

CHAPTER VI (SIX)

PUBLIC CONDUCT

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6.01 DISCHARGING OF FIREARMS RESTRICTED.

No person, except a sheriff, constable, police officer or their deputies, shall fire or discharge any firearm, rifle, spring or air gun within the Village or have any firearm, rifle, spring or air gun in his possession or under his control unless it is unloaded and knocked down or enclosed within a carrying case or other suitable container, provided the Chief of Police may grant a permit for such use to any adult resident of the Village for not more than one year.

6.02 THROWING OR SHOOTING OF ARROWS, STONES AND OTHER MISSILES PROHIBITED.

No person shall throw or shoot any object, arrow, stone, snowball or other missile or projectile, by hand or by any other means at any person or at, in or into any building, street, sidewalk, alley, highway, park, playground or other public place within the Village, provided the Chief of Police may grant a permit for such activities for a period of not more than one year.

6.03 SALE AND DISCHARGE OF FIREWORKS RESTRICTED.

Sec. 167.10, Wis. Stats., regulating the sale and use of fireworks, exclusive of any penalty imposed thereby, is adopted by reference and made a part of this section as though set forth in full.

6.04 OBSTRUCTING STREETS AND SIDEWALKS PROHIBITED.

No person shall stand, sit, loaf or loiter or engage in any sport or exercise on any public street, sidewalk, bridge or public ground within the Village in such manner as to prevent or obstruct the free passage of pedestrian or vehicular traffic thereon or to prevent or hinder free ingress or egress to or from any place of business or amusement, church, public hall or meeting place.

6.05 DISORDERLY CONDUCT PROHIBITED.

No person shall within the Village:

(1) In any public or private place engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or other disorderly conduct which tends to cause or provoke an immediate disturbance of public order or tends to disturb or annoy any other person or persons.

(2) Intentionally cause, provoke or engage in any fight, brawl, riot or noisy altercation other than a bona fide athletic contest.

6.06 POSSESSION OF INTOXICANTS ON STREETS.

(1) No person shall consume any intoxicating liquor or fermented malt beverage while in or upon any public street, alley, sidewalk or other public way.

(2) All purchases of alcoholic or fermented malt beverages by the glass or in open containers, shall be consumed on the licensed premises where served and shall not be moved to thoroughfares, streets, or sidewalks in the Village.

(3) No person shall be in possession of any glass or open container containing alcoholic or fermented malt beverages on any thoroughfare, street, sidewalk or public way.

**VILLAGE OF BLOOMINGTON
ORDINANCE NO. 2021-02**

**AN ORDINANCE TO AMEND CHAPTER 6 ENTITLED "PUBLIC CONDUCT"
SECTION 6.07, "LOUD AND UNNECESSARY NOISE PROHIBITED" OF THE
VILLAGE OF BLOOMINGTON MUNICIPAL CODE.**

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

Section I: Chapter 6 entitled "Public Conduct", to amend Section 6.07, "Loud and Unnecessary Noise Prohibited" of the Village of Bloomington Municipal Code shall be and hereby is amended as follows:

6.07 LOUD AND UNNECESSARY NOISE PROHIBITED.

1. **Excessive Motor Vehicle Noise.** No person shall operate a motor vehicle or engine so as to cause unreasonable and excessive noise levels within the corporate limits of the Village of Bloomington whether by excessive acceleration or braking causing the tires to squeal, by excessive horn blowing, by excessive racing of the motor, or by having a modified or inadequately maintained exhaust or braking system, by using motor vehicle brakes which are in any way activated or operated by the compression of the engine ("Jake Braking"), or by any other means. This shall include engines for any kind of motor vehicle, ATV/UTV, farm equipment, lawn & yard equipment, recreation equipment, or any other gas or diesel-powered engine, or electric motor.
2. **Loud and Unnecessary Noise Prohibited.** No person shall make, continue, or cause to be made or continued, any loud and unnecessary noise that unreasonably annoys, disturbs, injures, or endangers the comfort, repose, health, peace, safety, or welfare of any person, or that precludes the quiet enjoyment by another of his or her property or which negatively affects another's property values. This shall include, but not be limited to, fighting, screaming, shouting, swearing, singing, or using insulting, derogatory or obscene language.
3. **Loud Mechanical Devices Prohibited.** No person shall use or operate, or to cause to be used or operated, any mechanical device, machine, apparatus or instrument for intensification or amplification of the human voice or any sound or noise in any public or private place in such manner that the peace and good order of the neighborhood is disturbed or that persons owning, using, or occupying property in the neighborhood are disturbed or annoyed. This shall include, but not be limited to, the use or operation of any handheld electronic device, any vehicle or personal audio or video system, radio receiving set, musical instrument, microphone, television, or any other audible manner.

