

**9.56.010 Disorderly conduct** . Whoever does any of the following within the limits of the city shall be subject to a forfeiture of not more than five hundred dollars:

A. In a public or private place engages in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance; or

B. With intent to annoy another, makes a telephone call, whether or not conversation ensues. (Ord. 4531, 1984; Ord. 4378 §1, 1983; Ord. 3944 §1, 1978).

**9.56.020 Prohibiting the harboring of juveniles without parental consent** . A. It shall be unlawful for any owner, tenant, or person in control of a residence or other facility to knowingly allow or permit a child under the age of 18 to loiter, idle, or remain in said residence or upon said property without the consent of the child's parent, guardian, or spouse.

B. Any person violating the provisions of this section shall, upon conviction thereof, forfeit not more than \$500 plus the costs of prosecution for each offense. (Ord. 5686 §3, 1997).

**9.56.030 Disturbing religious assembly.** Any person who disturbs any congregation or assembly, met for religious worship, by making a noise, or by rude and indecent behavior, or profane discourse within the place of worship, or so near the same as to disturb the order and solemnity of the meeting shall be subject to a fine not exceeding fifty dollars and costs of prosecution. (Prior code §20.06).

**9.56.040 Enforcing penalty.** Any person in default of payment of forfeitures and costs of prosecution fixed in Section 9.56.030 shall be imprisoned in the county jail of Eau Claire County for not more than thirty days. (Prior code §20.09(part)).

**9.56.050 Public good order.** It is unlawful for any person or persons to stand, loiter or congregate in any street or upon any sidewalk, bridge, crossing or other public place so as to obstruct the same, or to hinder, prevent or annoy persons passing or attempting or desiring to pass therein or thereupon or into or out of any building, private or public; nor shall any person make remarks, gestures, noises, signs or the like to disturb, annoy or insult any person being upon or passing along any street, sidewalk, bridge, crossing or other public place, or along, into or out of any public carrier, provided that this section shall not apply to acts made lawful by Section 103.53 of the statutes of Wisconsin. (Prior code §5.13(part)).

**9.56.055 Urination/defecation prohibited.** No person shall publicly urinate or defecate in any public place, on any public property, or on any private property not designed, intended, and approved for such use. (Ord. 6467 §1, 2004).

**9.56.060 Violation--Penalty.** Any person violating any provisions of section 9.56.050, section 9.56.055, or any order given under their authority shall, upon conviction thereof, be subject to a fine of not less than ten dollars or more than \$60.00 and the costs of prosecution, and in default of the payment of the fine and costs of prosecution, shall be imprisoned in the county jail until said fine and costs of prosecution are paid, but not to exceed thirty days. (Ord. 6467 §2, 2004; Prior code §5.13(3)(part)).

**9.56.070 Prohibition of noises disturbing the public peace.** A. No person shall make or assist in making any noise tending to unreasonably disturb the peace and quiet of persons in the vicinity thereof unless the making and continuing of the same cannot be prevented and is necessary for the protection and preservation of property or of the health, safety, life or limb of some person.

B. No person, firm or corporation occupying or having charge of any building or premises, or any part thereof shall cause, suffer or allow any loud, excessive or unusual noise in the operation or use of any mechanical or electrical device, instrument or machine, which loud, excessive or unusual noise will disturb the comfort, quiet or repose of persons therein or in the vicinity.

C. No person, firm or corporation occupying or having charge of any building or premises, or any part thereof, shall cause, suffer or allow any loud, excessive or unusual noise to occur in such building or on such premise, which would disturb the comfort, quiet or repose of persons therein or in the vicinity.

D. The use of radio loudspeakers or amplifiers, phonographs, and similar devices in the streets, alleys, or public places in the city or in or on buildings or structures along any such streets, alleys, or public places in such manner that the sound or noise produced or conveyed thereby in any such street, alley, or public place is loud or boisterous or such as may endanger or injure the comfort, repose, health or safety of others, is prohibited.

