

CHAPTER 8 LICENSES AND PERMITS

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8.01 INTOXICATING LIQUOR, FERMENTED MALT BEVERAGES AND SODA WATER BEVERAGES

(1) STATE STATUTES ADOPTED. The provisions of Ch. 125 and §66.0433, Wis. Stats., relating to the sale of alcohol and soda water beverages, respectively, including subsequent revisions and amendments, inclusive of any provisions thereof relating to the penalty to be imposed or the punishment for violation of such statutes, are hereby adopted and made a part of this chapter by reference. A violation of any such provisions shall constitute a violation of this chapter.

(2) LICENSE FEES. The following license fees issued by the Village Board shall be in effect as of April 7, 2008.

- (1) Class "A" Intoxicating Liquor. \$400 per year.
- (2) Class "B" Intoxicating Liquor. \$500 per year.
- (3) Class "A" Fermented Malt Beverage. \$25 per year.
- (4) Class "B" Fermented Malt Beverage, \$100 per year.
- (5) Fermented Malt Beverage Wholesaler. \$150 per year.
- (6) Class "B" Picnic. \$10 per license.

(7) Operators. \$40 per 2 years.

- a. Operator's licenses may be granted to individuals by the Village Board for the purposes of complying with §§125.32(2) and 125.68(2), Wis. Stats.
- b. Operator's licenses may be issued only by written application on forms provided by the Village Clerk.
- c. Operator's licenses shall be valid for 2 years and shall expire on June 30, 1986, and on June 30 of each succeeding even year thereafter.
- d. The full license fee for the operator's license shall be charged for the whole or any fraction of the 2 year license period provided for herein.
- e. At the time of filing the application with the Clerk, \$20 of the fee shall be paid, which is nonrefundable. The balance of the fee shall be paid before the Clerk may issue the license.

(8) Reserve "Class B". \$10,000 for initial issuance or \$500 if a bona fide club or lodge situated and incorporated in the state for at least 6 years. After initial issuance, \$500 per year.

(9) Class "C" Wine License, \$100 per year.

(10) Managers. \$25 per year.

(11) Non-intoxicating Beverage. \$75 per year.

(12) Soda Water Beverage. \$5 per year.

(3) LICENSE RESTRICTIONS, DELINQUENT TAXES, ASSESSMENTS.

(a) Premises. No initial or renewal alcohol beverage license or permit related to alcohol beverages shall be issued for any premises for which taxes, assessments or other claims of the Village are delinquent or unpaid.

(b) Persons. No initial or renewal alcohol beverage license or permit related to alcohol beverages shall be issued to any person:

1. Delinquent in payment of any taxes, assessments or other claims owed to the Village.
2. Delinquent in payment of a forfeiture resulting from a violation of any ordinance of the Village.
3. Delinquent in payment to the state of any state taxes owed.

(4) REVOCATION.

(a) Violation by Agent. A violation of this section by a duly authorized agent or employee of a licensee shall constitute a violation by the licensee.

(b) Proceedings. Proceedings for revocation of any license issued hereunder may be instituted in the manner and under the provisions prescribed in §125.12, Wis. Stats.

(c) Grant of License After Revocation. No license shall be granted to a person who has had his license revoked hereunder for one year from the date of revocation.

(5) LIQUOR OR BEER IN PUBLIC PLACES. No person shall carry any open can, bottle or other container of alcohol beverage or drink from the same upon any public walk, street, park or other public place in the Village except where a special permit is granted by the Village Board.

(6) LIQUOR OR BEER IN MOTOR VEHICLES. No person shall have in his possession an open can, bottle or other container of alcohol beverage in a motor vehicle on a public street, alley, walk, park or other public place in the Village.

8.02 TRANSIENT MERCHANTS

(1) REGISTRATION REQUIRED. No transient merchant shall engage in sales within the Village without being registered for that purpose as provided herein.

(2) DEFINITIONS. In this section, the following shall mean:

Charitable Organization. Includes any benevolent, philanthropic, patriotic or eleemosynary person, partnership, association or corporation or one purporting to be such.

Clerk. The Village Clerk.

Merchandise. Includes personal property of any kind, and shall include merchandise, goods or materials provided incidental to services offered or sold. The sale of merchandise includes donations required by the seller for the retention of goods by a donor or prospective customer.

Permanent Merchant. Any merchant who, for at least one year prior to the consideration of the application of this section to the merchant, has continuously operated an established place of business in the local trade area among the communities bordering the place of sale or has continuously resided in the local trade area among the communities bordering the place of sale and now does business from his residence.

Transient Merchant. Any individual who engages in the retail sale of merchandise at any place in this State temporarily and who does not intend to become and does not become a permanent merchant of such place. For purposes of this section sale of merchandise includes a sale in which the personal services rendered upon or in connection with the merchandise constitutes the greatest part of value for the price received, but does not include a farm auction sale conducted by or for a resident farmer of personal property used on the farm or the sale of produce or other perishable products at retail or wholesale by a resident of this State.

(3) EXEMPTIONS. The following shall be exempt from all provisions of this section:

- (a) Any person delivering newspapers, fuel, dairy products or bakery goods to regular customers on established routes.
- (b) Any person selling merchandise at wholesale to dealers in such merchandise.
- (c) Any permanent merchant or employee thereof who takes orders at the home of the buyer for merchandise regularly offered for sale by such merchant within this county and who delivers such merchandise in their regular course of business.
- (d) Any person who has an established place of business where the merchandise being sold, is offered for sale on a regular basis and in which the buyer has initiated contact with and specifically requested a home visit by such person.
- (e) Any person who has had or one who represents a company which has had a prior business transaction, such as a prior sale or credit arrangement, with the prospective customer.
- (f) Any person selling or offering for sale a service unconnected with the sale or offering for sale of merchandise.
- (g) Any person holding a sale required by statute or by order of any court and any person conducting a bona fide auction sale pursuant to law.
- (h) Any employee, officer or agent of a charitable organization who engages in direct sales for or on behalf of such organization, provided that there is submitted to the Clerk proof that such charitable organization is registered under §440.42, Wis. Stats., or which is exempt from the statute's registration requirements shall be required to register under this section.

- (i) Any person who claims to be a permanent merchant but against whom complaint has been made to the Clerk that such person is a transient merchant, provided that there is submitted to the Clerk proof that such person has leased for at least one year or purchased the premises from which he has conducted business in the market area for at least one year prior to the date the complaint was made.
- (j) Any individual licensed by an examining board as defined in §15.01(7), Wis. Stats.
- (k) This section does not apply to transient merchants while doing business at special events authorized by the Village Board.

(4) REGISTRATION.

