

CHAPTER 9

PEACE AND ORDER

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24 **9.01 SPECIAL EVENTS REGULATIONS**

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(1) Purpose and Intent. The intent of this section is to promote the safety and health of the public.

(2) Definitions.

(a) Commercial Use: A commercial use shall be a properly zoned commercial area that has sufficient size, facilities, parking and structures that have been designed and constructed as a public building.

(b) Fee Based Event: Any event where an admission is charged, or where a free will offering (or donation) is accepted.

(c) Large event: Any gathering where more than 500 people are reasonably expected to attend.

(d) Medium event: Any gathering where 301-499 people are reasonably expected to attend.

(e) Small event: Any gathering where up to 300 people are reasonably expected to attend for a period of 6 hours or less and no fee is charged for admission. This includes but is not limited to graduations, weddings, birthdays, holiday celebrations, garage sales, etc.

(3) Exemptions.

(a) Any regularly scheduled place of worship, stadium, athletic field or permanently established place of assembly.

(b) Town owned or leased real estate.

(4) Permits are needed for medium, large and fee based events.

(a) Application for a permit shall be made to the town clerk at least 30 days before the event.

(b) The application fee shall be as is established from time to time by Resolution of the Town Board. The fee is non-refundable.

(c) The permit application shall contain the following information.

1. The address or legal description of the site and of all property upon which the event is to be held.

2. The names address and phone numbers of all persons applying for the permit.

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3. Proof of ownership of all the property upon which the event is to be held.
 4. The nature and/or purpose of the event, the times and dates of the event and the number of people invited or reasonably expected.
 5. A disclaimer holding the Town of River Falls harmless, for any claims or damages that may arise by reason of injury or property from this gathering.
- (d) Permits shall be issued by the Town Board.
- (5) Insurance. Prior to granting the permit for medium, large or fee based gatherings, the applicant shall provide a copy of a single limit liability insurance policy in the amount of \$1,000,000 naming the Town of River Falls, Pierce County, Wisconsin as additional insured.
 - (6) Site Plans. Prior to granting a permit for medium, large or fee based gatherings, the applicant shall submit site plans showing compliance with all items and conditions for issuing the permit as specified and required below.
 - (a) Fencing: A fence completely enclosing the proposed location, of sufficient height and strength to prevent people in excess of the maximum number permitted from gaining access to the event grounds. Sufficient gates to allow emergency evacuation of the grounds in case of need.
 - (b) Sanitary Facilities: Sanitary facilities in the ratio of one facility for each 200 people.
 - (c) Drinking Water: Drinking water in sufficient quantity shall be available.
 - (d) Solid Waste: A plan for the sanitary collecting and holding of solid waste and recyclables. Collection must be at least daily. Waste and litter must be picked up and disposed of along designated traffic routes within one mile of the event at the completion of the event.
 - (e) Traffic Control: A traffic control plan with provisions for, but not limited to, event signage, parking of vehicles, prohibiting parking along road ways, emergency vehicle access, impoundment lots, towing vehicles and control of pedestrian traffic. The Town Board and, when applicable, the Pierce County Sheriff department shall approve such traffic plan.
 - (f) Parking: A parking area inside the event grounds sufficient to provide parking for the maximum number of people to be assembled at the rate of one parking space for every two people. Parking along public and private roads outside of