E. No person shall employ the use of an engine braking system which utilizes engine exhaust to slow the vehicle, commonly referred to as compression braking or engine braking, except in the case of an emergency.\* (Ord. 6617 §1, 2005; Ord. 4748 §1, 1987; Ord. 3944 §2, 1978).

**9.56.075 Loud parties or gatherings.** A. No person occupying or having charge of any building or premises, or any part thereof, shall cause, suffer or allow any loud, excessive or unusual noise in those places while hosting or permitting a party, social gathering, meeting or assembly of any kind, where such noise would disturb the comfort, quiet or repose of persons therein or in the vicinity.

B. Any party or gathering that violates this section shall cease and disperse immediately upon the order of a police officer and all persons not domiciled at the site of such gathering shall leave the premises immediately. Any person who fails or refuses to obey and abide by such order shall be guilty of a violation of this subsection. (Ord. 6220, 2001; Ord. 4748 §2, 1987).

**9.56.080 Violation --Penalty.** Any person violating the provisions of sections 9.56.070 or 9.56.075 shall upon conviction forfeit a sum of not less than one dollar nor more than five hundred dollars for each offense together with the costs of prosecution and in default of the payment of such forfeiture and costs such person shall be confined in the county jail for a term of not less than five days nor more than sixty days unless such forfeiture and costs are sooner paid, and each day's violation constitutes a separate offense. (Ord. 4748 §3, 1987; Ord. 4378 §2, 1983; Ord. 4072 §5, 1980; prior code §20.41).

**9.56.085 Harassment of police dogs.** A. No person shall knowingly resist, obstruct, or interfere with any police dog on duty. Furthermore, no person shall harass or tease a police dog at any time. Police dogs on duty shall also be exempt from the provisions of the animal control ordinances of Chapter 6 of this code.

B. Any person violating the provisions of this section shall, upon conviction thereof, forfeit not more than \$500 plus the costs of prosecution for each offense. (Ord. 5047, 1990).

**9.56.090 Responsibility of owner or occupant.** A. In this section "knowingly" means having received notice from the police department by verbal or written communication.

B. Following the occurrence of conduct or activity upon any premises, which conduct or activity is prohibited by either section 9.56.010, 9.56.070, 9.56.075 or s. 947.01 of the Wisconsin Statutes, the issuance of a citation, arrest or conviction, no owner, tenant or person in charge of such premises shall knowingly permit any such conduct or activity to reoccur upon the said premises without first making a timely, reasonable and bona fide attempt, verbally or in writing, which directs the cessation of such conduct or activity. Whether or not the conduct or activity actually ceases shall not determine whether a timely, reasonable and bona fide attempt is made under this section.

C. Any person violating the provisions of this section shall, upon conviction, forfeit not more than five hundred dollars for each offense. (Ord. 4761, 1987; Ord. 4378 §3, 1983).

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\* Ed. Note: Ordinance 6617 provided as follows: "This ordinance shall become effective upon approval by the Wisconsin Department of Transportation of the city's application to install signage in state highway right of way in the city of Eau Claire prohibiting engine braking."

## **Chapter 9.58**

### **BLOCK PARTY**

#### **Sections:**

**9.58.010 Definition.**

**9.58.020 Purpose.**

**9.58.030 Application.**

**9.58.040 Approval.**

**9.58.050 Noise.**

**9.58.060 Hours.**

**9.58.070 Termination.**

**9.58.080 Appeal.**

**9.58.090 Violation--Penalty.**

**9.58.010 Definition .** Block party ("party") shall mean a neighborhood social and recreational gathering of persons residing in adjacent city blocks where a portion of a street or alley sought to be closed and used for the gathering is completely residential. A party is a privately sponsored gathering that is not sponsored by an organization or business. A party does not involve the sale of food, alcohol, or concessions.