

**ORDINANCE NO. 11072022B**

**AN ORDINANCE CREATING CHAPTER 9-2,  
OF THE MUNICIPAL CODE OF THE TOWN OF EATON,  
BROWN COUNTY, WISCONSIN**

THE TOWN BOARD OF THE TOWN OF EATON, BROWN COUNTY, WISCONSIN, DOES ORDAIN THAT CHAPTER 9-2, BE CREATED TO READ AS FOLLOWS:

**SECTION 1.** The following ordinance chapter 9-2 is adopted to maintain the peace and good order of the Town. The penalty for commission of such offense hereunder shall be limited to a forfeiture, assessment and costs imposed by this Municipal Code.

**Loitering - LOITERING OR PROWLING PROHIBITED.** No person shall loiter or prowl in a place, at a time or in a manner not usual for law-abiding individuals under circumstances that warrant alarm for the safety of persons or property in the vicinity. Among the circumstances which may be considered in determining whether such alarm is warranted is the fact that the person takes flight upon appearance of a police or peace officer, refuses to identify himself or manifestly endeavors to conceal himself or any object. Unless flight by the person or other circumstances makes it impracticable, a police or peace officer shall, prior to any arrest for an offense under this subsection, afford the person an opportunity to dispel any alarm which would otherwise be warranted by requesting him to identify himself and explain his presence and conduct. No person shall be convicted of an offense under this subsection if the police or peace officer did not comply with the preceding sentence or if it appears at trial that the explanation given by the person was true and, if believed by the police or peace officer at the time, would have dispelled the alarm.

**SECTION 2.** All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

**SECTION 3.** This ordinance shall take effect upon its adoption and publication.

Approved and adopted this 4th day of December , 2022.

*Jim Osterloh*

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Jim Osterloh, Town Chairman

ATTEST:

*Dawn Konop*

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Dawn Konop, Town Clerk

DATE OF PUBLICATION:

12/4/2022