

**OCONTO COUNTY**  
**FORESTRY & PARKS**  
**CHAPTERS 9 & 10**  
**CODE OF ORDINANCE**



Revised April 2012

CHAPTER 9

COUNTY FORESTRY ORDINANCE

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## CHAPTER 9

### COUNTY FORESTRY ORDINANCE

#### **9.100 COUNTY FOREST**

9.101 Introduction: An ordinance prescribing rules and regulations for the administration of county powers and duties as provided in Chapters 26, 28, 19 and 59 of the Wisconsin Statutes, under which the Oconto County Board of Supervisors is granted specific powers relative to the establishment, protection, development and management of county forests to provide sustained yield of forest products for commercial use and the associated benefits of soil and water conservation, scenic values, and fish and game resources, all in cooperation with the Wisconsin Department of Natural Resources.

#### **9.200 DESIGNATION OF COUNTY FORESTS**

9.201 Determination is hereby made that for the purpose of proper and complete identification, all County owned forest lands now held and entered under the Wisconsin County Forest Law by Oconto County, or hereafter acquired for forestry purposes and located within the following areas, are established and designated as County Forest, and such lands shall be shown on the official County Forest Map displayed in the County Forestry Office in the Courthouse at Oconto.

9.202 Peshigo Brook Unit: North Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22; NWNW Section 24, W1/2 Section 26, 27, 28; N 1/2 & SE 1/4 Section 29; N 1/2 Section 30; E 1/2 Section 32; Section 33; all in Township 31N, Range 18E.

South W 1/2 Section 1; Section 2, S 1/2 Section 3, Sections 6, 7, 11; W 1/2 Section 12; N 1/2 & SW 1/4 Section 14; NE 1/4 & S 1/2 Section 15; NW 1/4 & S 1/2 Section 16; Sections 17, 18, 19, 20; N 1/2 & SW 1/4 Section 21; W 1/2 Section 22; Section 25; S 1/2 Section 26; Section 27; NESW Section 28, N 1/2 of Section 29, N 1/2 & SE Section 30, Sections 34, 35, 36; all in Township 30N Range 18E.

Section 1; E 1/2 & NW 1/4 Section 2; NE 1/4 Section 11; N 1/2 & SE Section 12; S 1/2 Section 13; SE 1/4 Section 24; all in Township 30N, Range 17E. SWNW Section 29, Township 30N Range 19E. NENW Section 2, Township 29N Range 18E.

9.203 South Branch Unit: NE 1/4 & W 1/2 Section 4; Sections 5, 6, 7, 8; NW 1/2 Section 9; W 1/2 Section 16; Sections 17, 19, 20, 21; W 1/2 Section 28; Section 29; NE 1/4 Section 30; all in Township 30N, Range 17E.

9.204 Bay Shore Unit W ½ Section 13; W ½ Sections 14, Section 15, S ½ Section 16; SESE Section 21, Sections 22, 23; W ½ Section 24; Lot 1 Section 26; NWNE Section 27 all in Township 29N, Range 22E.

South S 1/2 Section 34; Sections 35, 36; all in Township 28N, Range 22E. Section 2; N ½ Section 3; all in Township 27N, Range 21. Section 31 in Township 28N Range 22E.

9.205 Machickanee Unit: SE Section 27, Sections 28, 29, 32, 33; all in Township 28N, Range 20E. W 1/2 Section 2; Sections 3, 4, 5, 6, 7, 8, 9; N 1/2 & SW 1/4 Section 10; N 1/2 Section 11; W 1/2 Section 15; Sections 16, 17, 18; all in Township 27N, Range 20E. SE 1/4 Section 1; NE 1/4 & S 1/2 Section 12; Section 13; E 1/2 Section 14; E 1/2 Section 23 & Section 24; all in Township 27N, Range 19E.

9.206 How Unit: Section 35 in Township 29 north Range 17 E. SESE Section 10 in Township 28 North Range 17 East.

9.207 Intent: It is the intent of the County Board of Supervisors to consolidate County Forest holdings as lands are acquired by the County within the above defined areas and that application to enter such lands under the Wisconsin County Forest Law shall be filed.

### **9.300 COMMITTEE APPOINTMENT**

9.301 Assignment: The Oconto County Board of Supervisors hereby assigns the administration of the County Forestry Office to the Committee of this Board known as the Forest, Lands, Parks and Recreation Committee composed of five members, and hereinafter referred to as the Committee.

### **9.400 RESPONSIBILITIES AND DUTIES OF THE COMMITTEE**

9.401 Work Plan: Annually, at the budget meeting, the committee shall present to the County Board for its consideration, a work plan for the ensuing calendar year together with a detailed recommended budget in form prescribed by the Finance Committee of the County Board. The work plan and budget adopted by the County Board at its meeting shall serve as a directive to the Committee and shall establish the limits as well as the purpose for which expenditures may be made.

9.402 Personnel: The Committee shall direct and supervise the County Forestry Office. Subject to the approval of the County Board, it shall employ a County Forest Administrator as its agent, and such competent personnel as the Board may authorize, to direct, perform and enforce the administrative and management functions of this ordinance. Employment of all permanent personnel other than the Administrator must be cleared through the Wages and Personnel Committee of the County Board.