- 115 the enclosed event location before during and after the event shall be
116 prohibited.
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- 118 (g) Emergency Plan: The applicant shall provide an emergency plan that includes
119 contacts for Fire protection, Ambulance and Sheriff.
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- 121 (h) List of Neighbors: The Applicant shall provide a list of neighbors within ¼
122 mile, or more at the discretion of the Town Board, that have been notified in
123 writing, regarding the event.
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- 125 (7) Other Requirements. In addition to the requirements of Section 9.01(6), where
126 applicable, each of the following shall be a condition of permit issuance.
- 127
- 128 (a) Beer/liquor license
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- 130 (b) Bartender license
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- 132 (c) Fireworks license
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- 134 (d) Music must end at midnight and other noise restrictions contained in Section
135 9.05 must be observed.
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- 137 (e) Adequate facilities if animals are allowed/involved. Shade, water, humane
138 conditions.
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- 140 (f) Overnight camping. Where the permit allows overnight camping in
141 connection with the event, the Town Board may require other specific
142 conditions as a prerequisite or mandatory rider to the permit.
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- 144 (g) Security/crowd control. Where the permit requires security/crowd control in
145 connection with the event, the Town Board may require other specific
146 conditions as a prerequisite or mandatory rider to the permit.
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- 148 (h) If more than 500 people are expected or the duration of the event is more than
149 18 hours:
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- 151 1. Additional security/crowd control. Where the permit requires additional
152 security/crowd control in connection with the event, the Town Board may
153 require other specific conditions as a prerequisite or mandatory rider to the
154 permit.
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- 156 2. Evacuation plan. Where the permit requires an evacuation plan in
157 connection with the event, the Town Board may require other specific
158 conditions as a prerequisite or mandatory rider to the permit.
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- 160 (8) Penalty. Fines will follow Chapter 12 requirements.

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9.02 FIREWORKS PERMITS.

- (1) General. Pursuant to Wis Stats. §167.10, and this Section, no person may sell, possess or use fireworks, as defined in Wis. Stat. §167.01(1), without first obtaining a fireworks permit from the Town, unless exempt under Section 9.02(4). The permit fee shall be established from time to time by resolution of the Town Board. The permit shall be issued only for a designated date and time. The permit shall be issued by the Town Chair or designee. The applicant shall notify the River Falls Fire Department, pursuant to Wis. Stat. §167.10(3)(g), at least two (2) days before the date of authorized use in the Town.
- (2) No person shall use or explode fireworks on his/her premises or premises under his/her control, except as authorized by Wis. Stat. §167.10, or this ordinance.
- (3) Application/Permit. The application shall be submitted to the Town Chair. If for personal/family use the application shall include the items set forth at Section 9.02(3)(a)-(j) below, and if for use with a large gathering of people, the items set forth at Section 9.02(3)(a)-(o) below.
 - (a) the name of the applicant;
 - (b) the address of the applicant;
 - (c) the residential and business telephone number of the applicant, if any;
 - (d) the age of the applicant;
 - (e) the date requested for purchase of fireworks and the date requested for the fireworks use;
 - (f) the time and location for the required use;
 - (g) the kind and quantities of fireworks and where purchased;
 - (h) the classification of the applicant as set forth in Wis. Stats §167.10(3)(c);
 - (i) the proposed location for the storage of the fireworks in the Town;
 - (j) a description of the safety protections to be provided during the permitted use;
 - (k) a description of the fire safety equipment to be installed and maintained during the permitted use;
 - (l) a diagram demonstrating the fireworks ignition area, public restraint area and area where the public will be located;

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- (m) the type and amount of security and sanitation personnel to be provided and maintained for security and sanitary projects;
 - (n) purpose of display, identifying group(s) involved;
 - (o) a list of any arrests or convictions of the applicant for any crime or for any violation of this Code.
- (4) Exemptions. The permit requirement does not apply to:
- (a) The Town of River Falls, but the River Falls Fire Department shall be notified of the proposed use of fireworks at least two (2) days in advance.
 - (b) The possession of or use of explosives in accordance with rules or general orders of the Wisconsin Department of Safety and Professional Services.
 - (c) The disposal of hazardous substances in accordance with rules adopted by the State Department of Natural Resources, or other rules adopted by an agency or authorized to do so by the State of Wisconsin.
 - (d) The possession of or use of explosives or combustible materials in any manufacturing process.
 - (e) The possession of or use of explosives or combustible materials in connection with classes conducted by educational institutions.
 - (f) The possession of or use of explosives in possession of a license or permit under 18 USC §841 to 848 if the possession of the fireworks is authorized under the license or permit.
 - (g) The possession of fireworks while transporting the fireworks to a city, town, village or county where the possession of fireworks is authorized by permit or ordinance.
- (5) Permit Issuance. Only the following persons or entities may be issued a Fireworks Permit in the Town of River Falls:
- (a) A public authority;
 - (b) A fair association;
 - (c) An amusement park;
 - (d) A fair board;

