

ORDINANCE NO. 93- 247

An Ordinance Of Village Of Poynette Pertaining To Theft Of Library Materials And Amending Various Provisions Of The Traffic Code.

The Village Board of Village of Poynette, Columbia County, Wisconsin, do ordain as follows:

Subsection (9) of § 14.03 of the Municipal Code of Village of Poynette is hereby created to read as follows:

(9) Theft of Library Material

(a) In this subsection:

1. "Archives" means a place in which public or institutional records are systematically preserved.
2. "Library" means any public library; library of an educational, historical, or eleemosynary institution, organization or society; archives; or museum.
3. "Library material" includes any book, plate, picture, photograph, engraving, painting, drawing, map, newspaper, magazine, pamphlet, broadside, manuscript, document, letter, public record, microform, sound recording, audiovisual materials in any format, magnetic or other tapes, electronic data processing records, artifacts, or other documentary, written or printed materials, regardless of physical form or characteristics, belonging to, on loan to, or otherwise in the custody of a library.

(b) Whoever intentionally takes and carries away, transfers, conceals or retains possession of any library material without the consent of a library official, agent or employee and with intent to deprive the library of possession of the material may be penalized as provided in subsection 14.09(1)(a).

(c) The concealment of library material beyond the last station for borrowing library material in a library is evidence of intent to deprive the library of possession of the material. The discovery of library material

which has not been borrowed in accordance with the library's procedures or taken with consent of a library official, agent or employee and which is concealed upon the person or among the belongings of the person or concealed by a person upon the person or among the belongings of another is evidence of intentional concealment on the part of the person so concealing the material.

(d) An official or adult employee or agent of a library who has probable cause for believing that a person has violated this section in his or her presence may detain the person in a reasonable manner for a reasonable length of time to deliver the person to a peace officer, or to the person's parent or guardian in the case of a minor. The detained person shall be promptly informed of the purpose for the detention and be permitted to make phone calls, but shall not be interrogated or searched against his or her will before the arrival of a peace officer who may conduct a lawful interrogation of the accused person. Compliance with this subsection entitles the official, agent or employee effecting the detention to the same defense in any action as is available to a peace officer making an arrest in the line of duty.

Subsection (c) of § 6.01 of said Municipal Code is hereby created to read as follows:

(c) Administrative Code Adopted. There is hereby adopted by reference the following sections of the Wisconsin Administrative Code:

Chapter MVD 5

Subsection (f) of § 6.12 of said Municipal Code is hereby created to read as follows:

(f) Administrative Code Offenses. The forfeiture for violation of any provision of Chapter MVD 5, Wis. Admin. Code, adopted by reference in § 6.01(c) of this ordinance, shall be as prescribed in § 110.075(7), Wis. Stats.

Subsection (i) of § 6.03 of said Municipal Code is hereby created to read as follows:

(i) 48-Hour Parking. Excepting those streets and parking places to which a more restrictive provision of § 6.03 applies, no person shall park or leave standing any vehicle on any street for more than 48 hours.

The penalty for violation of § 6.03(i) of this Ordinance shall be a forfeiture in an amount determined in accordance with the provisions of § 6.12(c) of the Municipal Code.

This Ordinance shall be in full force and effect upon passage and publication.

VILLAGE OF POYNETTE

By: Edgier L. Noble
Village President

(Village Seal)

Countersigned:

By: Kathleen Schrenk
Village Commissioner

Passed: April 20, 1993.
Approved: April 20, 1993.
Published: April 28, 1993.