- 9.403 Offices: Upon approval of the County Board, the Committee shall establish and maintain forest headquarters for office space and the housing of tools, machinery, equipment and supplies needed in conducting forestry operations.
- 9.404 Purchases: In conformity with procedures established by the Forest, Lands, Parks, and Recreation Committee of the County Board Rules, the Committee may purchase, acquire, sell, trade or dispose of instruments, tools, equipment and supplies required for the operations of the department. Items costing more than \$5000 cannot be purchased until the same have been referred to the County Board for action. Purchases of any kind not provided for in the budget must receive specific approval of the Finance-Insurance Committee and referred by them to the Board for action.
- 9.405 Acquire Lands: The Committee is hereby empowered to acquire lands within the County Forest boundaries by purchase, gift or bequest, or by exchange of County owned lands outside such boundaries for the purpose of blocking the Forest for better administration or for recreational purposes.
- 9.406 Entry Of Lands: Make application for entry under the Wisconsin County Forest Law as lands are acquired within the County Forest boundaries.
- 9.407 Protection: The Committee shall do all things necessary for the protection of the Forest from fire, insects, diseases, trespass or from damage by animals or from other causes, in cooperation with the Department of Natural Resources in all such related matters.
- 9.408 Slash: Regulate the disposal of slash and dispose of all salvaged materials.
- 9.409 Surveys: Locate survey lines and appropriately monument corners of County Forest Lands.
- 9.410 Roads: Construct, improve and maintain a system of forest roads, trails and fire breaks, and purchase or secure easements for access ways required to cross privately owned lands.
- 9.411 Improvements: Conduct forest improvement work including reforestation, release cutting, thinning, pruning, and weeding by any method including spraying or dusting of chemicals by airplanes and other methods not prohibited by law.
- 9.412 Management Plan: Cooperate with the Department of Natural Resources in the determination of the annual allowable cut by establishment of an intensive County Forest management plan including an inventory of growing stock and increment, acreage control, establishment of cutting compartments and other necessary items for such plan.

- 9.413 Timber Sales: Sell timber stumpage in accordance with a County Forest management plan in cooperation with the Department of Natural Resources.
- 9.414 Recreation Areas: Subject to budget limitations and in accordance with the County Forest Recreation Plan approved by the Board, establish, construct and maintain wherever desirable within the Forest, picnic grounds, waysides, camps and camp-sites, public access roads and boat landings, scenic areas, nature trails, and designate, mark and preserve places of natural or historic interest and significance. Management and regulatory control of all County parks is hereby specifically delegated to said Committee. Highway waysides, except for those on County Forest Lands, are not necessarily included.
- 9.415 Fish And Game Management: Cooperate with the Department of Natural Resources on all matters relating to game and fish management within the County Forest on which a Memorandum of Understanding between the County Board and the Wisconsin Department of Natural Resources is in existence.
- 9.416 Research: The Committee is authorized to enter into agreement with the Lakes States Forest Experiment Station and College of Agriculture of the University of Wisconsin with the endorsement of or directly with the Department of Natural Resources for the use of tracts of County Forest Lands, labor, materials and equipment for the conducting of forest research.
- 9.417 Off Forest Projects: Do special forest or recreation development work on other public lands not included in the County Forests, except State and Federal lands, but including such lands as school forests, community forests, county parks, watersheds, reduction of hazards, public highways and similar projects.
- 9.418 Mining And Prospecting: With Board approval and after obtaining Department of Natural Resources approval, the Committee may grant permits to prospect for ore or minerals upon County lands under the jurisdiction of this Committee.
- 9.419 Annual Report: Prepare and present an annual report of its activities to the County Board. The report shall include statistics showing work accomplished and at what cost.

## **9.500 COUNTY FOREST LAW ADMINISTRATION**

- 9.501 Administration: After the County Forest Law applications for entry have been prepared and approved by the Committee, the County Clerk shall, after verifying County ownership of the listed lands, execute the applications and forward to the Department of Natural Resources within the date limits prescribed by the Department of Natural Resources for each year's applications. Withdrawal of lands entered under the County Forest Law shall be in the manner prescribed by Section 28.11 (11) of the Wisconsin Statutes or any amendment thereof.

**9.600 FOREST FINANCES**

9.601 State-Aid Forestry: All allotments from the State of Wisconsin Department of Natural Resources to Oconto County under Section 28.11 (8)(b) of the Wisconsin Statutes or any amendment thereof, for the purchase, development, preservation and maintenance of the County Forest lands, shall be deposited in the County Forestry Aid Fund. If any lands purchased from said funds are sold, the County shall restore the purchase price to the County Forestry Aid Fund. All unexpended County Forestry Aid Funds shall be non-lapsing.

9.602 Revenues: All monies received from the sale of timber stumpage, cut forest products, fees and use permits, sale of building materials, sale of surplus materials and equipment, fire or other damage collections or other revenue received by the Department, except income specified in paragraph 1 of this section, shall be credited to the Forestry Revenue account. All Severance Tax incurred as a result of such sales shall be budgeted and paid as required by statute.

**9.700 COUNTY FOREST USE REGULATIONS**

9.701 Timber Theft: No person shall cut or remove any forest products from any county lands except as noted in Section 9.702 and Section 9.708 of this Chapter. Whenever forest products are found, known to have been unlawfully severed from County lands, the Sheriff shall on satisfactory evidence seize such materials pursuant to Section 26.06 of the Wisconsin Statutes or any amendment thereof for use by the county or sold as the Committee may determine.

(a) Vehicle Owner's Liability. When any vehicle is involved in a violation of any provision of Sec. 9.701, 9.708, 9.711, 9.717, 9.730, 9.900(5), 9.900(7), 9.900(8), 9.900(9a), 9.270, 9.725 and 9.726 the owner of said vehicle as shown by the ownership registration of the vehicle supplied by the Wisconsin Department of Transportation, Wisconsin Department of Natural Resources, or a comparable authority of any other State, shall be presumed to have violated the applicable Sections of the Oconto County Code of Ordinances set forth herein. The following are defenses to a violation of this section.

