

**ORDINANCE**

An Ordinance to amend Section 14.160 regulating Unlawful Use of Telephone, Cell Phone, Computerized Communication System.

The Mayor and Common Council of the City of Manitowoc do ordain as follows:

**Section 1. Section 14.160 is amended to read as follows:**

**“14.160 Unlawful Use of Telephone, Cell Phone, Computerized Communication System.**

Whoever does any of the following is guilty of a violation of this section:

(1) With intent to frighten, intimidate, threaten, abuse or harass, makes a telephone call, cell phone call or sends a message by electronic mail, cell phone or other computerized communication system and threatens to inflict injury or physical harm to any person or threatens to cause damage or destroy the property of any person.

(2) With intent to frighten, intimidate, threaten, abuse, harass or offend, telephones or cell phones another or sends a message by electronic mail, cell phone or other computerized communication system and uses any obscene, lewd or profane language or suggests any lewd or lascivious act.

(3) Makes or causes the telephone or cell phone of another repeatedly to ring or sends repeated messages by electronic mail, cell phone or other computerized communication system, with intent to harass or annoy any person at the called number or at any computerized communication system.

(4) Makes repeated telephone calls, whether or not conversation ensues, with intent solely to harass or annoy any person at the called number.

(5) Makes a telephone call, whether or not conversation ensues, and whether or not disclosing his or her identity, with intent to frighten, abuse, threaten, ~~or~~harass, or annoy any person at the called number.

(6) Calls or texts an emergency number, including but not limited to 911, without having a legitimate reason to make said call or text. No parent, guardian or other adult person having the care or custody of an individual shall knowingly permit, or permit by inefficient control, said individual to violate this section.

(7) Knowingly permits any telephone or electronic mail or other computerized communication system under his or her control to be used for any purpose prohibited by this section.”

**Section 2.** This ordinance shall take effect the day after publication.

INTRODUCED \_\_\_\_\_ ADOPTED \_\_\_\_\_ APPROVED \_\_\_\_\_

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Justin M. Nickels, Mayor

**Fiscal Impact:** \$0  
**Funding Source:** n/a  
**Finance Director Approval:** /sc  
**Approved as to form:** /kmm

This resolution was drafted by Elizabeth Majerus, Assistant City Attorney