4. Horns or signaling devices. The sounding of any horns or signaling devices on any vehicle, handheld or electric device for more than three (3) seconds, except as danger warning, is prohibited.
5. Loud Parties Prohibited. Participating in a party or other gathering or being present at a party or other gathering in a public or private place that gives rise to unnecessary noise, or disturbs the peace, quiet or repose of any other person, or that interferes with another's quiet use and enjoyment of his or her dwelling place or other property. When any police officer determines that such a party or gathering is in violation of this subsection, the officer may order the participants to disperse. If any participant refuses to disperse, the officer may issue a citation for violation of this section. If any participants who have once dispersed reconvene a gathering anywhere in the Village within 24 hours, which gathering again violates this section, the officer may cite such participants for both violations.
6. Excessive noise caused by emergency maneuvers will not be ticketed when the operator is attempting to avoid a collision with a pedestrian, animal, building, fixed object, or other motor vehicle. Emergency situations are defined as circumstances which could not reasonably be foreseen by an alert motor vehicle operator.
7. This section shall not be construed to prohibit public celebrations or entertainments held by organizations who have the approval of the Village Council, and which are held to celebrate or observe holidays or other special events approved of by the Village Council.
8. Quiet Hours. The following times are established as "Quiet Hours" in the Residential District of the Village of Bloomington:
 - Sunday – Thursday from 10:00 p.m. – 7:00 a.m.
 - Friday – Saturday from 11:00 p.m. – 7:00 a.m.

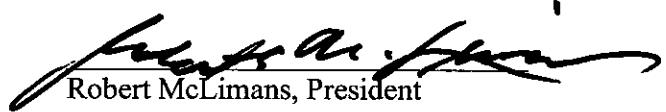
It shall be unlawful for any person to make or assist in making any noise tending to unreasonably disturb the peace and quiet of persons in the vicinity thereof unless the making and continuing of the same cannot be prevented and is necessary for the protection or preservation of property or of the health, safety, life or limb of some person.

9. Penalty. Any person violating a provision of this Section 6.07 shall be required to forfeit not less than Ten Dollars (\$10.00) nor more than Two Hundred Dollars (\$200.00) together with the cost of prosecution for the first offense. The forfeiture amount for the second offense and any subsequent offenses within one (1) year shall increase by Fifty Dollars (\$50.00) above the previous forfeiture.

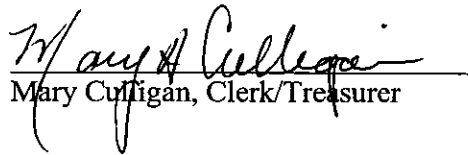
Section II: This Ordinance shall take effect upon its passage and publication or posting as required by law.

Adopted and approved this date of September 7, 2021, by the Village Council of the Village of Bloomington, Grant County, Wisconsin.

VILLAGE OF BLOOMINGTON by:


Robert McLimans, President

ATTEST: I, Mary Culligan, Village Clerk-Treasurer, do hereby certify that the amendment to Chapter 6 "Public Conduct", Section 6.07, "Loud and Unnecessary Noise Prohibited" of the Village of Bloomington Municipal Code has been approved by the Village Council of the Village of Bloomington, Grant County, Wisconsin, at a meeting held on September 7, 2021.


Mary Culligan, Clerk/Treasurer

Date Adopted: 9-7-2021

Effective Date: 9-7-2021

6.07 LOUD AND UNNECESSARY NOISE PROHIBITED. *replace w/ noise*

No person shall make or cause to be made any unnecessarily loud or disturbing sounds or noises such as may tend to annoy or disturb a person or ordinary sensibilities in or about any public street, alley or park or any private residence.

6.08 FALSE ALARMS PROHIBITED.

No person shall give or send or cause to be given or sent in any manner any alarm of fire or other emergency which he knows to be false.