(1)(a) That a report that the vehicle was stolen was given to a traffic officer before the violation occurred or within a reasonable time after the violation occurred.

(b) If the owner of the vehicle provides issuing officer with the name and address of the person operating the vehicle at the time of the violation and the person so named admits operating the vehicle at the time of the violation, then the person operating the vehicle and not the owner shall be charged under this section.

(2) If the vehicle is owned by a lessor of vehicles and at the time of the violation the vehicle was in the possession of the lessee, and the lessor provides an issuing

officer with information required, then the lessee not the lessor shall be charged under this section.

(3) If the vehicle is owned by a dealer, and at the time of the violation the vehicle being operated by any person on a trail run, and if the dealer provides the issuing officer with the name, address and operator's license number of the person operating the vehicle, that the person operating the vehicle, and not the dealer, shall be charged under this section.

9.702 Commercial Cutting: Commercial cutting shall include all cutting where stumpage is sold under contract in which the primary objective of the cutting is the marketing of timber products, including logs, ties, poles, posts, pulpwood, piling, Christmas Trees and boughs, or other forest products.

9.703 Proposed Timber Sales: Timber sales shall be submitted to the Committee by the County Forest Administrator after all provisions relating to forestry practice have been endorsed by the District Forester of the Department of Natural Resources.

9.704 Contract Specifications: For each cutting operation pertaining to payment and financial responsibility of the bidder shall be determined by the committee.

9.705 Payment: Payment for forest products shall be made 30 days after billing. Failure to make payment within 90 days will result in cancellation of the timber contract.

9.706 Cultural Cutting: Cultural cutting shall include thinning, release cutting, sanitation cutting and improvement cuttings to remove trees of inferior species, form or condition for the purpose of stand improvement. All cultural cutting on County Forest Land shall require approval of the committee. Materials cut in such operations by county crews must be used by the Forestry Office or given to other county agencies for their use, or sold, as the Committee may determine. When sold to other public agencies, the latter shall pay to the county a sum equal to the prevailing stumpage rate.

9.707 Salvage Cuttings: Cultural cuttings shall include the cutting of timber damaged by fire, storm, insects, disease or flooding. Salvage cutting shall be done under the procedure specified for cultural cutting or for commercial cutting, as the Committee may decide.

9.708 Firewood: No person shall cut/remove any firewood without first obtaining a Firewood permit from the administrator.

9.709 Regulation:

a) Only slash or down wood not suitable for pulpwood or logs may be cut. No cutting of wood decked will be permitted.

- b) Permittee shall not sell any of the wood obtained by the use of this permit.
- c) Only County residents or land owners are eligible to obtain a permit.
- d) Only the permittee is allowed use of the permit. The permit is non-assignable and can be revoked for any reason.

9.710 Road Construction: No roads shall be constructed on or across County Forest Land without first receiving a permit from the Forest Administrator.

9.711 Closing Roads: No person except forestry department personnel shall close obstruct, or make inaccessible any county forest road, trail or path.

9.712 Hunting Scaffolds, Ground Blinds And Cutting Lanes:

(1) Elevated Scaffolds. It shall be unlawful to construct, occupy or use any elevated scaffold or other elevated devise, except that are portable provided they are completely removed each day at the close of hunting hours or ½ hour after dusk and provided such devices do no damage to trees in which they are placed. **Portable elevated stands that have the owner's name and the owner's Wisconsin DNR Customer ID number attached in a manner that is visible and legible to a person on the ground will be allowed up (overnight and/or unoccupied) from September 1 to close of the late archery deer season. The use of nails, screws, lag screws, screw-in steps, or tree damaging devices are prohibited.**

(2) Ground Blinds. It shall be unlawful to construct, occupy, or use a ground blind for any purpose that is not built from existing natural ground debris. No materials may be brought in or existing vegetation (brush and trees) cut. After purpose ends (example - hunting season ends), blinds must be dismantled and not reassembled until one (1) month prior to purpose begins (example - one (1) month prior to hunting season).

(3) Cutting Lanes. No person shall occupy or use a ground blind or hunting scaffold where unlawful cutting of brush or trees has occurred within the past 12 months to aid in shooting or seeing distances.

9.713 Damage: It shall be unlawful to put nails, spikes, screws, bolts, staples or other similar items on or into trees or any natural growth on any county property, except as authorized by the committee or its agents by written permits, contract, or policy.

9.714 Butler Rock Lookout: This area is closed to motor vehicles, camping and hunting. No person shall drive beyond the posted parking areas designated for this area. No intoxicating beverages or drugs will be permitted within the Butler Rock Lookout area.