- (a) Applicants for registration shall complete and return to the Clerk a registration form furnished by the Clerk which shall require the following information:
 - 1. Name, permanent address and telephone number and temporary address, if any.
 - 2. Age, height, weight, color of hair and eyes.
 - 3. Name, address and telephone number of the person, firm, association or corporation the transient merchant represents or is employed by or whose merchandise is being sold.
 - 4. Temporary address and telephone number from which business will be conducted, if any.
 - 5. Nature of business to be conducted and a brief description of the merchandise and any services offered.
 - 6. Proposed methods of delivery of merchandise, if applicable.
 - 7. Make, model and license number of any vehicle to be used by applicant in the conduct of his business.
 - 8. Most recent cities, villages, towns, not to exceed 3, where applicant conducted his business.
 - 9. Place where applicant can be contacted for at least 7 days after leaving this Village.
 - 10. Statement as to whether applicant has been convicted of any crime or ordinance violation related to applicant's transient merchant business within the last 5 years and the nature of the offense and the place of conviction.
- (b) Applicants shall present to the Clerk for examination:
 - 1. A driver's license or some other proof of identity as may be reasonably required.
 - 2. A State certificate of examination and approval from the sealer of weights and measures where applicant's business requires use of weighing and measuring devices approved by State authorities.
 - 3. A State health officer's certificate where applicant's business involves the handling of food or clothing and is required to be certified under State law; such certificate to State that applicant is apparently free from any contagious or infectious disease, dated not more than 90 days prior to the date the application license is made.

- (c) At the time the registration is returned, a fee as established by the Village Board shall be paid to the Clerk to cover the cost of processing such registration.
- (d) The applicant shall sign a statement appointing the Clerk his agent to accept service of process in any civil action brought against the applicant arising out of any sale or service performed by the applicant in connection with the direct sales activities of the applicant in the event the applicant cannot, after reasonable effort, be served personally.
- (e) Applicants shall be limited to registering as a transient merchant to one time within any one calendar year for a period of not more than 21 days.

(5) INVESTIGATION.

- (a) Upon receipt of each application, the Village Clerk may refer it immediately to the Chief of Police who may make and complete an investigation of the statements made in such registration.
- (b) The Village Clerk shall refuse to register the applicant if it is determined, pursuant to the investigation above, that:
 - 1. The application contains any material omission or materially inaccurate statement.
 - 2. Complaints of a material nature have been received against the applicant by authorities in the most recent cities, villages and towns, not exceeding 3, in which the applicant conducted similar business.
 - 3. The applicant was convicted of a crime, statutory violation or ordinance violation within the last 5 years, the nature of which is directly related to the applicant's fitness to engage in direct selling.
 - 4. The applicant failed to comply with any applicable provision of par. (4)(b) above.

(6) APPEAL. Any person refused or denied registration may appeal the denial under the applicable provisions of Chapter 24 of the Municipal Code of Williams Bay.

(7) REGULATIONS.

(a) Prohibited Practices.

- 1. A transient merchant shall be prohibited from:
 - a. Calling at any dwelling or other place between the hours of 9 p.m. and 9 a.m., except by appointment.
 - b. Calling at any dwelling or other place where a sign is displayed bearing the words "No Peddlers," "No Solicitors" or words of similar meaning.
 - c. Calling at the rear door of any dwelling place.
 - d. Remaining on any premises after being asked to leave by the owner, occupant or other person having authority over such premises.
- 2. A transient merchant shall not misrepresent or make false, deceptive or misleading statements concerning the quality, quantity or characteristics of any merchandise offered for sale, purpose of his visit, his identity or the identity of the

organization he represents. A charitable organization transient merchant shall specifically disclose what portion of the sale price of the merchandise being offered will actually be used for the charitable purpose for which the organization is soliciting, expressed as a percentage of the sale price of the merchandise.

3. No transient merchant shall impede the free use of sidewalks and streets by pedestrians and vehicles. Where sales are made from vehicles, all traffic and parking regulations shall be observed.

4. No transient merchant shall make any loud noises or use any sound amplifying device to attract customers if the noise produced is capable of being plainly heard outside a 100' radius of the source.

5. No transient merchant shall allow rubbish or litter to accumulate in or around the area in which he is conducting business.

(b) Disclosure Requirements.

1. After the initial greeting and before any other statement is made to a prospective customer, a transient merchant shall expressly disclose his name, the name of the company or organization he is affiliated with, if any, and the identity of merchandise or services he offers to sell.

2. A buyer shall have the right to cancel any sale of merchandise or any offer for the later delivery of merchandise taken by the seller if such transaction involves the extension of credit or is a cash transaction of more than \$25, in accordance with §423.202, Wis. Stats. The seller shall give the buyer 2 copies of a typed or printed notice of that fact, which notice shall conform to the requirements of §423.203(1)(a), (b) and (c), (2) and (3), Wis. Stats.

3. If the transient merchant takes a sales order for the later delivery of merchandise, he shall at the time the order is taken provide the buyer with a written statement containing the terms of the agreement; the amount paid in advance, whether full, partial or no advance payment is made; the name, address and telephone number of the seller; the delivery or performance date; and whether a guarantee or warranty is provided and, if so, the terms thereof.

(8) RECORDS. The Chief of Police shall report to the Clerk all convictions for violation of this section and the Clerk shall note any such violation on the record of the registrant convicted.

(9) REVOCATION OF REGISTRATION.

(a) Registration may be revoked by the Village Board after notice and hearing, if the registrant made any material omission or materially inaccurate statements in the application for registration, made any fraudulent, false, deceptive or misleading statement or representation in the course of engaging in transient sales, violated any provision of this section or was convicted of any crime, ordinance or statutory violation which is directly related to the registrant's fitness to engage in selling.

(b) Written notice of the hearing shall be served personally or pursuant to par. (4)(c) above on the registrant at least 72 hours prior to the time set for hearing. Such notice shall

contain the time and place of hearing and a statement of the facts upon which the hearing will be based.

(10) PENALTY. In addition to the suspension or revocation of a license issued under this chapter, any person who shall violate any provision of this section or any regulation, rule or order made hereunder shall be subject to a penalty as provided by §20.05 of this Municipal Code.

8.03 PUBLIC AMUSEMENTS

(1) No person shall hold, conduct or manage a public dance, circus, carnival, street fair, skating rink or other like amusement in the Village without a written permit issued by the Clerk-Treasurer by authority of the Village Board. Application for such permit shall be filed with the Clerk-Treasurer at least 3 days prior to the date of holding such amusement and shall be accompanied by a fee of \$5, which shall cover such amusement for a continuous period of 4 days or less.

(2) The form of amusement requiring a license shall be one to which admission can be had by the public generally, with or without the payment of an admission fee. The term shall not be construed to apply to a form of amusement conducted in connection with any church or school function or parent-teacher association otherwise conducted in compliance with law.

(3) No such amusement shall be conducted in the Village unless it be in the presence and under the direct supervision of the Chief of Police or other Village officer or other person designated for that purpose by the President.

(4) No such form of amusement shall be conducted in said Village between 1:00 a.m. and 9:00 a.m.

8.04 BICYCLES.

(1) REGISTRATION ENCOURAGED. Residents of the Village are expected to register their bicycle.

(2) FORM OF REGISTRATION. Every owner or operator of any bicycle within the Village shall prior to operation file with the Police Department a complete description of such bicycle upon a blank form to be provided for the purpose.

The filing of such description shall constitute a registration of such bicycle for the purpose of this section. Such registration shall be serially numbered and kept on file by the Chief of Police in his office as a public record.

(3) IDENTIFICATION TAB. Immediately upon the registration of a bicycle in his office, the Chief of Police shall affix to such bicycle an identification tag, serially numbered to correspond with the registration of each bicycle.

Each tag shall thereafter remain affixed to such bicycle unless removed by the Police Department for cause or for replacement with another tag upon re-registration. A charge of \$2 per registration shall be made for the registration or tagging of any bicycle under the provisions of this section.