6.09 OBEDIENCE TO OFFICERS.

No person shall resist or in any way interfere with any officer of the Village while such officer is doing any act in his official capacity and with lawful authority, or shall refuse to assist an officer in carrying out his or her duties when so requested by the officer.

6.10 GAMBLING, LOTTERIES, FRAUDULENT DEVICES AND PRACTICES PROHIBITED.

All forms of gambling, lotteries and fraudulent devices and practices are prohibited within the Village. Any police officer or policeman of the Village may seize anything devised solely for gambling or found in actual use for gambling within the Village and dispose thereof after a judicial determination that such device was used solely for gambling or found in actual use for gambling.

6.11 PROSTITUTION PROHIBITED.

No person shall operate or be an inmate of a house of prostitution, engage in or engage the services of a prostitute or offer to another the services of a prostitute within the Village of Bloomington.

6.12 LOITERING PROHIBITED.

(1) LOITERING OR PROWLING.

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. Among the circumstances which may be considered in determining whether such alarm is warranted is the fact that the person takes flight upon

appearance of a police or peace officer, refuses to identify himself or manifestly endeavors to conceal himself or any object. Unless flight by the person or other circumstances makes it impracticable, a police or peace officer shall prior to any arrest for an offense under this section afford the person 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 police or 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 police or peace officer at the time, would have dispelled the alarm.

(2) OBSTRUCTION OF HIGHWAY BY LOITERING.

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.

(3) OBSTRUCTION OF TRAFFIC BY LOITERING.

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 place within the Village in such manner as to prevent, interfere with or obstruct the ordinary free use of such public streets, alleys, sidewalks, street crossings and bridges or other public places by persons passing along and over the same.

(4) LOITERING AFTER BEING REQUESTED TO MOVE.

No person shall loaf or loiter in groups or crowds upon the public streets, sidewalks, or adjacent doorways or entrances, street crossings or bridges or in any other public place or on any 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.

(5) LOITERING IN PUBLIC PLACES.

No person shall loiter, lounge or loaf in or about any depot, theater, dance hall, restaurant, store, public sidewalk, public parking lot or other place of assembly or public use after being requested to move by any police officer. 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.

6.13 INDECENT CONDUCT AND LANGUAGE PROHIBITED.

No person shall use any indecent, vile, profane or obscene language or conduct himself in any indecent, lewd, lascivious or obscene manner within the Village.

6.14 OBSCENE LITERATURE.

No person shall within the Village sell, offer for sale, give away, exhibit or possess any obscene book, pamphlet, paper, card, picture, toy or device.

6.15 INDECENT ADVERTISING PROHIBITED.

No person shall within the Village display any indecent advertisement.

6.16 DESTRUCTION OF PROPERTY PROHIBITED.

No person shall wilfully injure or intentionally deface, destroy or unlawfully remove, take or meddle with any property of any kind or nature belonging to the Village, or its departments or to any private person without the consent of the owner or proper authority.

6.17 LITTERING PROHIBITED.

No person shall throw any glass, garbage, rubbish, waste, slop, dirty water or noxious liquid, or other litter or unwholesome substance upon the streets, alleys, highways, public parks or other property of the Village, or upon any private property not owned by him or upon the surface of any body of water within the Village.

6.18 CRUELTY TO ANIMALS AND BIRDS PROHIBITED.

No person except a peace officer or health or humane officer in pursuit of his duties, shall within the Village shoot or kill or commit an act of cruelty on any animal or bird, or disturb any bird's nests or bird's eggs.

6.19 PENALTIES.

Any person who shall violate any provision of this chapter shall be subject to a penalty as provided in section 15.04 of this Code.

(2) In addition to any penalty imposed for violation of section 6.16 of this chapter, any person who shall cause physical damage to or destroy any public property shall be liable for the costs of replacing or repairing such damaged or destroyed property. The parent or parents of any unemancipated minor child who violates section 6.16 may also be held liable for the cost of replacing or repairing such damaged or destroyed property in accordance with section 895.035, Wis. Stats.

6.20 USE OF PUBLIC PARK RESTRICTED.

(1) No person except an authorized employee, police or law enforcement official or individual engaged in regular permitted activities or special activities after first obtaining the proper permit from the Village Clerk shall be in or upon the public park including any structure located thereon between 11:00 p.m. and 6:00 a.m.

(2) Any person who shall violate any provisions 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.