- 253 (e) A civic organization;
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255 (f) A resident or non-resident individual or group of individuals;
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257 (g) An agricultural producer for the protection of crops from nuisance birds or
258 animals.
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- 260 (6) Permit. The permit shall be issued by the Town Chair or designee, provided it is
261 determined from the application that the manner in which the applicant addresses
262 the safety and security concerns addressed in the application appear to suitable
263 protect and serve the interests of the health, safety and general welfare of
264 participants at the fireworks event, the general public and neighboring property
265 owners as set forth below.
266
- 267 (a) The person subject to this ordinance shall comply with Wis. Stat. §167.10 and
268 this ordinance.
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- 270 (b) No person shall be issued a fireworks permit who has failed to properly and
271 fully complete and submit the application form to the Town Chair.
272
- 273 (c) No person shall be issued a fireworks permit in the Town who has been
274 charged or convicted of any crime involving the endangerment of the health,
275 safety and welfare of any person or property, or who has violated this
276 ordinance or a similar ordinance of any other State or jurisdiction.
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- 278 (d) Every applicant for a fireworks permit shall demonstrate in the application
279 that:
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- 281 1. Adequate safety protections shall be maintained during the requested or
282 permitted use when established by the Town as a condition of the permit;
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 - 284 2. Adequate fire safety equipment shall be installed and maintained during
285 the requested or permitted use when established by the Town as a permit
286 condition;
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 - 288 3. Adequate indemnity bond shall be provided and maintained pursuant to
289 Wis. Stat. §167.10(3)(e), in the proper amount when established by the
290 Town as a condition of the permit;
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 - 292 4. Adequate preparation for the prevention of open fires that may be ignited
293 at the permitted use location;
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 - 295 5. Adequate security personnel shall be provided and maintained as
296 determined by the Town Chair or designee at the requested or permitted
297 use location;
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6. Adequate physical structures, equipment and operational control shall be provided and maintained as determined by the Town Chair or designee to prevent trespassing and littering and to prevent private nuisances on private and public land adjacent to the requested or permitted use location;
 7. Adequate sanitation personnel shall be provided as determined by the Town Chair or designee;
 8. Adequate sanitary facilities shall be provided and maintained at the requested or permitted use location;
 9. The requested or permitted use location shall be kept free of trash, papers or other debris during and after the requested or permitted use;
 10. Physical access to the requested or permitted use location by the Town Chair or designee for inspection purposes upon one (1) hour notice to the applicant or permittee shall be allowed.

317 (e) The Town Chair or designee may require an Indemnity Bond as per Wis. Stat.
318 §167.10(3)(e).
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- 320 (7) Mishandling and Misuse of Fireworks Prohibited. In addition to all other rules set
321 forth therein, and in Chapter 167 of the Wisconsin Statutes, no person shall in any
322 manner, mechanized or non-mechanized, throw any ignited or non-ignited
323 fireworks.
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325 **9.03 OBSTRUCTING STREETS AND SIDEWALKS PROHIBITED.** No person
326 shall stand, sit, loaf, loiter or engage in any sport or exercise on any public street,
327 sidewalk, bridge, or public ground within the Town in such a manner as to prevent or
328 obstruct the free passage of pedestrian or vehicular traffic thereon or to prevent or hinder
329 free ingress or egress to or from any place of business or amusement, church, public hall
330 or meeting place, except with the permission of the Town Board upon written application
331 to the Board.
332

