

**ORDINANCE NO. 9-3-5**

**AN ORDINANCE REPEALING AND RECREATING  
SECTION 9-3-5 OF THE CODE OF ORDINANCES OF THE  
VILLAGE OF ALMA CENTER WITH REGARD TO THEFT  
PERSONS AND BUSINESSES WITHIN THE  
VILLAGE OF ALMA CENTER.**

The Village Board of the Village of Alma Center, Jackson County, Wisconsin, do ordain as follows:

**SECTION 1.** Section 9-3-5 of the Code of Ordinances of the Village of Alma Center is hereby repealed and recreated so as to read as follows:

**Section 1. Theft.**

- (1) This section is adopted in conformity with Section 943.20(1)(a) of the Wisconsin Statutes and said statute is incorporated herein by reference.
- (2) No person shall intentionally take and carry away, use, transfer, conceal, or retain possession of movable property, having a value of \$500.00 or less, of another without the other's consent and with intent to deprive the owner permanently of possession of such property.

**Section 2. Failure to Return Property.**

- (1) This section is adopted in conformity with Section 943.02(1)(e) of the Wisconsin Statutes and said statute is incorporated herein by reference.
- (2) No person shall intentionally fail to return any personal property, having a value of \$500.00 or less, which is in his or her possession by virtue of a written lease or rental agreement within ten (10) days after the lease or rental agreement has expired.

**Section 3. Retail Theft.**

- (1) This section is adopted in conformity with Section 943.50 of the Wisconsin Statutes and said statute is incorporated herein by reference.
- (2) It shall be unlawful for any person to intentionally alter indicia of price or value of merchandise, to take and carry

away, to transfer, conceal or retain possession of merchandise held for resale by a merchant or property of a merchant without his or her consent and with intent to permanently deprive the merchant of possession, or the full purchase price of the property.

Section 4. Fraud on a Hotel or Restaurant Keeper.

- (1) This section is adopted in conformity with Section 943.21 of the Wisconsin Statutes and said statute is incorporated herein by reference.
- (2) Whoever does either of the following may be penalized as provided in Section 7 of the ordinance:
  - (a) Having obtained any beverage, food, lodging or other service or accommodation at any campground, hotel, motel, boarding or lodging house, or restaurant,, intentionally absconds without paying for it.
  - (b) While a guest at any campground, hotel, motel, boarding or lodging house, or restaurant, intentionally defrauds the keeper thereof in any transaction arising out of the relationship as guest.

Section 5. Use of Cheating Tokens.

- (1) This section is adopted in conformity with Section 943.22 of the Wisconsin Statutes and said statute is incorporated herein by reference.
- (2) Whoever obtains the property or services of another by depositing anything which he or she knows is not lawful money or an authorized token in any receptacle used for the deposit of coins or tokens is subject to the penalties set forth in Section 7 herein.

Section 6. Definitions. This ordinance hereby adopts and includes any definitions set forth in Sections 943.20(1)(e), 943.20(2), 943.50(1) and 943.21(2) of the Wisconsin Statutes and said definitions are incorporated herein by reference.

Section 7. Penalties. Any person who shall violate any provision of this ordinance may be made to forfeit not more than \$500.00, plus costs of prosecution for each offense, and in default of payment thereof, may be incarcerated in the County Jail for not more than thirty (30) days.

**SECTION 2. SEVERABILITY.** If any part of this ordinance is for any reason found to be invalid or unconstitutional by reason of any decision by any court of competent jurisdiction, such decision shall not affect the validity of any other part of this ordinance.

**SECTION 3. CONFLICTING ORDINANCES.** All other ordinances or parts of ordinances of the Village of Alma Center inconsistent or in conflict herewith are hereby repealed.

**SECTION 4. EFFECTIVE DATE.** Upon passage and publication, this ordinance shall take effect and be in force as provided by law.

  
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Dennis Hardwick, Village President

ATTEST:

  
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Village Clerk

DATED: May 19 2003  
PASSED: May 19 2003  
PUBLISHED: 5/28/03