

CHAPTER 57

PETTY THEFT

SECTION 1.

Whoever violates the following, when the value of the property does not exceed \$50, is guilty of a violation of this ordinance, and shall be penalized as provide din Section 3 of this ordinance.

- a. Intentionally takes and carries away, uses, transfers, conceals, or retains possession of movable property of another without his consent and with intent to deprive the owner permanently of possession of such property.

SECTION 2.

Definitions.

- a. "Property" means all forms of tangible property, whether real or personal, without limitation including electricity, gas and documents which represent or embody a chose in action or other intangible rights.
- b. "Movable property" is property whose physical location can be changed, without limitation including electricity and gas, documents which represent or embody intangible rights, and things growing on, affixed to or found in land.
- c. "Value" means the market value at the time of the theft or the cost to the victim of replacing the property within a reasonable time after the theft, whichever is less, but if the property stolen is a document evidencing a chose in action or other intangible right, value means either the market value of the chose in action or other right or the intrinsic value of the document, whichever is greater. If the thief gave consideration for, or had a legal interest in, the stolen property, the amount of such consideration or value of such interest shall be deducted from the total value of the property.
- d. "Property of another" includes property in which the actor is a co-owner and property of a partnership of which the actor is a member, unless the actor and the victim are husband and wife.

SECTION 3.

Penalty.

Any person who violates this ordinance shall, upon conviction, be subject to a forfeiture of not more than \$500 together with costs of prosecution and penalty assessment; and in default of payment of such forfeiture and costs, shall be subject to imprisonment in the County Jail until such forfeiture and cost be paid, but not to exceed 30 days.

SECTION 4.

Any future amendments, revisions or modifications of Wisconsin Statutes Section 943.20(1)(a) and 943.20(2) incorporated herein, are intended to be made part of this ordinance as such amendments, revisions, or modifications are made to said Statutes.

This ordinance shall take effect and be in force from and after its proper passage and publication pursuant to Wisconsin Law.

Ordinance No. 58 (82) - August, 1982