

**Chapter 9.04**  
**Offenses By or Against Public Officers**  
**and Government**

**Sections:**

- 9.04.010 False Fire Alarms Prohibited.**
- 9.04.020 Obedience to Officers.**
- 9.04.030 Personating Police Officers.**
- 9.04.040 Assisting Escape of Prisoner.**

**9.04.010 False Fire Alarms Prohibited.**

No person shall give or send or cause to be given or sent in any manner any alarm of fire which he knows to be false. (Prior code § 9.02[4])

**9.04.020 Obedience to Officers.**

No person shall, without reasonable excuse or justification, physically resist or engage in any conduct, which interferes with any officer of the village while such officer is performing official duties. (Prior code § 9.02[5])

**9.04.030 Personating Police Officers.**

No person shall personate a policeman or peace officer within the village of Oakfield. (Prior code § 9.02[7])

**9.04.040 Assisting Escape of Prisoner.**

No person shall intentionally aid any prisoner or person to escape from the lawful custody of a village police officer. (Prior code § 9.02[6])

**Chapter 9.08**  
**Offenses Against Public Peace and**  
**Decency**

**Sections:**

- 9.08.010 Disorderly Conduct Prohibited.**
- 9.08.011 Loitering.**
- 9.08.012 Noise.**
- 9.08.015 Unlawful Use of Telephone.**
- 9.08.020 Gambling, Lotteries, Fraudulent Devices and Practices Prohibited.**
- 9.08.030 Obscenity.**
- 9.08.040 Adult-Oriented Establishments.**

**9.08.010 Disorderly Conduct Prohibited.**

No person shall within the village of Oakfield:

A. In any public or private place engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct which tends to cause or provoke a disturbance of public order; is subject to the provision of section 1.20.010

**State law reference**-Similar provisions, Wis. Stats. 947.01.

**9.08.011 Loitering.**

A. Loitering or Prowling.

1. No person shall loiter or prowl in a place, at a time or in a manner not usual for law-abiding individuals under circumstances that warrant alarm for the safety of persons or property in the vicinity. In this section, circumstances which warrant alarm include, without limitation, the following: If the actor takes flight on appearance of a peace officer, refuses to identify himself or attempts to conceal himself or any object.

2. Unless flight by the person or other circumstances makes it impracticable, a peace officer shall, prior to arrest, afford

the actor an opportunity to dispel any alarm which would otherwise be warranted by requesting him to identify himself and explain his presence and conduct. No person shall be convicted of an offense under this subsection if the peace officer did not comply with the preceding sentence or if it appears at trial that the explanation given by the person was true and, if believed by the peace officer at the time, would have dispelled the alarm.

B. Obstruction of Traffic. No person shall loiter on public street, street crossings, alleys, sidewalks, bridges or other public places within the village so as to obstruct or interfere with the ordinary and free passage of persons.

C. Loitering on Private Property Without Invitation. No person shall loiter on private premises without invitation of the owner or occupant.

D. Loitering in Places of Public Assembly or Use. No person shall interfere with the free use of any place of public assembly or public use by others using such place of public assembly by loitering. It shall be an offense under this subsection for a person to refuse to discontinue loitering after a request to do so by a police officer or by the person in charge of the place of public assembly.

E. Loitering on Private Property Without Invitation. No person shall loiter on private premises without invitation from the owner or occupant. It shall be an offense under this subsection for a person to refuse to discontinue loitering after being requested to do so by a police officer or by the owner or occupant.

#### **9.08.012 Noise.**

*Unnecessary noise.* Whoever causes any unreasonably loud, disturbing and unnecessary noise or any noise of such character, intensity or duration as to be detrimental to the life or health of any

individual or which is in the disturbance of public peace and welfare is hereby prohibited.

*Prohibitions.* The following acts among others are declared to be loud, disturbing and unnecessary noises and noises in violation of this section; but this enumeration shall not be deemed to be exclusive;

(1) *Horns and signal devices.* The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle, except as a danger signal or as brakes are being applied and declaration of the vehicle is intended; the creation by means of any signal device of any unreasonable, loud or harsh sound and the sounding of such device for any unnecessary or unreasonable period of time.

(2) *Unreasonable playing of radio, phonographs or musical instruments.* The playing of any radio, phonograph or any musical instrument in such manner or with such volume as to annoy or to disturb the quiet, comfort or repose of person in any office or hospital, or in any hotel or other type of residence, or of any persons in the vicinity.

(3) *Public address systems.* The use of a public address system to amplify sound of any nature in such manner or with such volume as to annoy or disturb the quiet, comfort or repose of persons in any office or hospital, or in any hotel or other type of residence, or of any person in the vicinity.

(4) *Unnecessary noises by animals, birds and fowl.* The keeping of any animal, bird or fowl which by causing frequent or long continued noise shall disturb the comfort or repose of any person in the vicinity.

**Penalties.** Each person found guilty of a violation of any of the provisions of this section shall be subject to the provisions of section 1.20.010.

**9.08.015 Unlawful Use of Telephone.**

Whoever does any of the following is subject to the provisions of section 1.20.010.

1. With intent to frighten, intimidate, threaten, abuse or harass, makes a telephone call and threatens to inflict injury or physical harm to any person or the property of any person.

2. With intent to frighten, intimidate, threaten or abuse, telephones another and uses any obscene, lewd or profane language or suggests any lewd or lascivious act.

3. Makes a telephone call, whether or not conversation ensues, without disclosing his/her identity and with intent to abuse or threaten any person at the called number.

4. With intent to harass or offend, telephones another and uses any obscene, lewd or profane language or suggest any lewd or lascivious act.

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

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

7. Makes a telephone call, whether or not conversation ensues, without disclosing his/her identity and with intent to harass any person at the called number.

8. Knowingly permits any telephone under his/her control to be used for any purpose by this section.

**State law reference**-Crimes against public peace, order and other interests generally, Wis. Stats. Ch. 947.

**9.08.020 Gambling, lotteries, fraudulent devices and practices prohibited.**

All forms of gambling, lotteries and fraudulent devices and practices are prohibited within the limits of the village. Any peace officer or policeman of the village

is authorized to seize anything devised solely for gambling or found in actual use for gambling within the village and to dispose thereof after a judicial determination that said device was used solely for gambling or found in actual use for gambling. This subsection shall not apply to the Wisconsin Lottery as set forth by Wisconsin Act #119. (Prior code § 9.03(1))

**9.08.030 Obscenity.**

No person shall use obscene language or engage in obscene conduct within the village. (Prior Code § 9.03 (3)).