9.715 Ranch Lake: No camping will be permitted in the Ranch Lake beach area.

- 9.716 Abandoned Vehicles And Personal Property: No person shall leave any vehicle, motor vehicle, trailer, semi-trailer, mobile home, camper or personal property unattended without prior committee authority for more than 48 hours.
- 9.717 Vehicular Access: No person shall drive any vehicle (unless authorized by Committee) in areas closed to vehicular traffic by gate, notice, obstacle.
- 9.718 Signs: No Person shall place any sign of any type except those authorized by the Forest administrator. Any signs placed contrary to this section will be removed immediately by the forestry department. They will be held for thirty days and can be claimed by the owner within this time period.
- 9.719 Concessions: No person shall establish any type of concession either on the County Forest property or using the County Forest property without first obtaining a Special use permit from the Forest Administrator.
- 9.720 Camping: Except in designated County Forest Recreation Areas, No overnight camping including tents, trailers, cars and trucks, portable hunting and fishing cabins will be permitted, without first obtaining a permit from the Forest Administrator, Any camper or campers who violate the rules and regulations of this Chapter, including cutting or defacing timber, carelessness with fire. violation of game and fishing laws of the State, or improper disposal of garbage and litter shall be subject to ejection from the County Forest and subject to the penalties provided by this Chapter, Chapter 10 and State Laws.
- 9.721 Fire: No person shall set, light or allow to burn any open fire except by campers with a lawfully obtained camping permit. During periods of high fire danger use of campfires may be further restricted. Use of fire for forestry management purposes by department staff is not restricted by this section.
- 9.722 Horses: It shall be unlawful to ride, walk or stable any horse on any lands except established bridal trails or public roads.
- 9.723 Fees For Trail Rides: It shall be unlawful for anyone except the Committee to charge a fee to use a trail established on county forest land other than the prevailing fee for the rent of animal and equipment,
- 9.724 Trail Rides: It shall be unlawful for anyone to conduct "trail rides" or establish bridal trails without first obtaining a permit from the committee or their agent.
- 9.725 Trash/Litter: The dumping/leaving of rubbish, debris, dirt, stone, wild and domestic animal carcasses, or any other materials shall be prohibited on all County Forest Lands. Visitors including berry pickers, hunters, fishermen, tourists and all others who visit the County Forests are forbidden to leave litter anywhere in the forests or in it's lakes or streams.

9.726 County Property: It shall be unlawful for any person to destroy, molest, deface, remove or attempt to remove any natural growth or natural or archaeological feature, or any county property; to enter to be in any building, installation or area that may be locked or closed to public use or contrary to posted notice without written permit from the committee. The picking of edible fruits or nuts or wild asparagus is permitted.

9.727 Prospecting: It shall be unlawful to explore or prospect on county owned lands without written permit.

9.728 Indian Mounds: Indian Mounds shall be closed areas.

9.729 Firearms: It shall be unlawful for any person (except law enforcement officials) to discharge any firearm as defined in Sec. 939.22, Wis. Stats., on any county forest property in the Townships of Morgan or Abrams unless actively engaged in hunting during a legal season as defined by the Wisconsin Department of Natural Resources or at a designated shooting/target range authorized by the Oconto County Board of Supervisors.

**9.730 Oconto County-Machickanee Forest Shooting Range:**

NWSE, SWNE, Section 24, T27N R19E  
Town of Morgan, Oconto County, Wisconsin

- (1) Violation. No person shall discharge/possess any firearm at the Oconto County-Machickanee Forest Shooting Range contrary to the provisions of this Ordinance. Users of the range under the age of 18 must have a hunter safety certificate, be accompanied by their legal guardian, or be enrolled and supervised by their hunter safety instructor.
- (2) Use. Persons in the Oconto County-Machickanee Forest Shooting Range shall comply with the following rules and regulations:
  - (a) Oconto County-Machickanee Forest Shooting Range will be open from sunrise to sunset all year.
  - (b) Fully automatic weapons are prohibited.
  - (c) Armor piercing, tracers or incendiary ammunition is prohibited.
  - (d) Archery shooting is prohibited.
  - (e) Skeet or clay shooting is prohibited.
  - (f) Possession/consumption of alcoholic beverages are prohibited on range site.
  - (g) Any person under the influence of alcoholic or illegal drugs is prohibited from the range site.
  - (h) Unsafe acts, loud music, and horseplay prohibited.
  - (i) All firearms are to be fired at backstops only, not into any berm.
  - (j) Glass, plastic, or metal targets prohibited. Only paper targets specifically designed for sighting in firearms are allowed.

- (k) Users must remove all refuse and debris, including shell casings from the range when finished.
  - (l) Whenever a person is down range from sighting benches, all individuals in the range shall cease firing, unload and break open the action of all firearms.
  - (m) Shooting shall be limited to ½ hr. per person whenever there are other users waiting.
  - (n) Special scheduled events may only be requested by an organized group (e.g. – Sportsman Club).
    1. These events will require a special use permit approved by the Oconto County Forest, Parks, & Recreation Committee.
    2. These events will be subject to condition and fee of the special use permit.
    3. Hunter Safety Courses and youth shooting events may be exempt from fee upon committee approval.
  - (o) Range may be closed to general public during special events as defined in 9.730(n).
  - (p) All pets are prohibited.
  - (q) No person shall take, catch, kill, hunt, trap, pursue or otherwise capture any wild animals or birds in the Oconto County-Machickanee Forest Shooting Range.
  - (r) No overnight camping or parking permitted.
  - (s) No motorized vehicles (except authorized) beyond parking area.
  - (t) Any person using the range shall follow all lawful orders given by persons in charge of the shooting range.
  - (u) Hand guns prohibited for users under the age of 18.
- (3) Fee. There is hereby established a shooting range user fee for the Oconto County-Machickanee Forest Shooting Range, NWSE, SWNE, Section 24, T27N, R19E, Town of Morgan, Oconto County, Wisconsin, as set forth herein.
- (a) The user fees shall be placed in a non-lapsing account designated for maintenance and enforcement of the shooting range only.
  - (b) The fee shall be established by the Forest, Parks, and Recreation Committee and reviewed every year. Fee shall have a daily, annual component, and special use component compact. Effective January 1, 2010, (if range is officially open). Daily \$5.00, Seasonal \$30.00, and Family (3-4) \$50.00, and Special Use \$75.00 (\$25.00 deposit).
  - (c) The fee must be paid prior to shooting/setting up.
  - (d) It shall be unlawful for any person to possess or discharge a firearm at the range without prior payment of fee.
  - (e) The fee is per person and receipt/seasonal pass shall be displayed on shooting bench by the person while using range.
  - (f) Oconto County Law Enforcement Personnel and Wisconsin Department of Natural Resource Wardens are exempt from user fee, and from 9.730(3) and (4) when acting in their official capacity.
- (4) Penalty. Any person violating this ordinance is subject to the following penalties:

- (a) For the first violation, a forfeiture of \$50.00 together with the costs of prosecution.
- (b) For the second violation committed within 12 months of a previous violation, a forfeiture of \$100.00 together with the costs of prosecution.
- (c) For a third or subsequent violation committed within 12 months of 2 previous violations, a forfeiture of \$200.00 together with the costs of prosecution, and, in addition, be prohibited from using the Oconto County-Machickanee Forest Shooting Range for a period of two (2) years.
- (d) Any person failing to pay the required forfeiture and costs of prosecution shall be imprisoned in the Oconto County Jail until said forfeiture and costs are paid but not to exceed 90 days.

## **9.800 SURVEY REGULATIONS**

9.801 Survey Monuments: It shall be unlawful to remove cover, bury, destroy or deface any survey monument, corner post, monument accessory, witness tree, bearing tree, or survey accessory on any lands within Oconto County, without following the provisions of Chapter 59.635, Wisconsin Statutes.

9.802 Filing Of Survey: A correct and true copy of all surveys for individuals or corporations performed by any land surveyor of land in Oconto County must be filed in the office of the Oconto County Surveyor within 60 days after completion of the survey.

## **9.900 ALL-TERRAIN VEHICLES REGULATED**

(1) State Statutes Adopted. Section 23.33, Wis. Stats., and any future amendments thereto is hereby adopted by reference and made a part of this ordinance as if fully set forth herein.

(1a) Wisconsin Administrative Code Adopted. NR 64, Wis. Admin. Code and any future amendments thereto is hereby adopted by reference and made a part of this ordinance as if fully set forth herein.

(2) Permitted Use of County Forest Roads. The Forest, Parks, Recreation/Land Information Systems Sub-Committee may designate County forest roads for use as all-terrain vehicle routes by designating such roads with State approved all-terrain vehicle signs.

(3) Permitted Use On Trails. The Forest, Parks, Recreation/Land Information Systems Sub-Committee may designate corridors through land which it owns or controls or for which it obtains leases, easements or permission for use as all-terrain vehicle trails by marking such trails with State approved all-terrain vehicle signs.

(4) Permitted Use of Vehicles. Emergency Law Enforcement, Forestry and Parks vehicles are permitted to use all-terrain vehicle trails at all times. An all-terrain vehicle or similar means of conveyance may be used by disabled persons as a mode of personal conveyance by written permits obtained from the Forest, Parks, Recreation/Land Information Systems Sub-Committee or its designee.

(5) Restricted Use of All-Terrain Vehicles. No person shall operate an all-terrain vehicle on any County managed lands, highways, or trails that have not been designated as all-terrain vehicle areas, routes or trails by the Forest, Parks, Recreation/Land Information Systems Sub-Committee. The use of all-terrain vehicles may be restricted or prohibited during certain periods of the year by the Forest, Parks, Recreation/Land Information Systems Sub-Committee. No person shall drive an all-terrain vehicle on any lands, highway or trail under supervision, management or control of the Forest, Parks, Recreation/Land Information Systems Sub-Committee during these closed periods. The trails will be open from May 1 to October 31, as posted or published.

(6) Sign Vandalism. No person shall deface, destroy, remove or possess any all-terrain vehicle sign posted on an approved all-terrain vehicle trail.

(7) Restricted Use For All-Terrain Vehicle Trails. No person shall operate any motor vehicle including but not limited to automobiles, trucks, off-road vehicles, dune buggies, mini bikes, dirt bikes, or unregistered all-terrain vehicles on any approved all-terrain vehicle trail, except for forest harvesting activities and for approved trail management activities. This subsection does not apply to registered all-terrain vehicles (ATV's).

(8) Obstruction of Trail. No person shall park any vehicle or place any obstruction in or on the groomed portion of any approved all-terrain trail.

(9) Environmental Protection. All-terrain vehicles shall not be permitted to be operated in deer yards, new plantations, low land, blow sand area, or other environmentally protected areas as designated by the Wisconsin Department of Natural Resources or the County.

(9a) Rate of Speed. The operator of an all-terrain vehicle shall slow his or her vehicle to a speed not to exceed 10 miles per hour and yield the right-of-way when traveling within 100 feet of a person who is not on an all-terrain vehicle, a snowmobile, or a motorcycle except as provided under ch. 346, Stats., where applicable.

(9b) Speed Limits. The operator of an all-terrain vehicle shall not exceed the following speed limits in designated areas on the Oconto County Recreational Trail as posted:

(1) Township of Mountain (T31N-R16E) Sec. 26 from intersection of Recreational Trail and W. Shore Heights Lane to intersection of Recreation Trail and Kingston Road. Speed limit 10 mph.

(2) Township of Mountain (T31N-R16E) Sec. 10 & 11, from intersection of Church Road North to Sparky's Road. Speed limit 10 mph.

