

2007-05

**AN ORDINANCE PROHIBITING THE DISCHARGE OF FIREARMS
IN RESTRICTED AREAS WITHIN THE TOWN OF WESCOTT
(REPEALING AND SUPERSEDING ORDINANCE NO. 88-1)**

Section 1. INTRODUCTION

1.1 Authority. This Ordinance is established pursuant to authority granted by Sections 29.038(3) and 66.0409 Wis. Stats.

1.2 Purpose. The purpose of this Ordinance is to promote the public health, safety and welfare by prohibiting the discharge of firearms near a populated area, and near buildings devoted to human occupancy owned by others.

1.3 Findings. The Town Board of the Town of Wescott finds that with residential development along Shawano Creek, it is necessary for the public health, safety and general welfare to prohibit the discharge of firearms on or over Shawano Creek in Sections 28, 29 and 30 of the Town of Wescott.

Section 2. DEFINITIONS

2.1 Firearms. Firearms means a rifle, muzzle loader, pistol, handgun or shotgun, or any weapon that acts by force of gunpowder.

2.2 Shawano Creek. Shawano Creek means all areas below the ordinary high water mark of Shawano Creek a/k/a Shawano Lake Outlet, in Sections 28, 29 and 30.

2.3 Habitable Building. Habitable building means any building devoted to human occupancy, including any house trailer, or mobile home, but does not include any tent, bus, truck, or similar portable unit.

Section

3. GENERAL PROVISIONS

3.1 Prohibited Areas. No person shall fire or discharge any firearm in the following restricted areas:

- a. On or over Shawano Creek, a/k/a Shawano Lake Outlet, in Sections 28, 29 and 30.
- b. While on the lands of another within 100 yards (300 feet) of any building devoted to human occupancy situated and attached to the lands of another, without the express permission of the owner or occupant of the building.

3.2 Exclusions. This Ordinance does not apply to the firing or discharging of any firearm by any officer designated and authorized by Town, County, State, or Federal authorities.

3.3 Repeal of Ordinance 88-1. This Ordinance repeals and supersedes Ordinance 88-1.

Section 4. PENALTIES

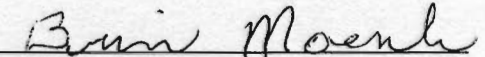
4.1 Fines. Any person convicted of violating the provisions of this Ordinance shall forfeit not less than \$200.00 together with the cost of prosecution.

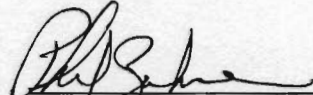
4.2. **Enforcement.** This Ordinance may be enforced by the Town Constable or any authorized County, State, or Federal officer.

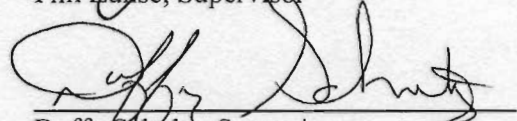
Adopted this 9th day of August, 2007.


TOWN OF WESCOTT


Michel Schuler, Town Chair

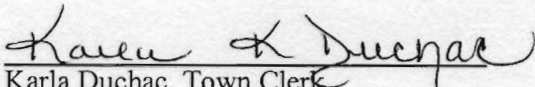

Brian Moesch, Supervisor


Phil Zuhse, Supervisor


Duffy Schultz, Supervisor


Marlene Brown, Supervisor

ATTEST:


Karla Duchac, Town Clerk

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