

Town of Lafayette
5765 197th Street
Chippewa Falls, WI 54729

Ordinance Number #93-14

AN ORDINANCE TO REGULATE THE DISCHARGE OF FIREARMS, CROSS BOW, BOW AND ARROW, AND PELLET GUNS WITHIN THE TOWN OF LAFAYETTE, CHIPPEWA COUNTY, WISCONSIN.

The Town Board of the Town of Lafayette, Chippewa County, Wisconsin does ordain as Follows:

An Ordinance dated April 5th 2004, of the Town of Lafayette, entitled" AN ORDINANCE TO REGULATE THE DISCHARGE OF FIREARMS, CROSS BOW, BOW AND ARROW, AND PELLET GUNS WITHIN THE TOWN OF LAFAYETTE, CHIPPEWA COUNTY, WISCONSIN, is hereby created to read as follows.:

Section I No person shall discharge a firearm, crossbow, bow and arrow, or Pellet gun in any area in the Town of Lafayette, Chippewa County, Wisconsin, zoned Class A, Class B or Commercial as presently classified and zoned by the Chippewa County Zoning Ordinance, with the exceptions listed in Section II.

This ordinance applies to all property north of Wisconsin State Highway 29, west of County Highway K, South of Lake Wissota, and east of the Chippewa Falls and Village of Lake Hallie town lines.

For the purpose of this Ordinance, a firearm is defined as any rifle, handgun, shotgun or pellet gun having a caliber of .177 or larger.

Section II Exceptions to Section I are as follows:

- A.** Bow hunting is permitted in Forest Crop Land, Agricultural Land, Residential A and B as well as commercial property. Bow hunting shall include hunting with a crossbow, to the extent permitted by State Game Regulations, including Chapter 29 Wis. Stats. and Chapter 10 Wisconsin Administrative Code is permitted in non-restricted areas only on the following conditions, which are designed to promote public health and safety.
- B.** Anyone hunting on the lands of another person, corporation or public entity must obtain written permission from the landowner and carry such permission on their person while hunting, and upon request, display it to a Law Enforcement Officer, Game Law Enforcement Officer, or Land Owner. Property owners or administrators may choose to post their property with listed restrictions, such as allowed hours, in lieu of written permission.
- C.** All persons bow hunting must observe All State Game Laws, including Section 167.31 Wisconsin Statutes, NR 10 Wisconsin Administrative Code; and chapter 29, Wisconsin statutes, including and amendments thereto. The definitions contained in such regulations, including the definitions found in NR 10.01, Wisconsin Administrative Code, are adopted as definitions for this ordinance.

- D. No one may discharge a bow and arrow, including a crossbow within 100 feet of a building devoted to human occupancy, while on lands of another without permission of the owner or occupant.
- E. All persons bow hunting in the area describe in Section I Par 2 will be required to complete a Wisconsin Hunters Education Course, and have their certification in their possession while hunting in the restricted area.

Section III FEEDING DEER PROHIBITED.

(1) (a) No person may place or allow any device or any fruit, grain, mineral, plant, salt, vegetable, or other material to be placed outdoors on any public or private property for the purpose of attracting or feeding deer.

(b) Each property owner shall have the duty to remove any materials placed on the owner's property in violation of this ordinance. Failure to remove such materials within 24 hours after notice from the Township shall constitute a separate violation of this ordinance.

(c) Each property owner shall have the duty to remove any device placed on the owner's property to which deer are attracted or from which deer actually feed. Alternatively, a property owner may modify such a device or make other changes to the property that prevent deer from having access to or feeding from the device. Failure to remove such a device or to make such modifications within 24 hours after notice from the Township shall constitute a separate violation of this ordinance.

(2) Rebuttable Presumptions. (a) There is a rebuttable presumption that the placement of fruit, grain, mineral, plant, salt, vegetable, or other materials in an aggregate quantity of more than one gallon at the height of less than five feet off the ground is for the purpose of feeding deer.

(b) There is a rebuttable presumption that the placement of fruit, grain, mineral, plant, salt, vegetable, or other materials in an aggregate quantity of more than two quarts in a drop feeder, automatic feeder, or similar device regardless of the height of the fruit, grain, mineral, plant, salt, vegetable, or other material is for the purpose of feeding deer.

(3) Exceptions. (a) Naturally Growing Materials. This ordinance does not apply to naturally growing materials, including, but not limited to fruit, grain, nuts, seeds, and vegetables.

(b) Planted Materials. This ordinance does not apply to planted materials growing in gardens, as standing crops, or in a wildlife food plot.

(c) Stored Crops. This ordinance does not apply to stored crops provided that the stored crop is not intentionally made available to deer.

(d) Incidental Spills. This ordinance does not apply to spills of seed materials intended for planting or to crop materials that have been harvested if the spills are incidental to normal agricultural operations and such materials are not intentionally made available to deer.

(e) Authorized by Town Board. This ordinance does not apply to feeding that is authorized by Town board resolution on a temporary basis for a specific public purpose.

Section IV PENALTY. Any person violating any provision of this section shall forfeit not less than \$25 nor more than \$200 for each offense, together with the costs of prosecution. A separate offense shall be deemed committed on each day or part of each day during which a violation occurs or continues. Any person who defaults in the payment of a forfeiture or the costs of prosecution may be imprisoned in the county jail until the forfeiture and costs are paid, but such imprisonment shall not exceed 30 days. This paragraph does not preclude the Town from taking any appropriate action to abate, prevent, or remedy a violation of any provision of this section

Section V The ordinances of the same or similar title dated May 20, 1974, October 1, 1979 and January 5, 1994 or parts of any ordinance in-consistent with this Ordinance are repealed.

Section VI This ordinance shall take effect upon passage and posting as provided by law.

Lafayette Town Board
