

1 **Sub. 1 to 2022 OA-020**

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

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

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

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

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14	(52)	34.01(2)	Using telephone to annoy another	50.00
15	(53)	34.01(3)	Intentionally provoke or engage	50.00
16			in a fight or altercation	
17	(52)	34.01(1)	Disorderly conduct	50.00
18	(52a)	34.01(2)	Using telephone to harass	50.00
19	(52b)	34.01(3)	Using electronic mail to harass	50.00
20	(53)	34.01(4)	Disorderly Conduct directed at election official	500.00

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

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24 **34.01 DISORDERLY CONDUCT PROHIBITED.** No person shall do any of the
25 following ~~within Dane County~~:

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

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

30 ~~(1) In a public or private place, engage in violent, abusive, indecent, profane,~~
31 ~~boisterous, unreasonably loud or otherwise disorderly conduct under~~
32 ~~circumstances in which the conduct tends to cause or provoke a disturbance;~~

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

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

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

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

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45 **34.99 PENALTIES. (1)** Any person who violates any provisions of chapter 34
46 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	34.01(1-3)	First Offense	\$10-100
53	34.01(1-3)	Second and sub-	
54		sequent offenses	
55		within one year	\$25-100
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 to be consistent with State Statute and makes it an offense to*
65 *engage in disorderly conduct towards an election official.]*