(4) INSPECTION. The Police Department shall cause to be inspected each bicycle presented for registration and they shall have the authority to refuse to register any bicycle found by them to be in unsafe mechanical condition or not equipped as herein required.

(5) CANCELLATION OF REGISTRATION. The Chief of Police may cancel the registration of and remove the identification tag from any bicycle being operated upon any street in the Village in an unsafe manner or in violation of any State law or local ordinance and such cancellation of registration and removal of tag shall be in addition to other penalties provided hereunder.

(6) CHANGE OF OWNERSHIP. Within 10 days after any bicycle registered hereunder shall have changed ownership or been dismantled and taken out of operation, such information shall be reported to the Police Department by the person in whose name the bicycle has been registered.

- (7) MANNER OF OPERATION. No bicycle shall be allowed to proceed on any street in the Village by inertia or momentum with the feet of the rider removed from the pedals. No rider of a bicycle shall remove both hands from the handlebars or practice any trick or fancy riding in any street in the Village nor shall any bicycle rider carry or ride any other person so that 2 or more persons are on the bicycle at one time.
- (8) LIGHTING EQUIPMENT. No person shall operate upon a highway during hours of darkness unless equipped as required in §347.489, Wis. Stats.
- (9) PARKING A BICYCLE. No person shall leave or park a bicycle at such a place or in such a way as to create a hazard to pedestrians, automobile operators or to anyone else.
- (10) RIDING ABREAST PROHIBITED. Persons riding or using bicycles or other similar vehicles along or upon any public street, avenue, lane, alley or other public road, ground or way within the Village shall not ride more than 2 abreast, excepting in general parade or public demonstration.
- (11) RULES OF THE ROAD. The provisions of Ch. 346, Wis. Stats., shall be applicable to the operation of bicycles, where appropriate.
- (12) PARENTAL RESPONSIBILITY. The parent or guardian of any child shall not authorize or permit any child to violate any of the provisions of this section.
- (13) PENALTY. Any person who shall operate any bicycle not properly registered, not carrying a proper identification tag as required herein upon any street in the Village or who shall operate such bicycle in an unsafe manner or in violation of any State or local ordinance shall upon conviction thereof be subject to the penalty provided in _20.05 of this Municipal Code.
- (14) SUSPENSION OF RIGHT TO OPERATE. Any person who shall violate any of the provisions of this section shall upon conviction thereof forfeit his right to operate the bicycle for a period of not to exceed 10 days for the first offense, not to exceed 30 days for a second offense and for any subsequent offense a suspension of his right to operate a bicycle for a period of not to exceed one year.

8.05 MOBILE HOMES, MOBILE HOME PARKS AND RECREATIONAL VEHICLES

- (1) STATE LAW ADOPTED. Section 66.0435, Wis. Stats., is adopted by reference and made a part of this chapter.
- (2) PROHIBITED LOCATIONS.
- (a) Except as hereinafter provided, no person shall park any recreational vehicle or commercial vehicle in a street yard or on any vacant lot, as defined in Subsection 8.06(5) and (6), in a residential district within the Village. Not more than 2 recreational vehicles which are boats, boats on trailers or boat trailers may be parked in a street yard or a vacant lot in a residential district during the boating season from April 30 to November 1. Not more than 2 recreational vehicles which are snowmobiles, all terrain vehicles and ice boats may be parked in a street yard or on a vacant lot in a residential district during the winter season from November 1 to March 15.
- (b) Emergency or temporary stopping or parking of a mobile home, recreational vehicle or commercial vehicle is permitted on any street, alley, highway or public parking lot for not longer than one hour subject to other than further prohibitions, regulations or ordinances.
- (c) Except as otherwise stated herein, recreational vehicles shall not be occupied for dwelling purposes nor parked or stored on a lot other than lots occupied by establishments selling or servicing such vehicles in conformity with other provisions of this section.
- (d) In a residential district, 2 recreational vehicles owned by the occupant of a single-family dwelling, one of which is not more than 30' in length, the second of which is not more

than 15' in length, may be stored in the side, rear or shore yard of the lot containing the single-family dwelling, not closer than 3' to any property line and not closer than 6' to any building on adjacent property or may be stored in a garage, carport, screen shelter or similar structure designed so as to substantially conceal the vehicle from the view of the adjoining property owners.

(e) A recreational vehicle may be parked in the street yard of a lot in a residential district containing a dwelling for the express purpose of loading and unloading and for a period not to exceed 24 hours. Not more than 2 recreational vehicles which are boats, boats on trailers or boat trailers may be parked in a street yard or on vacant lot in a residential district during the boating season from April 30 to November 1. Not more than 2 recreational vehicles which are snowmobiles, all-terrain vehicles and ice boats may be parked in a street yard or on a vacant lot in a residential district during the winter season from November 1 to March 15.

(f) No recreational vehicle as defined herein which is in a state of externally visible disrepair or partial construction shall be stored or parked on any lot except inside a garage or similar structure and provided further that no substantial repair, disassembly or rebuilding operations are conducted thereon.

(3) **COMMERCIAL VEHICLES.** In a residential district, one commercial vehicle which is owned by the occupant of the dwelling and which is not more than 20' in length may be parked in the open on a lot in the side or rear yard areas not closer than 3' to any property line nor closer than 6' to any building on the neighboring property or may be stored in a garage carport or screen shelter or similar designed structure so as to substantially conceal the vehicle from the view of adjoining property owners.

(4) **TENTS.**

(a) Tents shall not be erected, used or maintained on any parcel of land, except such small tents as are customarily used for recreation purposes and located on the same parcel as a principal structure which is a dwelling in residential districts.

(b) Use of tents for purposes of public assembly are permitted, provided they comply at all times with the following requirements:

1) A permit has been authorized by the Village Board and issued by the Building and Zoning Inspector.

2) The tent must be located within all zoning building setback requirements.

3) The Village Board may require placement of the tent to take advantage of all natural and/or man-made screening to minimize the exposure of the tent to the public.

4) The tent shall be of a color to minimize its visual impact as compared to its surroundings.

5) Tents permitted by this section are limited to the period April 1 to November 1.

6) A tent permit fee has been paid pursuant to the schedule of permit fees on file in the office of the Building Inspector.

7) The tent must at all times comply with the Village noise and lighting ordinances and all other applicable Village ordinances.

8) Prior to occupancy and subject to periodic inspections, the tent must meet the requirements of Chapter Comm 62 and all other applicable provisions of the State of Wisconsin Commercial Code.

9) Tents for any purpose other than for public assembly such as, but not limited to, storage purposes, garages, animal housing and human habitation are strictly prohibited.

(5) DEFINITIONS.

(a) Rear Yard. A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the rear lot line and a line parallel thereto through the nearest point of the principal structure. This yard shall be opposite the street yard or one of the street yards on a corner lot.