(3) Township of Riverview (T32N-R16E) starting in SWNE Sec. 9 where Thelen Road right-of-way is adjacent to recreation trail right-of-way North to the intersection of Paya Lake Road, speed limit 15 mph. From Paya Lake Road North to Township line-speed limit 10 mph.

(4) Township of Lakewood (T33N-R16E) all trails in Section 30, 31, 32, 33 – speed limit 10 mph.

(5) Township of Townsend (T33N-R16E) all of trail in Sec. 23. Speed limit 10 mph. All trails in Sections 10, 14, 15 (T33N-R16E) speed limit 25 mph.

(6) Village limits of Suring, - Nicolet State Recreational Trail – speed limit 10mph.

(7) Township of Riverview (T32N R16E), all of Nicolet State Trail in Section 21 – speed limit 10 mph.

(10) Persons with Disabilities. An all-terrain vehicle may be used as a mode of conveyance by disabled persons holding a Wis. Stats. 29.09(9)(a)(2) and (5), Class A and Class C permit and a written permit from the Forest, Parks, Recreation/Land Information Systems Sub-Committee or its designee.

(11) Duty Of Enforcement. Those employees of the County Forestry and Parks Department specifically designated by the Forest, Parks, Recreation/Land Information Systems Sub-Committee as well as the Oconto County Sheriff's Department are authorized to enforce this ordinance.

(12) Penalty. The penalty for violation of any provision of this ordinance shall be a forfeiture as hereinafter provided along with costs and penalty assessments. Any person failing to pay said forfeiture shall be imprisoned in the Oconto County Jail for a period of not to exceed 60 days.

(a) State forfeiture statutes. Forfeitures for violation of Sec. 23.33, Wis. Stats., shall conform to the forfeiture permitted to be imposed for violations of the statutes adopted by reference including any variations or increases for subsequent offenses.

(b) State fine statutes. The forfeiture for violation of any statute adopted by reference hereunder for which the penalty is a fine or imprisonment shall not exceed the maximum fine permitted under such statute.

(c) Local regulations. Except as otherwise provided, any person found guilty of violating the provisions of this ordinance shall pay a forfeiture of not less than \$50.00 nor more than \$500.00.

## **9.1000 PUBLIC LAND SURVEY SYSTEM (PLSS) REMONUMENTATION**

(1) Statutory Authorization. This ordinance is adopted pursuant to the provisions of Chapter 59 of the Wisconsin Statutes and AE-7 Wisconsin Administrative Code.

(2) Intent.

(a) The intent of the Oconto County Corner Restoration Program is to accomplish the remonumentation and referencing of corner locations which were established during the original Public Land Survey in the 1840's as required by State Statutes and to file the information with the County Surveyor so that the corner information and location is not lost as required by State Statutes.

(b) To preserve these positions that reference and convey ownership to assist Oconto County's Land Records program and to add control to the ongoing GIS (Geographic Information System) development within Oconto County.

(c) In order to carry out this intent, Oconto County will pay licensed land surveyors for setting and/or referencing a monument at the location of section, quarter, and meander corners and preparing a U.S. Public Land Survey Monument Record Form.

(d) The intent of the Oconto County map filing is to maintain a procedure of filing land survey maps.

(e) The intent of the Land Information Data section is to have a set order for obtaining information and fees pertaining to data.

(3) Requirements.

(a) Licensed land surveyors are required to prepare a County approved U.S. Public Land Survey Monument Record form satisfying the requirements of Section AE 7.08, Wis. Adm. Code. The form must contain detailed information which supports the location of the original government corner. The form will be filed in the Office of the County Surveyor.

(b) In the case where the U.S. Public Land Survey Monument Record form is prepared for a corner and the County requirements are not met, but the form meets the requirements of Chapter AE 7.08, Wis. Adm. Code, the form must still be filed in the Office of the County Surveyor, but payment will not be made by the County.

(c) Center quarter corner will require monumentation and filing of a corner certificate if the corner positioned is other than by straight line intersection of opposite quarter corners. The certificate will show the history of the corner and the relationship of opposite quarter corners with the reasoning for its position. It will follow all procedures as outlined herein.

(d) To be eligible for payment, the land surveyor doing the remonumentation work is required to file a Request for Monumentation Form with the County Surveyor as set forth by the County and to assume all responsibility and liability for the remonumentation work and, as a matter of courtesy, notify landowners, and local governing bodies, as needed, of the work being performed.

(e) The County will pay for restoring section, quarter and meander corners, and special corners where applicable under the conditions established by the County.

(f) This program will not apply to corners which already have a complete AE 7.08, Wis. Adm. Code, monument record on file in the County Surveyor's Office unless prior arrangements have been made through the County Surveyor's Office.

(4) Review Meetings.

(a) Review meetings will be held each month or as called by the County Surveyor.

(b) The County Surveyor will chair this meeting.

(c) The purpose of this meeting will be to review the data, history, witnesses, etc., of the monument records each firm proposes to file.

(d) Each participating firm must send a responsible representative (must be RLS) to at least two-thirds (2/3) of the prior meetings in order to be eligible for reimbursement for monument records the firm will file.

(e) At the review meeting, the peer group of surveyors will determine if there is a conflict in location of each corner thus considered and, if so, the group will attempt to resolve the conflict, based on the information provided. If one-third (1/3) of the votes cast on a proposed monument record are negative, that will constitute a conflict that may be resolved by further discussion or evidence at the next scheduled meeting.

(5) Monumentation.

(a) The monument and witness ties will be provided and distributed by Oconto County and shall be stamped by the private surveying firm for corner identification.

