

ORDINANCE #307

AN ORDINANCE REGARDING HARASSMENT

SECTION I. PROVISIONS ADOPTED.

The Common Council of the City of Hayward, Wisconsin, do ordain as follows:

SEC. ONE HARASSMENT.

- (a) **Harassment.** No person, with intent to harass or intimidate another person, shall do any of the following; each instance shall be considered a separate violation:
- (1) Strike, shove, kick or otherwise subject the person to physical contact or attempts or threatens to do the same.
 - (2) Engage in a course of conduct or repeatedly commits acts which harass or intimidate the person and which serve no legitimate purpose.
- (b) **Harassing or Obscene Telephone Calls.** Whoever commits any of the following acts shall be subject to the general penalty as provided in this City Code of Ordinances.
- (1) Makes any comment, request, suggestion or proposal which is obscene, lewd, lascivious or indecent;
 - (2) Makes a telephone call, whether or conversation ensues, with the intent to abuse, threaten or harass any person at the called number or numbers;
 - (3) Makes or causes the telephone or another repeatedly or continuously to ring, with intent to harass any person at the called number or numbers;
 - (4) Makes repeated telephone calls, during which conversation ensues, solely to harass any person at the called number or numbers;
 - (5) Knowingly permits any telephone under his control to be used for any purpose prohibited by this Section;
 - (6) In conspiracy or concerted action with any persons, makes repeated calls or simultaneous calls solely to harass any person at the called number or numbers.

SECTION II. CITATIONS.

- (a) With respect to this Ordinance, issuance of citations under Sec. 66.119, Wis. Stats., is hereby authorized.
- (b) The Clerk of Circuit Court, Sawyer County, Wisconsin, shall have the authority to accept cash deposits for forfeitures and/or bond pursuant to the schedule set forth below, or as ordered by the Circuit Court for Sawyer County:
- (1) First Alleged Offense. Fifty Dollars (\$50.00) plus court costs and court assessments.
 - (2) Second Alleged Offense (Within One Year). One Hundred Dollars (\$100.00) plus court costs and court assessments.

- (3) Third Alleged Offense and Subsequent Alleged Offenses (Within One Year).
Three Hundred Dollars (\$300.00) plus court costs and court assessments.
- (c) In lieu of the filing of a cash bond and/or deposit as set forth under Sec. 66.119, Wis. Stats., the City shall have the right to detain the alleged violator to assure appearance of said alleged violator before the Circuit Court for Sawyer County.
- (d) All of the provisions of Section 66.119, Wis. Stats. are hereby incorporated herein by reference and shall be considered to be part of this Ordinance in total.

SECTION III. CONFLICTS

Any Ordinance or portion thereof in conflict with the terms of this Ordinance is hereby repealed to the extent of said conflict.

SECTION IV. SEVERABILITY

If any provision of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or applications.

SECTION V. EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication as provided by law.

Adopted this 11th day of April, 1994.

CITY OF HAYWARD, WISCONSIN
s/s Loyal W. Towne, Mayor
s/s Lorry Regenauer, Deputy City Clerk

Published and/or Posted: June 8, 1994 .