

ORDINANCE 13-09

Town of Polk Discharge of Firearms Regulations

WHEREAS, Section 66.0409(3)(b) of the Wisconsin Statutes permits towns that have been authorized to exercise Village Powers under Section 60.22(3) of the Wisconsin Statutes to enact Ordinances restricting the discharge of firearms; and

WHEREAS, Section 29.038(3) of the Wisconsin Statutes permits a local governmental unit to enact an Ordinance, adopt a regulation, resolution, or other restriction that has an incidental effect on hunting, fishing, or trapping, but only if the primary purpose is to further public safety; and

WHEREAS, the Town of Polk is authorized to enact Ordinances in order to protect the public health, safety and welfare by Sections 60.22(1), 60.22(3), 61.32 and 61.34 of the Wisconsin Statutes; and

WHEREAS, the Town of Polk has determined that it is reasonable and necessary to prohibit the use of rifles within the Town in order to protect the public health and safety;

NOW, THEREFORE, the Town Board of Polk, Washington County, Wisconsin, does hereby ordain the following:

It shall be unlawful for any person to discharge a rim fire rifle larger than .22 caliber or any center-fire rifle .22 caliber or larger anywhere within the boundaries of the Town.

Any person who shall violate this Ordinance shall, upon conviction thereof, be subject to a forfeiture of not less than \$60.00, and no more than \$200.00 + court/attorney costs. Each day that a violation is committed shall constitute a separate violation.

Unless otherwise indicated, the prohibitions of this section shall not apply to:

- (a) Any peace officer(s) in the lawful performance of their duties.
- (b) Any member of the U.S. armed force or the National Guard in the lawful performance of their duties.

This Ordinance shall be effective on the day after its enactment and publication of this Ordinance or an appropriate notice thereof as provided by law.

Adopted at a meeting of the Town Board on November 12, 2013.

Albert J. Schulteis, Chairman Albert Schulteis

Harold Groth, Supervisor Harold Groth

Theodore C. Merten, Supervisor Theodore Merten

Attested By: Marlyss K. Thiel Marlyss K. Thiel, Town Clerk
(Drafted from DNR Template)