

## Chapter 167

### LOITERING

**§ 167-1. Loitering prohibited.**

**§ 167-2. Violations and penalties;  
attempt; parties to acts.**

**[HISTORY: Adopted by the Village Board of the Village of Iola 2-12-1996 as Title 9, Secs. 9-2-8 and 9-1-2, of the 1996 Code. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Curfew — See Ch. 113.  
Minors — See Ch. 171.

Peace and good order — See Ch. 201.

---

**§ 167-1. Loitering prohibited. [Amended 2-12-1996 by Res. No. 96-7]**

It shall be unlawful for any person under the age of 18 years to congregate, loiter, wander, stroll, stand or play in or upon the public streets, highways, roads, alleys, parks, public buildings, places of amusement and entertainment, vacant lots or any public places in the Village of Iola, either on foot or in or upon any conveyance being driven or parked thereon, unless accompanied by his or her parent, guardian or other adult person having his or her care, custody or control.

**§ 167-2. Violations and penalties; attempt; parties to acts.**

- A. Penalty. In addition to the general penalty provisions of this Code in Chapter 1, General Provisions, § 1-17, or any other penalty imposed for violation of any section of this chapter, any person who shall cause physical damage to or destroy any public property shall be liable for the cost of replacing or repairing such damaged or destroyed property. The parent or parents of any unemancipated minor child who violates § 201-11 may also be held liable for the cost of replacing or repairing such damaged or destroyed property in accordance with the Wisconsin Statutes. Nothing in this Code of Ordinances shall prevent the Police Department from referring violations of the provisions of this chapter to the District Attorney's office in the interest of justice.
- B. Attempt.
- (1) Whoever attempts to commit an act prohibited by this chapter of the Code of Ordinances of the Village of Iola may be required to forfeit amounts not to exceed 1/2 the maximum penalty for the completed act.
  - (2) An attempt to commit an act prohibited by the ordinances in this Code requires that the actor have an intent to perform acts and attain a result which, if accomplished, would constitute a violation of these ordinances and that he or she does acts towards the commission of the violation which demonstrate unequivocally, under all the

circumstances, that he or she formed that intent and would commit the violation except for the intervention of another person or some other extraneous factor.

C. Parties to acts prohibited in this chapter.

- (1) Whoever is concerned in the commission of an act prohibited by this chapter of this Code of Ordinances is a principal and may be charged with and convicted of the commission of said act although he or she did not directly commit it and although the person who directly committed it has not been convicted of some other act prohibited by these ordinances.
- (2) A person is concerned in the commission of an act prohibited by these ordinances if he:
  - (a) Directly commits the act; or
  - (b) Intentionally aids and abets the commission of it; or
  - (c) Is a party to a conspiracy with another to commit it or advises, hires, counsels, or otherwise procures another to commit it. Such party is also concerned in the commission of any other act which is committed in pursuance of the intended violation and which, under the circumstances, is the natural and probable consequence of the intended violation. This paragraph does not apply to a person who voluntarily changes his/her mind and no longer desires that the act be committed and notifies the other parties concerned of his/her withdrawal within a reasonable time before the commission of the violation so as to allow the others also to withdraw.