(b) Surveyors shall set an Oconto County monument, in a road at the corner location, if possible to do so, or to set at the corner location an iron pipe, iron bar or a substantial metal spike such that it will not be easily disturbed.

(c) Surveyors shall set an Oconto County monument, in areas not located in roads, at the corner location.

(d) If it is impractical to meet the conditions of Subsections (b) and (c) above, the County Surveyor should be consulted to see if an alternative method of monumentation can be achieved to the satisfaction of the County.

(e) In lieu of using the irons provided by the County, witness ties may be a one (1) inch by twenty-four (24) inch iron pipe of minimum weight of 1.13#/lineal foot or equivalent provided by the private survey firm. Witness ties shall be placed flush or below ground level.

(f) A sign post provided by the County shall be placed near every corner witnessed. In areas outside of roadways, the sign will be one (1) foot north of monument when possible. In roadway areas, the sign will be placed on or near the right-of-way line at right angles to the road centerline, if possible.

(g) Whenever possible, ties should be placed approximately one (1) foot in front of blazed bearing trees or other identifiable non-ferrous objects. The blaze marks will be both near ground level and chest height and painted.

(h) All the above shall be done in such a manner as to not interfere or put at risk any corner or accessory that could be damaged by any maintenance such as highway and utilities and not cause aesthetic damage to any private interest.

(i) Oconto County shall use as a guide all applicable State Statutes, Administrative Code, Legal Opinion and Manual of Instruction 1973 in the determination of said corners.

(6) Excavation.

(a) Excavation will be requested, approved, and coordinated through the County Surveyor's Office. Notification to Diggers Hot Line and the appropriate governmental agencies will be the responsibility of the private surveying firm.

(b) Where it is determined to be necessary, all corner locations in roadways will be excavated for subsurface evidence if there is no documentation relating the existing corner to the original government corner and there is no record of a previous excavation.

(c) The private survey firm will be directly responsible for making arrangements and supervising the excavation.

- (d) Oconto County will provide for all excavation (where applicable).
  - (e) Bituminous patching material will be provided by Oconto County, where applicable.
  - (f) The Oconto County Highway Department will excavate and repair pavement damaged by excavation on County roads only.
- (7) U.S. Public Land Survey Monument Record.
- (a) History of the original corner establishment and subsequent restorations shall be documented. Include date and name of surveyor in the documentation.
  - (b) Occupational, testimonial, or other evidence considered shall be noted.
  - (c) Surveyors shall prepare a scaled plan view, mechanically drafted tie sheet (provided by County), that is legible and showing any geographical information that would assist in locating the corner.
  - (d) All ties shall include the distances and bearings that the witness monuments bear from the landmark and also the distance from each witness monument to each adjacent witness monument; a minimum of eight (8) distances and four (4) bearings having an identifiable bearing reference.
  - (e) The location sketch shall be drawn to an appropriate scale noted on the drawing and oriented with North to the top of the sheet.
- (8) Reimbursement.
- (a) To be eligible to participate in the Oconto County reimbursement program, the private surveying firm must be free of any existing violations that relate to any surveying practice within the Wisconsin Administrative Codes, State Statutes, or Oconto County Ordinances.
  - (b) After a monument record has been filed in the County Surveyor's Office in compliance with the procedure outlined above, the County Surveyor will recommend approval to the Forests, Parks, Recreation/Land Information Systems Subcommittee for payment (reimbursement is limited to specific budgeted amounts).
  - (c) Oconto County will pay for providing a revised corner certificate for each PLSS corner that has been in some way made inaccessible (with special exceptions made to the credibility of the corner).

(d) Oconto County will pay for establishing a PLSS corner that has no history of perpetuation prior to 1972. Fees for Subsection (c) and (d) will be determined by the Forests, Parks, Recreation/Land Information Systems Subcommittee.

(e) Government agencies, their subcontractors, or employees that in the normal course of their activities are engaged in land surveying, land corner restorations or land corner perpetuation are excluded from receiving materials or payment from Oconto County for corner restoration.

(f) Prior to reimbursement a copy of the client's bill shall be submitted to the Forest, Parks, Recreation/Land Information Systems Subcommittee and shown on the clients bill as "amount to be received by Surveyor from Oconto County Land Information Systems Division for filing U.S. Public Land Survey Monument Record" and will note the number of Monument Records filed and the total of payments to be received from the County.

(9) Miscellaneous Provisions.

(a) Each company is responsible for normal safety precautions and traffic control at the survey site.

(b) Monies appropriated for corner remonumentation, but not spent due to seasonal weather limitations or other factors shall be available for restoration work at a later date. The account shall be closed to a non-lapsing account.

(c) The County surveyor shall have authority to check the work of private companies to make sure all above procedures are being carried out properly, and to rule on areas of interpretation of the above procedures not specified herein.

(d) Oconto County Land Information Systems Division will not be responsible for researching and copying information for professionals groups or organizations, but will aid and assist in obtaining the requested materials within reason.

(10) Map Filing.

(a) Maps of Survey preservation of landmark forms received from the Wisconsin Department of Transportation or other survey maps submitted to the Oconto County Land Information division for filing will be filed according to the procedures listed below.

(b) Maps will be separated and filed by size.

(c) All attempts shall be made to provide County officials with standard size media not exceeding thirty-six (36) by forty-two (42) inches sheet size.

(d) The map will be stamped and given a file number to identify it.

(e) The data will be entered into a computer index for the section, township, and range in which the survey is located.