(b) Commercial Motor Vehicle. A motor vehicle designed or used to transport passengers or property and having one or more of the following characteristics:

1. The vehicle is a single vehicle with a gross vehicle weight rating of 26,001 or more pounds or the vehicle's registered weight or actual gross weight is more than 26,000 pounds;

2. The vehicle is a combination vehicle with a gross combination weight rating, registered weight or actual gross weight of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating, registered weight or actual gross weight of more than 10,000 pounds;

3. The vehicle is designed to transport or is actually transporting the driver and 15 or more passengers. If the vehicle is equipped with bench type seats intended to seat more than one person, the passenger carrying capacity shall be determined under 340.01(31), Wis. Stats., or, if the vehicle is a school bus, by dividing the total seating space measured in inches by 13;

4. The vehicle is transporting hazardous materials.

(c) Dwelling, Single-Family. A detached building designed for or occupied exclusively by one family.

(d) Street Yard. A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the existing or proposed street or highway line and a line parallel thereto to the nearest point of the closest structure on the lot to the street. Corner lots shall have 2 such yards.

(e) Shore Yard. A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between a navigable body of water and a line parallel thereto through the nearest point of the principal structure.

(f) Shoreland Lot. A lot abutting a navigable lake, stream or water course. Shoreland lots shall provide a street yard on the street abutting the lot, a shore yard on the water course abutting the lot and 2 side yards. Shoreland lots do not have a rear yard.

(g) Recreational Vehicle. Recreational vehicles shall include the following: a) camping trailers, b) mobile homes under 30' in length, c) motor homes, d) dual purpose motor homes, e) fifth-wheel mobile homes under 30' in length, f) boats, g) snowmobiles, h) all-terrain vehicles, i) ice boats, j) all trailers not specifically identified herein. Boats, ice boats, snow mobiles, all-terrain vehicles and other similar type vehicles shall be considered as separate recreational vehicles when not located on a trailer. Otherwise, said vehicles shall be considered as one recreational vehicle with the trailer when located on a trailer.

1. *All-terrain vehicle*, means an engine-driven device which has a net weight of 650 pounds or less, which has a width of 48" or less, which is equipped with a seat designed to be straddled by the operator and which is designed to travel on 3 or more low-pressure tires. A low-pressure tire is a tire

which has a minimum width of 6", which is designed to be mounted on a rim with a maximum diameter of 12" and which is designed to be inflated with an operating pressure not to exceed 6 pounds per square inch as recommended by the manufacturer.

2. *Camping trailer*, means a vehicle with a collapsible or folding structure designed for human habitation and towed upon a highway by a motor vehicle.

3. *Dual purpose motor home*, means a vehicle which can be interchangeably equipped as a motor home or as a motor truck.

4. *Fifth wheel mobile home*, means a mobile home as defined in sub 4 which is towed by a vehicle with a flatbed frame so the trailer hitch of the mobile home is bolted to the flatbed frame or towing vehicle.

5. *Mobile home*, means a vehicle designed to be towed as a single unit upon a highway by a motor vehicle and equipped and used or intended to be used, primarily for human habitation, with walls of rigid uncollapsible construction. A mobile home exceeding 30' in length shall be considered a primary housing unit and not a recreational vehicle.

6. *Motor home*, means a motor vehicle designed to be operated upon a highway for use as a temporary or recreational dwelling and having the same internal characteristics and equipment as a mobile home.

7. *Snowmobile*, means an engine-driven vehicle that is manufactured solely for snowmobiling, that has an endless belt tread and sled-type runners, or skis, to be used in contact with snow but does not include such a vehicle that is any of the following: a) A vehicle that has inflatable tires: b) A vehicle that is driven by a motor of 4 horsepower or less and that is operated in sanctioned races, derbies, competitions or exhibitions or only private property.

8. *Trailer*, means a vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle, but does not include a mobile home.

(h) Side Yard. A yard extending from the street yard to the rear yard of the lot, the width of which shall be the minimum horizontal distance between the side lot line in a line parallel thereto through the nearest point of the principal structure.

(6) DEFINITIONS CONTINUED.

(a) Vacant Lot. Any lot which does not contain a Principal Building.

(b) Principal Building. The building on a lot in which is conducted the principal use as permitted on such lot by the regulations of the zoning district in which it is located.

(7) LICENSE FOR MOBILE HOME PARK; APPLICATION AND ISSUANCE.

(a) No person shall establish, operate, maintain or permit to be established, operated or maintained upon any property owned, leased or controlled by him, a mobile home park within the limits of the Village without having first secured a license for each such park from the Village Board pursuant to this section. Such license shall expire one year from the date of issuance but may be renewed under the provisions of this section for additional periods of one year.

(b) The application for such license or the renewal thereof shall be filed with the Clerk-Treasurer and shall be accompanied by a fee of \$2.00 for each space in the existing or proposed park and a surety bond in the sum of \$5000.

This bond shall guarantee the collection by the licensee of the monthly parking permit fee provided for in subsection (14), payment of such fees to the Clerk-Treasurer and payment by the licensee of any fine or forfeiture including legal costs imposed upon or levied against such licensee for a violation of the ordinances of the Village, pursuant to which such license is granted and shall also be for the use and benefit and may be prosecuted and recovery had thereon by any person who may be injured or damaged by reason of the licensee violating the provisions of this section. A fee of \$10 shall be paid for each transfer of a license.

(c) The application for a license or a renewal thereof shall be made on forms furnished by the Clerk-Treasurer and shall include the name and address of the owner in fee of the tract (if the fee is vested in some person other than the applicant, a duly verified statement by that person that the applicant is authorized by him to construct or maintain the mobile home park and make the application) and such a legal description of the premises upon which the mobile home park is or shall be located as shall readily identify and definitely locate the premises. The application shall be accompanied by 2 copies of the park plan showing the following, either existing or as proposed:

1. The extent and area used for park purposes.
2. Roadways and driveways.
3. Location of units for mobile homes.
4. Location and number of sanitary conveniences including toilets, washrooms, laundries and utility rooms to be used by occupants of units.
5. Method and plan of sewage disposal.
6. Method and plan of garbage removal.
7. Plan for water supply.
8. Plan for electrical lighting of units.

If the existing or proposed park is designed to serve nondependent mobile home units such plans shall clearly set forth the location of all sewer and water pipes and connections.

- (8) **INSPECTION AND ENFORCEMENT.** No mobile home park license shall be issued until the Clerk-Treasurer shall notify the Chief of Police, Health Officer, Chief of the Fire Department and Building Inspector or their authorized agents, of such application and these officials shall inspect or cause to be inspected each application and the premises to determine whether the applicant and the premises on which mobile homes will be located comply with the regulations, ordinances and laws applicable thereto.
- (9) These officials shall furnish to the Village Board in writing the information derived from such investigation and a statement as to whether the applicant and the premises meet the requirements of the department for whom the officer is certifying.
- (10) No license shall be renewed without a re-inspection of the premises. For the purpose of making inspections and securing enforcement such officials or their authorized agents, shall have the right to enter any premises on which a mobile home is located or about to be located and to inspect the same and all accommodations connected therewith at any reasonable time.

- (9) **LOCATION OF MOBILE HOME PARK.**

(a) No mobile home park shall be located in any area not approved for the same by the Village Board.

(b) No occupied mobile home within the limits of the Village shall be located between the recognized setback line for the zoning district in which such mobile is located and the street or highway less than 10 feet from any building or other mobile home or from the boundary line of the premises on which located.

(10) PARK PLAN.

(a) Every mobile home park shall be located on a well-drained area and the premises shall be properly graded so as to prevent the accumulation of storm or other waters. No mobile home park shall be located in any area that is situated so that drainage from any barnyard, outdoor toilet or other source of filth can be deposited in its location.

(b) Mobile home spaces shall be clearly defined and shall consist of a minimum of 1000 sq. ft. and a width of not less than 20 ft. The park shall be so arranged that all spaces shall face or abut on a driveway of not less than 20 feet in width giving easy access from all units to a public street. Such driveway shall be graveled or paved and maintained in good condition having natural drainage, be well lighted at night and shall not be obstructed.

(c) The park shall be so laid out that no dependent unit shall be located farther than 200 feet from the toilets and service buildings provided for herein and walkways to such buildings shall be graveled or paved and well lighted at night.

(d) Every mobile home space shall be furnished with an electric service outlet. Such outlet shall be equipped with an externally operated switch or fuse of not less than 30 amperes capacity and a heavy outlet receptacle. Electrical outlets shall be weatherproof and no power lines shall be less than 15 feet above ground.

(e) Off-street parking areas for motor vehicles shall be provided in the ratio of one lot for each mobile home unit.

(f) No mobile home unit shall be parked in a park outside of a designated space.

(11) WATER SUPPLY.

(a) Adequate supply of pure water, furnished through a pipe distribution system connected directly with the public water main with supply faucets located not more than 200 feet from any dependent mobile home shall be furnished for drinking and domestic purposes in all parks.

(b) Individual water service connections provided for direct use of an independent unit shall be so constructed that they will not be damaged by the parking of such units. Such system shall be adequate to provide 20 pounds pressure per square inch and capable of furnishing a minimum of 125 gallons per day per space.

(c) No common drinking vessels shall be permitted nor shall any drinking water faucets be placed in any toilet room.

(d) Every mobile home park serving dependent units shall provide an abundant supply of hot water at all reasonable hours for bathing, washing and laundry facilities.

(12) SERVICE BUILDINGS AND ACCOMODATIONS.

(a) Every mobile home park designed to serve dependent units shall have erected thereon suitable buildings for housing toilets, showers and laundry facilities as required by this section; such buildings to be known as service buildings.

Such service buildings shall be located not more than 200 feet from any dependent unit space nor closer than 15 feet from any mobile home space. Such buildings shall be of permanent construction and adequately lighted, screened and ventilated.

(b) There shall be provided separate toilet rooms for each sex. Water flush toilets shall be required. Toilets shall be provided for each sex in the ratio of one toilet for each 8 dependent units or fractions thereof and shall have separate compartments. Every male toilet room shall also contain one urinal for each 16 dependent units but in no case shall any male toilet be without one urinal. Toilet rooms shall contain lavatories with hot and cold water in the ratio of one lavatory to every 2 or less water closets.

(c) Separate bathing facilities for each sex shall be provided with one shower enclosed in a compartment at least 4 feet square for each 8 dependent units or fractions thereof. Each shower compartment shall be supplemented by an individual dressing compartment of at least 12 sq. ft.

(d) Laundry facilities shall be provided in the ratio of one double tray unit, one conventional type washing machine or one automatic washing machine with electric outlet for each 8 units. Sufficient drying facilities shall be available.

(e) Slop sinks for disposal of liquid wastes originating at the units shall be provided in a separate room of the service building in the ratio of one slop sink for each 16 dependent units.

(f) The above accommodations shall be based on the total park capacity according to accepted plans.

(g) Floors of toilets, showers and the laundry shall be of concrete, tile or similar materials impervious to water, easily cleaned and pitched to a floor drain.

(13) WASTE AND GARBAGE DISPOSAL.

(a) All liquid waste from showers, toilets, laundries, faucets, laboratories, etc. shall be discharged into a sewer system extended from and connected with the public sewer system.

(b) Every space designed to serve a nondependent unit shall be provided with sewer connections which shall comply with the state plumbing code. The sewer connection shall be provided with suitable fittings so that watertight connection can be made. Such connections shall be so constructed so that they can be closed when not connected and trapped in such a manner as to be maintained in an odor free condition.

(c) All sanitary facilities in any unit which are not connected with a public sewer system by approved pipe connections shall be sealed and their use shall not be permitted.

(d) Each faucet shall be equipped with facilities for drainage of waste and excess water.

(e) Every mobile home unit shall be provided with a substantial fly-tight, watertight metal garbage depository from which the contents shall be removed and disposed of in a sanitary manner at least weekly.

(14) LIMITATION ON LENGTH OF STAY AND ON NUMBER OF OCCUPANTS.

(a) No person shall occupy any mobile home within the Village for more than 90 days in each 12 month period except as provided in subsection (3) of this section and except that upon a showing and proof that there exists in the community a shortage of adequate housing facilities, additional stays of 60 days may be granted as an emergency provision

provided this time limitation shall not apply to the licensee of a mobile home park or his bona fide employees so as to prevent their remaining on the park premises at all times.

(15) MANAGEMENT.

(a) In every mobile home park there shall be located the office of the attendant or person in charge of such camp. A copy of the park license and of this section shall be posted therein and the park register shall at all times be kept in such office.

(b) The attendant or person in charge, together with the licensee, shall:

1. Keep a register of all guests to be open at all times to inspection by state and federal officers and the Village Board which shall show for all guests:

- a. Names and addresses.
- b. Number of children of school age.
- c. State of legal residence.
- d. Dates of entrance and departure.
- e. License numbers of all mobile homes and towing or other vehicles.
- f. States issuing such licenses.
- g. Purpose of stay in park.
- h. Place of last location and length of stay.
- i. Place of employment of each occupant.

2. Maintain the park in a clean, orderly and sanitary condition at all times.

3. Insure that the provisions of this section are complied with and enforced and report promptly to the proper authorities any violations of this section or any other violations of law which may come to his attention.

4. Report to the Health Officer all cases of persons or animals affected or suspected of being affected with any communicable disease.

5. Maintain in convenient places approved by the Fire Chief hand fire extinguishers in the ratio of one to each 8 units.

6. Collect the monthly parking permit fee provided for in subsection (17). A book shall be kept showing the names of the persons paying such service charges and the amounts paid.

7. Prohibit the lighting of open fires on the premises.

(16) APPLICABILITY OF PLUMBING, ELECTRICAL AND BUILDING ORDINANCES. All plumbing, electrical, building and other work on or at any park licensed under this section shall be in accordance with the ordinances of the Village and the requirements of the State plumbing, electrical and building codes and the regulations of the State Department of Health. Licenses and permits granted under this section grant no right to erect or repair any structure, to do any plumbing work or to do any electrical work.

(17) MONTHLY PARKING FEE.

(a) There is hereby imposed on each owner or operator of a mobile home park licensed herein a monthly parking permit fee in the amount determined as provided by law on each occupied mobile home in the park.

It shall be the full and complete responsibility of the licensee to collect the proper amount from each mobile home and to pay the Village Treasurer such parking permit fees on or before the 10th of the month following the month for which such fees are due in accordance with the terms of this section and such regulations as the Board may reasonably promulgate. (Am. 9-1-70)

(18) **REVOCAION AND SUSPENSION.** The Village Board may revoke any license or permit issued pursuant to the terms of this section in accordance with the law.

