

**TOWN OF GIBRALTAR
ORDINANCE 2022-14
TRESPASS TO LAND, BUILDINGS, OR OTHER PREMISES**

Ordinance 2022-14 Identified in the code of ordinances as 10.23 shall repeal and replace any previous ordinance(s) in whole or part, or any other ordinances contradicting to this new ordinance.

The Town Board of Gibraltar, in the County of Door, State of Wisconsin, does hereby ordain as follows:

Purpose To protect citizens and property.

State Statutes Adopted – Authority

The Board of Supervisors of the Town of Gibraltar is granted authority for adopting this ordinance under its general 60.10(2)(c) and 60.22(3), Wisconsin Statutes. The Town Board Adopts this Ordinance under its general village powers authority and 66.1014 of the Wisconsin Statutes, 2917 Act 59.

General Provisions

(1) No person shall enter or remain on any land or in or on any building or other premises of another after having been notified by the owner or occupant, or an authorized representative of the owner or occupant, or by a police officer who has been authorized by the owner or occupant, not to enter or remain on the premises. The Town of Gibraltar Police are authorized to give such notice with respect to all property owned by the Town.

(2) A person has received notice from the owner or occupant, or an authorized representative of the owner or occupant, or from a police officer who has been authorized by an owner or occupant, within the meaning of this section if he or she has been notified personally, either orally or in writing, or if the land, building or other premises is posted.

- (a) Land is considered to be posted under this subsection if posted in accordance with the procedures set forth in § 943.13(2)(a) or 943.13(2)(b), Wis. Stats.
- (b) Buildings or other premises are considered to be posted under this subsection if a sign, at least 11 inches square, is placed at each of the entrances to the building or other premises. The sign must carry an appropriate notice followed by the name of the person giving the notice followed by the word "owner" if the person giving the notice is the holder of legal title to the property and by the word "occupant" if the person giving the notice is not the holder of legal title but is a lawful occupant or an authorized representative of the occupant of the building or other premises. Proof that appropriate signs as provided in this subsection were erected or in existence upon the building or other premises to be protected prior to the event complained of shall be prima facie proof that the building or other premises to be protected were posted as provided in this subsection.

(3) This section does not apply to a person entering on the land or other premises, other than the residence or other buildings or the curtilage of the residence or other buildings, of another for the purpose of removing a wild animal as authorized under § 29.59(2), (3) or (4), Wis. Stats.

Penalty

(a) Any person found guilty of violating this ordinance or any part of this ordinance, shall be subject to a forfeiture of not less than \$50.00 or more than \$500.00 Together with the costs of prosecution and in rueful default of payment of such forfeiture and cost of prosecution, shall be imprisoned in the county jail until said forfeiture is paid, but not exceeding 60 days.

(b) Any person, firm, or corporation, violating any of the sub-sections of this ordinance may stipulate to the guilt or no contest and may pay to the Clerk of Court a bond according to a schedule prescribed by the Circuit Court of Door County. Such stipulation will make it unnecessary for the subject charged to appear in court and will act as a basis for the court to enter judgment and order forfeiture of the bond. Forfeitures, penalty assessments, costs and fees shall be disbursed as provided in Wisconsin Statutes, Section 66.12.

Enforcement

(a) Enforcement shall be by citation

(b) Schedule of Deposits. Deposits shall be made in cash, money orders, or certified check to the Clerk of Door County Circuit Court, who shall provide a receipt to the other office and the amount of the forfeiture schedule shall be stated above or such amount that the Circuit Court of Door County hereafter affixes.

(c) Any person, firm, or corporation, violating any of the sub-sections of this ordinance may stipulate to the guilt or no contest and may pay to the Clerk of Court a bond according to a schedule prescribed by the Circuit Court of Door County. Such stipulation will make it unnecessary for the subject charged to appear in court and will act as a basis for the court to enter judgment and order forfeiture of the bond. Forfeitures, penalty assessments, costs and fees shall be disbursed as provided in Wisconsin Statutes, Section 66.12.

Reference to Statutes

Reference to specific statutory sections whenever used in this ordinance, shall mean Wisconsin Statutes as amended, modified, repealed or otherwise altered by the State Legislature.

Severability

If any of this Ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, such a decision shall not affect the validity of any other provisions of this ordinance.