333 **9.04 LOUD AND UNNECESSARY NOISE PROHIBITED.** No person shall make
334 or cause to be made any loud, disturbing or unnecessary sounds or noises such as may
335 tend to annoy or disturb another in or about any public street, public hall or meeting
336 place, alley, park or any private residence.
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338 **9.05 GAMBLING, LOTTERIES, FRAUDULENT DEVICES AND PRACTICES**
339 **PROHIBITED.** All forms of gambling, lotteries and fraudulent devices and practices are
340 prohibited within the Town, except as provided by State law. Any officer of the Town
341 may seize anything devised solely for gambling or found in actual use for gambling
342 within the Town and dispose thereof after a judicial determination that such device was
343 used solely for gambling or found in actual use for gambling.
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345 **9.06 LOITERING PROHIBITED.**

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347 (1) Loitering or Prowling. No person shall loiter or prowl in a place, at a time, or in a
348 manner not usual for law-abiding individuals under circumstances that warrant
349 alarm for the safety of persons or property in the vicinity. At any point of
350 concern, the Pierce County Sheriff may be called.

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352 (2) Obstruction of highway by loitering. No person shall obstruct any street, bridge,
353 sidewalk or crossing by lounging or loitering in or upon the same after being
354 requested to move on by any peace officer.

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356 (3) Obstruction of traffic by loitering. No person shall loaf or loiter in groups or
357 crowds upon the public streets, alleys, sidewalks, street crossing, bridges, or in
358 any other public places within the Town in such manner as to prevent, interfere
359 with or obstruct the ordinary free use of the public streets, sidewalks, street
360 crossings, bridges, or other public places by persons passing along and over the
361 same.

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363 (4) Loitering after being requested to move. No person shall loaf or loiter in groups
364 or crowds upon the public streets sidewalks or adjacent doorways or entrances,
365 street crossing, bridges or in any other public place or on any private premises
366 without invitation from the owner or occupant after being requested to move by
367 any peace officer or by any person in authority at such places.

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369 **9.07 DESTRUCTION OF PROPERTY PROHIBITED.** No person shall willfully
370 injure or intentionally deface, destroy or unlawfully remove, take or meddle with any
371 property of any kind or nature belonging to the Town or its departments or to any private
372 person without the consent of the owner or proper authority.

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374 **9.08 LITTERING PROHIBITED.** No person shall throw any glass, garbage,
375 rubbish, waste, slop, dirty water, noxious liquid or other litter or unwholesome substance
376 upon the streets, alleys, highways, public parks or other property of the Town, upon any
377 private property not owned by him/her or upon the surface of any body of water within
378 the Town.

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380 **9.09 HARBORING CERTAIN ANIMALS PROHIBITED.** No person shall own,
381 harbor or keep any dog, cat or other animal in a domesticated environment which;

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383 (1) Habitually pursues any vehicle upon any public street, alley or highway or is
384 allowed to run at large.

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386 (2) Assaults or attacks any person.

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388 (3) Is vicious. A showing that a dog or other animal has bitten, attacked, or injured
389 any person or livestock shall constitute a prima facie showing that such dog or
390 animal is vicious.

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- (4) Habitually barks, crows, cries, screeches, howls or makes any other loud or annoying sound which greatly disturbs the peace and quiet of a neighborhood.
- (5) Has not been licensed as required by the ordinances of the Town and the laws of the State.
- (6) In any other manner violates the provisions of Section 12.04 of the General Code.

9.10 OPEN CISTERNS, WELLS, BASEMENTS OR OTHER DANGEROUS EXCAVATIONS PROHIBITED. No person shall have or permit on any premises owned or occupied by him/her any open cisterns, cesspools, wells, unused basements, excavations, or other dangerous openings. All such places shall be filled, securely covered or fenced in such manner as to prevent injury to any person and any cover shall be of a design, size and weight that the same cannot be removed by small children. Any violation of this section is a public nuisance and may be disposed of in accordance with Ch. 823, Wis. Stats.