8.06 RIDING AND LIVERY STABLES

(1) **DEFINITIONS.** A riding or livery stable is defined as a house, shed, building, barn or place where riding horses are kept to be let or hired to the public or where riding horses are boarded for a fee or other consideration.

(2) **LICENSING PROVISIONS AND FEE.**

(a) Before anyone engages in the operation of a riding or livery stable as herein defined within the Village, he shall obtain a license from the Village Board.

(b) Such license shall terminate on December 31 of the year for which it is issued.

(c) The fee for the same shall be paid before the license is issued and shall be deposited with the Village Board with the application for license, which fee shall be \$10 for each riding horse kept or boarded.

(3) **LOCATION.** All livery and riding stables shall be located at least 200 feet distant from a dwelling house, tenement house or part thereof, any hotel, restaurant, boarding house, any building used for school purposes or any building wherein persons are employed, and shall be located at least 100 feet from any street, alley, sidewalk or other traveled way.

(4) **SANITATION.**

(a) All livery and riding stables shall be kept free from objectionable odors at all times and shall be provided with easily cleaned floors of close-grained wood or concrete in such condition that they can be kept clean and shall be whitewashed frequently. Adequate artificial and natural lighting shall be provided to facilitate cleaning of the stable and appurtenances.

(b) All stables shall be provided with fly-tight bins or other tightly closed receptacles of such dimensions as to contain all accumulations of manure which shall be removed in such manner as to prevent its becoming a nuisance. No manure shall be allowed to accumulate on the floor or on adjacent grounds. No manure shall be dumped or left on any street, alley, sidewalk, open area or lot in any inhabited section, or be used to grade in whole or in part any sidewalk, street, open area or lot in such section, unless the manure is completely covered with at least 4 of dirt.

(5) **HOURS.** No riding horses shall be let for hire or use the public streets of the Village between the hours of 8:30 p.m. and 6:30 a.m.

8.07 DOGS

(1) **LICENSE REQUIRED.**

- (a) The owner of a dog more than 5 months of age on January 1 of any year, or 5 months of age within the license year shall annually, on or before the date the dog becomes 5 months of age, pay the dog license tax and obtain a license.
 - (b) Lakeland Animal Welfare Society, Inc., and its authorized employees are hereby designated as collecting officials under §174.065, Wis. Stats., with full authority to issue dog licenses and collar tags pursuant to §174.07, Wis. Stats.
 - (c) Lakeland Animal Welfare Society, Inc., shall remit all license fees and license blanks to the Village Treasurer as directed.
- (2) APPLICATION. Application for a dog license shall be made to the Treasurer or other proper officer of the Village and shall be accompanied by the proper fee. Application forms shall be provided and shall include:
- (a) The full name, address and telephone number of the applicant.
 - (b) A complete description of the dog to be licensed.
 - (c) Required fee.
 - (d) If the dog is altered, written proof thereof signed by a veterinarian.
 - (e) A certificate of rabies vaccination issued by a licensed veterinarian and no license shall be issued for any dog unless such inoculation certificate bears a date within one year prior to the date of application for license.
- (3) SPECIAL INSTANCE LICENSE. A special instance license may be issued for a dog under 5 months of age at the time application is made or for a dog which cannot be altered.
- (4) LICENSE TAX. A dog license tax shall be paid by the applicant according to the following:
- (a) Altered (spayed) female dog \$6.
 - (b) Altered (neutered) male dog \$6.
 - (c) Unaltered female dog \$11.
 - (d) Unaltered male dog \$11.
 - (e) Kennel license under 174.053(1), Wis. Stats. \$35.
 - (f) These license fees will be in effect beginning on January 1, 2010.
- (5) LATE LICENSE FEE. Any person purchasing a dog license for a dog 5 months of age or over after April 1 shall pay an additional late fee of \$5.
- (6) LICENSE AND RABIES VACCINATION TAGS TO BE ATTACHED. The owner shall securely attach the license and rabies vaccination tags to a collar which shall be kept on the dog for which the license is issued at all times. This requirement does not apply to a show dog during competition, to a dog securely confined indoors or to a dog securely confined in a fenced area. A dog without tags attached to its collar shall be presumed to be unlicensed.
- (7) RABIES VACCINATION REQUIRED FOR DOGS. The owner of a dog shall have the dog vaccinated against rabies by a veterinarian within 30 days after the dog reaches 4 months of age and revaccinated within one year after the initial vaccination. If the owner obtains the dog or brings the dog into this state after the dog has reached 4 months of age, the owner shall have the dog vaccinated against rabies within 30 days after the dog is obtained or brought into the state, unless the dog has been vaccinated as evidenced by a current certificate of

rabies vaccination from this state or another state. The owner of a dog shall have the dog vaccinated against rabies by a veterinarian before the date that the immunization expires as stated on the certificate of vaccination or, if no date is specified, within 3 years after the previous vaccination.

(8) QUARANTINE OR SACRIFICE OF AN ANIMAL.

(a) Quarantine or Sacrifice of Dog or Cat Suspected of Biting a Person or Being Infected or Exposed to Rabies. An officer may order a dog or cat quarantined if the officer has reason to believe that the animal bit a person, is infected with rabies or has been in contact with a rabid animal. If a quarantine cannot be imposed because the dog or cat cannot be captured, the officer may kill the animal. The officer may kill a dog or cat only as a last resort or if the owner agrees. The officer shall attempt to kill the animal in a humane manner and in a manner which avoids damage to the animal's head.

(b) Delivery to Isolation Facility or Quarantine on Premises of Owner. An officer who orders a dog or cat to be quarantined shall deliver the animal or shall order the animal delivered to an isolation facility as soon as possible but no later than 24 hours after the original order is issued, or the officer may order the animal to be quarantined on the premises of the owner if the animal is immunized currently against rabies as evidenced by a valid certificate of rabies vaccination or other evidence.

(c) Ten Day Observation Period. The custodian of an isolation facility or the owner shall keep a dog or cat which is ordered to be quarantined in strict isolation under the supervision of a veterinarian for at least 10 days.

Supervision of a veterinarian includes, at a minimum, examination of the animal on the first day, on the tenth day and on one intervening day. If the observation period is not extended and if the veterinarian certifies that the dog or cat has not exhibited any symptoms of rabies, the animal may be released from quarantine at the end of the 10-day observation period.

(d) Extended Observation Period for a Dog or Cat Exposed to a Rabid Animal. If a dog or cat is suspected to have been in contact with a rabid animal, the observation period may be extended unless the owner agrees to have the animal killed. If the dog or cat is not currently immunized against rabies, the officer may order the owner to keep the animal in strict isolation for an additional 170 days and the owner shall have the animal vaccinated against rabies between 145 and 155 days after the beginning of the original observation period. If the dog or cat was immunized against rabies, the officer may order the owner to have the animal revaccinated as soon as possible and to keep the animal leashed or confined for an additional 60 days. If a veterinarian certifies that the dog or cat has not exhibited any symptoms of rabies during the extended observation period, the animal may be released from quarantine at the end of that period.

(e) Sacrifice of a Dog or Cat Exhibiting Symptoms of Rabies. If a veterinarian determines that a dog or cat exhibits symptoms of rabies during the original or extended observation period, the veterinarian shall notify the owner and the officer who ordered the animal quarantined, and the officer or veterinarian shall kill the animal in a humane manner and in a manner which avoids damage to the animal's head. If the dog or cat is suspected to have bitten a person, the veterinarian shall notify the person or the person's physician.

