

## Ordinance O4-1-26

### AN ORDINANCE REPEALING AND RECREATING CHAPTER 9: CRIMINAL CODE, ARTICLE 1: MISCELLANEOUS OFFENSES, SECTION 7: LOITERING.

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**WHEREAS**, Chapter 9 – Criminal Offenses, Article 1 – Miscellaneous Offenses, Section 7: Loitering, is being repealed and recreated as the existing ordinance is outdated, and;

**WHEREAS**, the Village of Ashwaubenon desires to adopt updated provisions to better serve the public interest;

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE BOARD OF THE VILLAGE OF  
ASHWAUBENON:**

**The following section of the Village of Ashwaubenon Municipal Code, is hereby repealed and recreated in its entirety:**

Chapter 9 – Criminal Offenses, Article 1 – Miscellaneous Offenses, Section 7: Loitering.

#### **9-1-7 Loitering**

(A) **Definitions.** The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Loitering* means remaining idle in essentially one location and shall include the concept of spending time idly; to be dilatory; to linger; to stay; to saunter; to delay; to stand around; to loaf; and shall also include the colloquial expression "hanging around."

*Public place* means any property to which the general public has access for business, transportation, recreation, or other lawful purposes. This includes sidewalks, parks, public grounds, public buildings, transit stations, bus stops, and the immediate areas surrounding any place of business.

(B) **Prohibited acts.** It is unlawful for any person to loiter in a public place in a manner that:

- (1) Obstructs a public street, sidewalk, transit stop, or other public way by hindering or impeding the free and uninterrupted passage of pedestrians, vehicles, or transit users.
- (2) Commit in or upon any public street, public highway, public sidewalk or any other public place or building any act or thing which is an obstruction or interference to the free and uninterrupted use of property or with any business lawfully conducted by anyone in or upon or facing or fronting on any such public street, public highway, public sidewalk, or other place or building, all of which prevents the free and uninterrupted ingress, egress, and regress therein, thereon and thereto.

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(3) No person shall remain at a transit station, bus stop, or designated transit boarding area after being notified by a public safety officer or any law enforcement officer or transit official that their conduct is obstructing passenger access, interfering with transit operations, or creating a safety concern. The person must cease the obstructive conduct and move from the immediate area upon request.

(C) **Order to disperse.** When any person causes or commits any of the conditions enumerated in subsection (b) of this section, a public safety officer, or any law enforcement officer, shall order that person to stop causing or committing such conditions and to move on or disperse. Any person who fails or refuses to obey such order shall be guilty of a violation of this section.

If any section, subsection, sentence, clause or phrase of this ordinance is held invalid, such decision shall not affect the validity of the remaining portions.

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

This ordinance was adopted by the Village of Ashwaubenon Board of Trustees on the \_\_\_ day of \_\_\_\_\_, 2026.

VILLAGE OF ASHWAUBENON, WISCONSIN

By: \_\_\_\_\_

Mary Kardoskee, Village President

ATTEST:

\_\_\_\_\_  
Wendy Helgeson, Village Clerk

{SEAL}

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Motion to Approve/Deny Ordinance No. O4-1-26 made by:

Votes:

Title	Name	Aye	Nay	Other
Trustee (Wards 1 & 2)	K. Servais			
Trustee (Wards 3 & 4)	G. Paul			
Trustee (Wards 5 & 6)	C. Zirbel			
Trustee (Wards 7 & 8)	C. Atkinson			
Trustee (Wards 9 & 10)	J. Krueger			
Trustee (Wards 11 & 12)	C. Telford			
President	M. Kardoskee			

Date of Publication: