

2022 OA-020

AMENDING CHAPTER 34 OF THE DANE COUNTY CODE OF ORDINANCES, DISORDERLY CONDUCT

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 2.06(52) & (53) is amended to read as follows:

<del>(52)</del>	<del>34.01(2)</del>	<del>Using telephone to annoy another</del>	<del>50.00</del>
<del>(53)</del>	<del>34.01(3)</del>	<del>Intentionally provoke or engage</del>	<del>50.00</del>
		<del>in a fight or altercation</del>	
<u>(52)</u>	<u>34.01(1)</u>	<u>Disorderly conduct</u>	<u>250.00</u>
<u>(52a)</u>	<u>34.01(2)</u>	<u>Using telephone to harass</u>	<u>250.00</u>
<u>(52b)</u>	<u>34.01(3)</u>	<u>Using electronic mail to harass</u>	<u>250.00</u>
<u>(53)</u>	<u>34.01(4)</u>	<u>Disorderly Conduct directed at election official</u>	<u>500.00</u>

ARTICLE 2. Section 34.01 is amended to read as follows:

**34.01 DISORDERLY CONDUCT PROHIBITED.** No person shall do any of the following ~~within Dane County~~:

~~(2) With intent to annoy another, make a telephone call, whether or not conversation ensues; or~~

~~(3) Intentionally cause, provoke or engage in any fight, brawl, riot or noisy altercation.~~

(1) In a public or private place, engage 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;

(2) With intent to frighten, intimidate, threaten, abuse or harass, makes a telephone call, whether or not a conversation ensues, or;

(3) With the intent to frighten, intimidate, threaten, abuse or harass another person, sends a message to the person on an electronic mail or other computerized communication system and in that message uses any obscene, lewd or profane language or threatens to inflict injury or physical harm to any person or the property of any person.

(4) Engages in any conduct described in sub. (1)-(3) directed towards an election official as defined by Wis. Stat. s. 5.02(4e).

ARTICLE 3. Section 34.99(2) is amended to read as follows:

**34.99 PENALTIES. (1)** Any person who violates any provisions of chapter 34 of this code shall be subject to a forfeiture as set forth in sub. (2) hereof, and

47 shall in addition be subject to a forfeiture for the court costs and costs of  
48 prosecution, and in default of either of these, such person shall be confined in the  
49 Dane County Jail for not more than 30 days.

50 **(2) Schedule.**

51	<u>Section</u>	<u>Forfeiture</u>	
52	<u>34.01(1)-(3)</u>	<u>First offense</u>	<u>\$10-\$100 Not more than \$500</u>
53	<del>34.01</del>	<del>Second and sub</del>	
54		<del>sequent offenses</del>	
55		<del>within one year</del>	<u>\$25-\$200</u>
56	<u>34.01(4)</u>		<u>Not more than \$1000</u>
57	34.015		\$10-\$100
58	34.02		\$10-\$200
59	34.03		\$20-\$100
60	34.04		\$25-\$100
61	34.05		\$10-\$200

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63 *[EXPLANATION: This Ordinance Amendment modifies the definition of*  
64 *disorderly conduct too be consistent with State Statute and makes it an offense*  
65 *to engage in disorderly conduct towards an election official.]*