(9) DUTY OF OWNER IN CASE OF DOG OR CAT BITE. Every owner or person harboring or keeping a dog or cat who knows that such dog or cat has bitten any person shall immediately report such fact to the Health Officer and the police department and shall keep such dog or cat confined as the Health Officer or police department shall direct.

(10) RESTRICTIONS ON KEEPING OF DOGS. No person shall own, harbor or keep any dog which:

(a) Is off the premises of its owner without being securely fastened to a leash held and under control of its owner or his agent.

(b) Habitually barks or howls to the annoyance of any person or persons.

- (c) Kills any domestic animal.
 - (d) Assaults or attacks any person.
- (11) PENALTY.
- (a) Failure to Obtain Rabies Vaccination. An owner who fails to have a dog vaccinated against rabies as required by this section may be required to forfeit not less than \$50 nor more than \$100.
 - (b) Refusal to Comply With Order For Quarantine. An owner who refuses to comply with an order issued under this section to deliver an animal to an officer, isolation facility or veterinarian, or who does not comply with the conditions of an order that an animal be quarantined, may be required to forfeit not less than \$100 nor more than \$1,000, and in default of payment, shall be imprisoned in the County Jail until payment thereof, but not exceed 60 days.
 - (c) Other Violations. A person who violates any provision of this section not specified under pars. (a) and (b) may be required, upon conviction thereof, to forfeit not less than \$25 nor more than \$200 together with the cost of prosecution and in default of payment shall be imprisoned in the County Jail until payment thereof, but not exceeding 30 days.

8.08 CLEANING DRY WELLS AND SEPTIC TANKS

- (1) LICENSE REQUIRED. Any person engaging in the business of cleaning dry wells and septic tanks in the Village shall first obtain a license from the Village Board.
- (2) APPLICATION. In the application for such license, the applicant shall state his name and address, or if a corporation, the names and addresses of the directors and officers, shall describe the equipment and shall accompany such application with the annual license fee and surety bond hereinafter mentioned, and also file a list of the charges made for service.
- (3) LICENSE FEE. Each license shall be an annual license and shall terminate on July 31 of each year. The annual fee shall be \$10, and if the license is for only part of a year, no proration of the fee shall be granted.
- (4) SURETY BOND. Each applicant for such license shall obtain a surety bond from a reputable company in the amount of \$1000 under which the company shall agree to save the customers and the Village harmless from any damages resulting from the operation of the equipment or the creating of any nuisance.

8.09 USE OF EXPLOSIVES

- (1) LICENSE REQUIRED. No person shall use explosives for blasting within the limits of the Village without first obtaining a license therefore.
- (2) LICENSE FEE. Such license shall be an annual license covering the calendar year of issue. The annual fee for such license shall be \$10, and there shall be no proration of such fee for any portion of the year.
- (3) APPLICATION. The application for such license shall contain the applicant's name and address, or if a corporation, the names and addresses of the directors and officers of such corporation, the experience had in handling explosives, and if required under its rules and regulations, the certificate from the Industrial Commission permitting the applicant to use such explosives.

(4) DEPARTMENT OF COMMERCE. All licensees shall conform to and abide by the rules and regulations of the TATE OF Wisconsin Department of Commerce with regard to the storing, transporting and using of explosives.

(5) REVOCATION. Such license may be revoked if the licensee handles the explosives in such a manner as to be dangerous to the public or create a nuisance, or does not abide by and conform to all of the rules and regulations of the Industrial Commission of Wisconsin with regard to explosives, or does not obtain a permit as required by subsection (6).

(6) PERMIT FROM BUILDING COMMITTEE. Every person licensed hereunder before using any explosives in the Village shall first obtain a permit from the Building Committee and shall in applying for such permit inform such Committee in writing of the place or premises upon which such explosives are to be used, the nature of the work, the number of trees or other objects to be blasted and the amount of explosives intended for the job.

(7) PERMIT FEES. Before the Building Committee shall issue the permit mentioned in sub. (6), the licensee shall pay the sum of \$1 for each tree or other object to be blasted under the particular permit in addition to the annual license fee stated above. Should the object to be blasted require more than one charge of explosive, the number of such charges necessary shall be estimated and \$1 for each charge paid before the permit is issued.

(8) STORING OR TRANSPORTING EXPLOSIVES. No person shall store or transport explosives within or through the Village without first obtaining the annual license.

8.10 MOTOR DRIVEN CYCLES

(1) DEFINITIONS. Motor driven cycle means every 2 wheeled and 3 wheeled vehicle in or upon or by which any person may be transported or drawn upon any public highway or street except devices moved by human power or used exclusively upon stationary rails or tracks.

(2) LICENSE REQUIRED. No person shall rent or offer to rent any motor driven cycle within the Village without first having obtained a license to rent the same as hereinafter provided.

(3) APPLICATION. Application for such license shall be made to the Village Clerk upon forms furnished by the Village requiring the full name and address of the applicant, the location at which the cycles will be kept, the make, model and license number of each cycle to be rented out.

(4) INSURANCE. Prior to the issuance of such license, the applicant shall file with the Village Clerk a policy of insurance by a company licensed to do business in Wisconsin covering the use, operation and maintenance of such cycles in the amount of \$10,000 because of bodily injury to or death of one person in any one accident; \$20,000 because of bodily injury or death of 2 or more persons in any one accident and in the amount of \$5,000 because of injury to or destruction of property of others in any one accident.

(5) FEES. The license fee shall be \$50 per year for any licensee renting 4 or less cycles, \$100 per year for any licensee renting more than 4 but less than 9 cycles and \$125 for any licensee renting 9 or more cycles. The license year shall commence June 1st of each year. If less than 6 months remain of the license year, the fee shall be reduced by 50%.

(6) APPROVAL. The Village Clerk shall present each license application to the Village Board at its next regular meeting after the filing. The Board may approve such application provided that the following tests are met:

(a) That the applicant is financially responsible and has a written lease for or owns a site from which to operate a cycle rental business and that such site is zoned properly for such use. Copy of such lease or deed shall be filed with the application.

(b) The applicant or one employee has a sound knowledge of the operation, repair and maintenance of motor driven cycles.

(c) The applicant agrees to properly instruct each prospective renter as to the use and operation of the cycles, all traffic and safety regulations and that cycles will not be rented to persons under 18 years of age or to persons not having a valid driver's license.

(7) **CONDUCT OF RENTERS.** It shall be the responsibility of the licensee to insure that all renters of such cycles operate the same only on public highways and in a prudent and safe manner. Repeated violations of any safety rule, regulation, ordinance or statute shall be grounds for rescission of the license. In addition, the Village Board may revoke such license for failure to maintain the cycles so licensed in good working condition.

(8) **RECORDS.** The licensee shall prepare and maintain a registration card for each renter containing the license number, type of cycle, name and address and driver's license number of each person renting the cycle. Such cards shall be available at all times for the inspection and information of the Police Department of the Village.

8.11 GROUP ACTIVITIES ON MUNICIPALLY-OWNED PROPERTY

(1) **APPROVAL REQUIRED.** No business of any type or business related activity shall be permitted on municipally-owned property without prior approval of the Village Board.

