the line of duty. (Ord. 144-24, Sec. 26, 2000; Ord.140-93 Sec.4, 1997; Ord.138-54, Sec.5, 1994; Ord.127-54 Sec. 1, 1983).

9.80.070 Rules of the road adopted. The Wisconsin statutory provisions enumerated in Chapter 10.04 are adopted by reference and made part of this chapter and except as enumerated in 9.80.090, the penalty for any violation shall be a \$25.00 forfeiture. (Ord.129-76 Sec.1, 1986).

9.80.080 Hours prohibited in public. No minor under the age of 17 years shall be or remain in or upon any of the streets, alleys, other public places, or any private place held open to the public in the county between 12 midnight and 5 a.m., unless accompanied by a parent, guardian or adult person having custody, or unless such minor is required by employment to be in or about the places hereinabove mentioned within the hours above-stated, as shown by written, evidence from the employer of the minor then in the minor's possession, or such minor is then proceeding to or from home or place of employment. (Ord. 138-98 Sec. 2, 1995)

9.80.090 Forfeiture schedule. The following specified violations of this chapter shall be subject to the forfeiture schedule hereinafter:

- A. 9.80.020, juvenile drinking, forfeitures as established in Wis. Stat. ch. 125;
 - B. 9.80.030, restrictions on purchase or possession of cigarettes or tobacco products, \$25.00;
 - C. 9.80.040, juvenile loitering on school property, forfeitures not to exceed maximum imposed on adults for similar violations;
 - D. 9.80.060, juvenile shoplifting, forfeitures not to exceed maximum imposed on adults for similar violations.
 - E. 9.80.080, hours prohibited in public, \$50.00.
- (Ord. 139-13 Sec. 2-3; Ord.138-98 Sec.3, 1995; Ord.138-54 Sec.6, 1994; Ord.137-109 Sec.5, 1993; Ord.135-96 Sec.2, 1992; Ord.128-37 Sec.4, 1984; Ord.127-54 Secs.2,3, 1983; Ord.126-19 Sec.7(part), 1982).

9.80.095 Applicability. The provisions of this chapter shall be in addition to those set forth in Wis. Stat. ch. 48, the Children's Code and Wis. Stat. § 938, the Juvenile Justice Code. (Ord.141-50 Sec.7, 1997; Ord.126-19 Sec.7 (part), 1982).

Chapter 9.85

POSSESSION OF MARIJUANA AND DRUG PARAPHERNALIA

Sections:

- 9.85.010 Possession of Marijuana.
- 9.85.020 Possession of Drug Paraphernalia
- 9.85.030 Forfeiture

9.85.010 Possession of marijuana prohibited. The possession of 25 grams or less of marijuana, as defined in Wis. Stat. § 961.01(14), and subject to the exceptions in the introduction of Wis. Stat. § 961.41(3g) is prohibited, except that any person charged with possession of more than 25 grams of marijuana, or who was previously or is currently charged with the possession of any amount of marijuana in the State of Wisconsin, shall not be charged under this section. (Ord. 147-100 Sec. 6, 2004)

9.85.020 Possession of drug paraphernalia – state statutes adopted. Wis. Stat. § 961.573 is adopted by reference and made a part of this chapter as if fully set forth herein.

A. Drug paraphernalia used in the possession of marijuana under 9.85.010 shall be subject to the penalty in 9.35.030. (Ord. 165-11, Sec. 1, 2021; Ord. 148-24, 2004)

9.85.030 Forfeiture. Any person who has violated the provisions of Section 9.85.010 or 9.85.020 A. will forfeit \$1. (Ord. 165-11, Sec. 2, 2021)

Chapter 9.90

ALCOHOL BEVERAGES AND TOBACCO PRODUCTS

Sections:

9.90.010 Alcohol beverages – state statutes adopted.

9.90.020 Tobacco products – state statutes adopted.

9.90.010 Alcohol beverages - state statutes adopted. Wis. Stat. ch. 125 is adopted by reference and made a part of this chapter as if fully set forth herein.

9.90.020 Tobacco products – state statutes adopted. Wis. Stat. § 134.66 is adopted by reference and made part of this chapter as if fully set forth herein. (Ord. 147-46, Sec. 3, 2003; Ord.0135-96 Sec. 3, 1992; Ord.131-07 Sec.1, 1987).

Chapter 9.95

TRUANCY AND HABITUAL TRUANCY

Sections:

<u>9.95.010</u>	Truancy and habitual truancy.
<u>9.95.020</u>	Contributing to truancy.
<u>9.95.030</u>	Definitions.
<u>9.95.040</u>	Disposition and sanctions for truants.
<u>9.95.050</u>	Disposition and sanctions for habitual truants.
<u>9.95.060</u>	Exception for habitual truants.
<u>9.95.070</u>	References to statutes.
<u>9.95.080</u>	Severability.

9.95.010 Truancy and habitual truancy. No person under the age of 18 years who is subject to school attendance laws shall be truant or a habitual truant as defined in this section. (Ord. 145-38, Sec. 1, 2001; Ord. 144-47 Sec. 1, 2000; Ord. 132-90 Sec. 1, 1989)

9.95.020 Contributing to truancy.

A. Except as provided in B. no person 17 years of age or older shall, by act or omission, knowingly encourage or contribute to the truancy of a person subject to school attendance laws.

B. A. does not apply to a person who has under his or her control a child who has been sanctioned under Wis. Stat. § 49.26 (1) (h).

C. An act or omission contributes to a truancy of a pupil whether or not the pupil is adjudged to be in need of protection or services, if the natural and probable consequences of that act or omission would be to cause the pupil to be truant. (Ord. 145-38, Sec. 1, 2001; Ord. 144-47 Sec. 1, 2000)

9.95.030 Definitions. For purpose of this section:

A. "Acceptable excuse" means permission of the parent/guardian/legal custodian of a pupil, within limits of policies on truancy established by the school in which the pupil is enrolled. Except in emergencies or unforeseeable circumstances, such permission is expected to be communicated in writing from the parent/guardian/legal custodian to the school, prior to the absence. In emergencies or unforeseeable circumstances, such communication is expected to be as soon as practicable following the absence.

B. "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 any day on which school is held during a school semester.

C. "Habitual truant" means a pupil who is absent from school without an acceptable excuse for part or all of 5 or more days on which school is held during a school semester.

D. "Operating privilege" has the meaning given in Wis. Stat. § 340.01(40). (Ord. 161-31, Sec. 13, 2017; Ord. 145-38, Sec. 1, 2001; Ord. 144-47 Sec. 1, 2000; Ord. 132-90 Sec. 1, 1989)