

**VILLAGE OF BLOOMINGTON  
ORDINANCE NO. 2026-06**

**AN ORDINANCE TO AMEND CHAPTER VI (SIX) ENTITLED "PUBLIC CONDUCT" TO ADD SECTION 6.21 ENTITLED "ISSUE OF WORTHLESS CHECK", SECTION 6.22 ENTITLED "RETAIL THEFT" AND SECTION 6.23 ENTITLED "THEFT UNDER \$500" TO THE VILLAGE OF BLOOMINGTON MUNICIPAL CODE.**

NOW, THEREFORE, the Village Board of the Village of Bloomington, Grant County, Wisconsin, does ordain as follows:

**Section I:** Chapter VI (Six) entitled "Public Conduct" shall be amended to add Section 6.21 entitled "Issue of Worthless Check," section 6.22 entitled "Retail Theft" and 6.23 entitled "Theft Under \$500" to the Village of Bloomington Municipal Code as follows:

**6.21 – ISSUE OF WORTHLESS CHECK**

- (1) No person shall issue any check or other order for the payment of money which, at the time of issuance, the person intends shall not be paid.
- (2) Any of the following is prima facie evidence that the person at the time of the issuance of the check or other order for the payment of money, intended it should not be paid.
  - (a) Proof that, at the time of issuance, the person did not have an account with the drawee; or
  - (b) Proof that, at the time of issuance, the person did not have sufficient funds or credit with the drawee and that the person failed within five (5) days after receiving notice on nonpayment or dishonor to pay the check or other order.
  - (c) Proof that, when presentment was made within a reasonable time, the issuer did not have sufficient funds or credit with the drawee and that the person failed within five (5) days after receiving notice of non-payment or dishonor to pay the check or other order.
- (3) Any person who shall violate any provision of this Ordinance shall be subject to a penalty as provided in section 15.04 of the municipal code of the Village of Bloomington, Wisconsin.

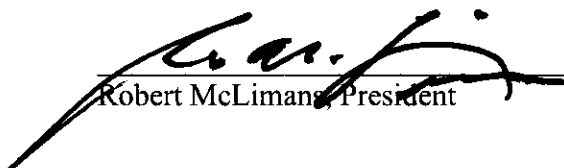
**6.22 – RETAIL THEFT**

- (1) In this section:
  - (a) "Merchant" includes any merchant as defined in Section 402.104(1), Wis. Stats., of any innkeeper, motel keeper, or hotel keeper.

(b) "Value of Merchandise" means:

- (1) For the property of the merchant, the value of the property; or
- (2) For the merchandise held for resale, the merchant's stated price of the merchandise, of in the event of altering, transferring, or removing a price marking or causing a cash register or other sales device to reflect less than the merchant's stated price, the difference between the merchant's stated price of the merchandise, and the altered price.
- (2) No person 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 or property of the merchant without his or her consent and with intent to deprive the merchant permanently of possession, or the full purchase price of the merchandise.
- (3) The intentional concealment of un-purchased merchandise which continues from one floor to another or beyond the last station for receiving payments in a merchant's store without paying the purchase price thereof is evidence of intent to deprive the merchant permanently of possession of such merchandise. The discovery of un-purchased merchandise concealed upon the person or among the belongings of such person or concealed by a person upon the person or among the belongings of another is evidence of intentional concealment on the part of the person so concealing such goods.
- (4) A merchant or merchant's adult employee who has probable cause for believing that a person had violated this section in his or her presence may detain the person in a reasonable manner for a reasonable length of time to deliver the person to a peace officer, or to his or her parent or guardian in the case of a minor. The detained person must be properly informed of the purpose of the detention and be permitted to make phone calls, but he or she shall not be interrogated or searched against his or her will before the arrival of a peace officer who may conduct a lawful interrogation of the accused person. Any merchant or merchant's adult employee who acts in good faith in any act authorized under this section is immune from civil or criminal liability for those acts.
- (5) In any action of proceeding for violation of this section, duly identified and authenticated photographs of merchandise which was the subject of the violation, may be used as evidence in lieu of producing the merchandise.
- (6) A merchant or merchant's adult employee is privileged to defend property as described in Section 939.49, Wis. Stats.
- (7) Statutes Adopted by Reference. All provisions of §943.21, Wis. Stats., and the definitions therein, specifically including §943.21(1m)(d) regarding intentionally absconding without paying for gasoline or diesel fuel from a retail establishment, are hereby adopted by reference.

VILLAGE OF BLOOMINGTON by:

  
Robert McLimans, President

**ATTEST:** I, Shawna Atterbury, Village Clerk-Treasurer, do hereby certify that the amendment to Chapter VI (Six) entitled "Public Conduct" to add Section 6.21 entitled "Issue of Worthless Check," Section 6.22 entitled "Retail Theft" and Section 6.23 entitled "Theft Under \$500" to the Village of Bloomington Municipal Code has been approved by the Village Board of the Village of Bloomington, Grant County, Wisconsin, at a meeting held on October 14, 2026.

  
Shawna Atterbury, Clerk/Treasurer

Date Adopted: October 14, 2026

Effective Date: October 23, 2026