9.11 ABANDONED OR UNATTENDED ICE BOXES, ETC., PROHIBITED. No person shall leave or permit to remain outside of any dwelling, building or other structure or within any unoccupied or abandoned building, dwelling or other structure under his/her control in a place accessible to children any abandoned, unattended or discarded ice box, refrigerator or other container which has an airtight door or lid, snap lock or other locking device which may not be released from the inside without first removing such door or lid, snap lock or other locking device from such ice box, refrigerator or container, unless such container is displayed for sale on the premises of the owner or his agent and is securely locked or fastened.

9.12 OPEN CONTAINER.

- (1) No person shall have in his possession an open container of any alcohol beverage while on the Town property, streets or sidewalks.
- (2) Section 9.12(1) shall not apply to those groups making application for a permit for special events to be held on Town property after receiving written permission from the Town Board.

9.13 DISORDERLY CONDUCT WITH A MOTOR VEHICLE. No person shall operate a motor vehicle in such a manner as to cause the tires to squeal, the motor to race excessively, the horn to blow unnecessarily, the radio to blare or in any other manner which would annoy or disturb other persons in the Town or endanger the public peace and safety.

9.14 MOVING BUILDINGS.

- 436 (1) Any person moving a building into the Town or from one location to another
437 within the Town shall first obtain both moving and building permits from the
438 Town Zoning Administrator.
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- 440 (2) The applicant must demonstrate that the building will be safely moved, all
441 appropriate units of government and utility providers who may be affected in any
442 way by the move have been properly notified, and where necessary, permits have
443 been obtained. The applicant must affirmatively accept in writing responsibility
444 for any damage to persons or property, including Town roads, caused as a result
445 of the move. The moving permit issued shall include the right to move the
446 building on one or more specified Town roads as may be necessary.
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- 448 (3) Application for a building permit shall be made to the Town Zoning
449 Administrator to get approval for location and a foundation for the building.
450
- 451 (4) Upon approval of the moving and building permits by the Town Board, such
452 building shall be placed on a permanent foundation within 90 days of approval.
453
- 454 (5) The requirements of this section are in addition to any applicable provisions of the
455 Town Zoning Code.
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457 **9.15 ADULT ENTERTAINMENT IN LICENSED ESTABLISHMENTS**
458 **PROHIBITED.**
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- 460 (1) It is unlawful for any person to perform or engage in, or for any licensee or
461 manager or agent of the licensee to permit any person, employee, entertainer or
462 patron to perform or engage in any live act, demonstration, dance or exhibition of
463 the premises of a licensed establishment which:
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- 465 (a) Shows his or her genitals, pubic area, vulva, anus anal clef or cleavage with
466 less than a fully opaque covering; or
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- 468 (b) Shows any portion of the female breast below a point immediately above the
469 top of the areola; or
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- 471 (c) Shows the covered male genitals in a discernibly turgid state; or
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- 473 (d) Shows or simulates sexual intercourse, masturbation, sodomy, bestiality, oral
474 copulation or flagellation.
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- 476 (2) The provisions of this ordinance do not apply to the following licensed
477 establishments: theaters, performing arts centers, civic centers, and dinner theaters
478 where live dance, ballet, music and dramatic performances of serious artistic
479 merit are offered on a regular basis and in which the predominant business or
480 attraction is not the offering to customers of entertainment which is intended to
481 provide sexual stimulation or sexual gratification to such customers and where the

482 establishment is not distinguished by an emphasis on, or the advertising or
483 promotion of, employees engaging in nude erotic dancing.

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485 (3) For purposes of this ordinance, the term “licensed establishment” means any
486 establishment licensed by the Town Board of the Town of River Falls to sell
487 alcohol beverages pursuant to Chapter 125, WI Stats. The term “licensee” means
488 the holder of a retail “Class A”, “Class B”, Class “B” or Class “A” or Class “C”
489 license granted by the Town Board of the Town of River Falls pursuant to Wis.
490 Stats. Chapter 125,.

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492 **9.16 PENALTY**

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494 (1) Except as otherwise provided, any person found to be in violation of any
495 provision of this chapter shall be subject to a penalty as provided in Section 25.04.

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