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PROWLING ORDINANCE

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**WOOD COUNTY ORDINANCE #228  
PROWLING**

**Chapter 228 .01 PROWLING**

**(1) Purpose.** Whoever does the following within the unincorporated areas of Wood County shall be in violation of this Chapter:

Prowls in a place at a time or in a manner not usual for law-abiding individuals and under circumstances that warrant alarm for the safety of persons or property in the vicinity. Among the circumstances which may be considered in determining whether or not alarm is warranted are the facts of whether or not the individual takes flight upon appearance of a law enforcement officer, refuses to identify himself/herself, attempts to conceal himself/herself, attempts to conceal or disregard an object, or is carrying an object inconsistent with the circumstances and setting. Unless flight by the individual or other circumstances make it impractical, a law enforcement officer shall prior to the issuance of a citation or an arrest for a violation of this Chapter, afford the individual an opportunity to dispel any alarm which might otherwise be warranted by requesting the individual to identify himself/herself and explain his/her presence and conduct. No individual shall be convicted of a violation of this Chapter if the officer did not comply with the preceding sentence or if it appears at trial that the explanation given by the individual was true and, if believed by the officer at the time, would have dispelled the alarm.

**(2) Penalty.** Any person who violates this ordinance shall upon conviction thereof forfeit not less than twenty dollars (\$20.00) nor more than two hundred dollars (\$200.00) plus the cost of prosecution as provided by 814.63(4) Wisconsin Statutes, the penalty assessment allowed for by 165.87 Wisconsin Statutes and the jail assessment imposed by 302.46(1) Wisconsin Statutes.

**(3) Enforcement.** Sworn deputies of Wood County within the unincorporated areas of Wood County shall have authority to enforce this Chapter and shall have authority to issue citations or complaints for violations of this Chapter.

Citation Process: Any citation written pursuant to this paragraph for enforcement of this section shall conform with the requirements of 66.119 Wisconsin Statutes. A person issued a citation for which a monetary forfeiture is provided for under this ordinance may remit a forfeiture deposit of fifty dollars (\$50.00) plus court costs. The provisions of 66.119(3) Wisconsin Statutes on the violator's options and procedure on default are hereby adopted.

**(4) Repeal of Conflicting Ordinances.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect upon passage and publication.

**(5) Severability.** If any section clause, or division of this ordinance be declared by the court to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.