(2) **PERMIT REQUIRED.** Whenever any group, association or organization desires to use municipally-owned facilities for a particular purpose, such as picnics, parties or theatrical or entertainment performances, a representative of such group, association or organization shall first obtain a permit from the Village Board for such purposes.

(3) **FEES.** Fees for the use of municipally-owned property shall be determined by the Village Board.

8.12 ITEMS DESIGNED OR MARKETED FOR USE WITH ILLEGAL CANNABIS OR DRUGS

(1) No person shall sell any items, effect, paraphernalia, accessory or thing which is designed or marketed for use with illegal cannabis or drugs as defined by the Wisconsin Statutes.

8.13 REGULATION OF EMERGENCY ALARMS

(1) **INTENTIONAL FALSE ALARMS PROHIBITED.** No person shall give or send or cause to be given or sent in any manner any emergency alarm of fire, burglary or emergency medical service or other emergency which he knows to be false.

(2) **FALSE ALARMS PROHIBITED.** No alarm system within the Village shall be permitted by an owner or by a tenant on the premises upon which an alarm system is installed to give a false alarm.

(3) **INTENT.** The intent of this section is to prevent carelessness, improper maintenance or any other causes which result in a false police alarm, false fire alarm and/or false emergency medical service alarm from privately owned alarm systems. Such false alarms require police, fire and/or emergency medical service response which thereby creates unnecessary expenses to the Village, increased risk of damage to property or injury to persons and dilutes police protection, fire protection and emergency medical service protection to other parts of the Village.

(4) **PROPER MAINTENANCE REQUIRED.** All owners of alarms and all tenants of premises upon which alarm systems are installed shall at all times keep and maintain such alarm systems in good working order to prevent false activation of the alarm.

(5) **DEFINITIONS.**

Alarm System. Any privately owned device installed in or upon any real estate premises within the Village which transmits an alarm signal by any means to the Village Police Department, Fire Department or Emergency Medical Service (Rescue) Squad.

False Alarm. Any alarm signal transmitted by an alarm system which necessitates a response from either the Village Police Department, Fire Department or Emergency Medical Service (Rescue) Squad when such response would not otherwise be necessitated, but for such alarm, and an actual emergency does not exist. "False alarm" includes both the intentional and inadvertent sending of signals to the Village Police Department, Fire Department or Emergency Medical Service (Rescue) Squad which results in a response to a non-emergency situation. The determination of whether a non-emergency situation exists will be made by the senior officer in charge of the responding department at the time of such response.

(6) PERMITS.

(a) Permit Required. A permit shall be required by July 1, 1989, for each alarm system now installed on any real estate premises within the Village. Permits shall be required prior to the installation of any new alarm system after the effective date of this section.

(b) Permit Application. Applications for all permits required under this section shall be filed with the Village Clerk. The Chief of Police shall review the form of the application to be certain all required information is completely set forth. The Chief of Police shall sign the application indicating its proper completion after which the Village Clerk shall issue the permit upon payment of the permit fee.

(c) Terms of Application. The application for an alarm system permit shall contain the following information:

1. Name and complete address of applicant with day and night telephone numbers of applicant.
2. Identification of applicant as either owner or tenant of the premises upon which an alarm system is proposed to be installed.
3. Names, complete addresses and both daytime and nighttime telephone numbers for all owners of the property and, if property is leased or rented out, all tenants occupying same.
4. If property is a second home, the complete addresses (primary residential and business) of all owners thereof, together with both day and night telephone numbers.
5. A minimum of 3 local Village contact persons who would know the location of the owners or tenants, if property is leased or rented, or who hold keys to the property. Key holders listed must have the ability to permit emergency entrance into the property by responding Village departments.

(d) Permit Fee. An annual permit fee of \$10 is required for permit years beginning July 1 each year or any portion thereof, which shall be paid to the Village Clerk at the time of filing such application and thereafter annually prior to the expiration of the permit on June 30 of each year.

(e) New Application. A new permit application shall be required annually, unless no changes have occurred since the filing of the previous application. The fact that no changes have occurred shall be noted by the permit holder at the time of the payment of the renewal fee to the Village Clerk.

(7) OUTSIDE AUDIBLE OR VISUAL ALARMS PROHIBITED. Any alarm system which as a part of its operation emits an outside audible or visual alarm is prohibited in the Village.

(8) PENALTIES. The penalty provisions of §20.05 of this Municipal Code shall apply to this section, except the following penalties shall apply to false alarms:

(a) Any person who shall violate the false alarm provisions of this section for a first offense within any 12 month period shall receive a written notification warning of the offense from the applicable department [Police Department, Fire Department, Emergency Medical Services (Rescue) Squad] of the Village.

(b) Any person who shall violate the false alarm provisions of this section shall for a second offense within any 12 month period receive a written notification warning of the offense from the applicable department [Police Department, Fire Department, Emergency Medical Services (Rescue) Squad] of the Village.

(c) Any person who shall violate the false alarm provisions of this section shall, upon conviction thereof, as a first offense within any 12 month period within which such person has received 2 previous written warnings as set forth in pars. (a) and (b) shall forfeit not less than \$100 nor more than \$500 for such offense, together with costs of prosecution, and in default of such forfeiture and costs, shall be imprisoned in the county jail until such forfeiture and costs of prosecution are paid, but not exceeding 6 months.

(d) Any person who shall violate the false alarm provisions of this section shall, upon conviction thereof, as a second offense within any 12 month period within which such person has received 2 previous written warnings as set forth in pars. (a) and (b) shall forfeit not less than \$200 nor more than \$500 for such offense, together with costs of prosecution, and in default of payment of such forfeiture and costs, shall be imprisoned in the county jail until such forfeiture and costs of prosecution are paid, but not exceeding 6 months.

(e) Any person who shall violate any provision of this section shall, upon conviction thereof, as a third offense within any 12 month period within which such person has received 2 previous written warnings as set forth in pars. (a) and (b) shall forfeit not less than \$300 nor more than \$500 for such offense, together with costs of prosecution, and in default of payment of such forfeiture and costs, shall be imprisoned in the county jail until such forfeiture and costs of prosecution are paid, but not exceeding 6 months.

(f) Any person who shall violate any provision of this section shall, upon conviction thereof, as a fourth offense within any 12 month period within which such person has received 2 previous written warnings as set forth in pars. (a) and (b) shall forfeit not less than \$400 nor more than \$500 for such offense, together with costs of prosecution, and in default of payment of such forfeiture and costs, shall be imprisoned in the county jail until such forfeiture and costs of prosecution are paid, but not exceeding 6 months.

(g) Any person who shall violate any provision of this section shall, upon conviction thereof, as a fifth offense or any additional number of offenses within any 12 month period within which such person has received 2 previous written warnings as set forth in pars. (a) and (b) shall forfeit not less than \$500 for such offense, together with costs of prosecution, and in default of payment of such forfeiture and costs, shall be imprisoned in the county jail until such forfeiture and costs of prosecution are paid, but not exceeding 6 months.

8.14 PENALTY AND ENFORCEMENT

(1) PENALTY. Any person who shall violate any provision of this chapter shall be subject to a penalty as provided in §20.05 of this Code.