Town \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_

Quarter \_\_\_\_\_ Quarter/Quarter \_\_\_\_\_  
or Govt. Lot \_\_\_\_\_

Type of Survey \_\_\_\_\_

Description \_\_\_\_\_

Volume \_\_\_\_\_ Page \_\_\_\_\_ (if applicable)

Reg. No. \_\_\_\_\_

Surveyor (last) \_\_\_\_\_  
(first) \_\_\_\_\_

Date of Survey \_\_\_\_\_

Map File \_\_\_\_\_ Map No. \_\_\_\_\_

(f) All data will be kept in a bound hard copy form.

(g) The maps filed will be microfilmed on a yearly basis for security purposes.

(11) Fee Schedule. Fees for obtaining information will be determined by the Forest, Parks, Recreation/Land Information Systems Subcommittee in accordance with the Wisconsin Statutes.

(12) Survey Regulations.

(a) Survey Monuments. It shall be unlawful to remove, cover, bury, destroy, or deface any survey monument, corner post, monument accessory, witness tree, bearing tree, or survey accessory on any lands within Oconto County, without following the provisions of Chapter 59.635, Wis. Stats.

(b) Filing of Survey. A Correct and true copy of any survey for individuals or corporations performed by a registered land surveyor, that has any effect on the land within or abutting Oconto County, shall be filed in the Office of the Oconto County Surveyor within sixty (60) days after completion of the survey.

(c) Any contractor, business, or persons that may perform projects that put any survey marker at risk must provide the County Surveyor with temporary ties of the subject marker and upon completion provide the County Surveyor with a revised U.S. Public Land Survey Monument Record sheet, prepared in accordance with this ordinance.

## CHAPTER 10

### PARK AND RECREATION

#### **10.100 DEFINITIONS**

##### **10.101 MOTORCYCLE/MINI-TRAIL BIKE**

A motorcycle is a motor vehicle designed to travel on not more than 3 wheels which is capable of speeds in excess of 10 mph with a 150 lb. rider on dry level ground excluding a tractor or an All Terrain Vehicle.

##### **10.103 OFF ROAD VEHICLE**

Off Road Vehicle means any motorized vehicles designed for or capable of cross country travel on or immediately over land, water, sand, snow, ice, marsh or other terrain which would include, but would not be limited to, such vehicles as four wheel drive, trucks, air cushion vehicles; except that such term excludes 1) any registered motor boat, 2) any military, fire, emergency, or law enforcement vehicle when used for official or emergency purposes, and 3) any vehicle whose use is expressly authorized by the committee under permit, lease, license, or contract. 4) all Terrain Vehicles.

##### **10.104 FORESTRY VEHICLE**

Forestry Vehicle means a vehicle or piece of equipment or machinery designed for the harvesting or transport of forest products, used exclusively in the conduct of forestry operations.

##### **10.105 AUTOMOBILE**

Automobile-Four-wheeled automotive vehicle designed for passenger transportation and commonly propelled by an internal-combustion engine using a volatile fuel.

##### **10.106 DEPARTMENT**

Department: Means the Oconto County Forestry, Lands, Parks and Recreation Department.

##### **10.107 PARK ADMINISTRATOR**

Park Administrator means the Oconto County Land & Forest Agent.

- 10.108        **CAMP OR CAMPING**  
Camp or Camping means: The use of a shelter such as a tent, trailer, motor vehicle, tarpaulin, bed roll or sleeping bag for temporary residence or sleeping purposes.
- 10.109        **CAMPSITE**  
Campsite means: A segment of a campground which is designated for camping use by a camping unit for camping party.
- 10.110        **CAMPING UNIT**  
Camping Unit means: Any single shelter used for a camp by a camping party except those used exclusively for dining purposes.
- 10.111        **CAMPING PARTY**  
Camping party means: Any individual, family or unorganized group occupying a Campsite. An unorganized group may not exceed 4 persons who are 18 years of age or older.
- 10.112        **FAMILY**  
Family means: Husband and Wife and their Children to age 18.
- 10.113        **PICNIC AREA**  
Picnic area means: Any tract of land developed and maintained for picnicking including adjacent playground and play field areas.
- 10.114        **BATHING BEACH**  
Bathing Beach means: Any water area or adjacent land area designated as a swim area by standard regulatory markers or posted notice.
- 10.200        ADMINISTRATION**  
The Oconto County Board of Supervisors has assigned the administration of lands entered under Section 28.11 and all park lands as well as any lands designated as reserved lands in the official copy of the reserved lands book files in the office of the County Clerk to the Forest, Lands, Parks, and Recreation Committee. Hereinafter called the Committee.
- 10.201        **VEHICLE OWNER’S LIABILITY**  
When any vehicle is involved in a violation of any provision of Sec. 10.501, 10.802, 10.809, 10.810, 10.815, 10.1001, 10.1002 and 10.1004, the owner of said vehicle as shown by the ownership registration of the vehicle supplied by the Wisconsin Department of Transportation, Wisconsin Department of Natural Resources, or a comparable authority of any other State, shall be presumed to have violated the applicable Sections of the Oconto County Code of Ordinances set forth herein. The following are defenses to a violation of this section.
1.        (a) That a report that the vehicle was stolen was given to a traffic officer before the violation occurred or within a reasonable time after the violation occurred.

(b) If the owner of the vehicle provides issuing officer with the name and address of the person operating the vehicle at the time of the violation and the person so named admits operating the vehicle at the time of the violation, then the person operating the vehicle and not the owner shall be charged under this section.

2. If the vehicle is owned by a lessor of vehicles and at the time of the violation the vehicle was in the possession of the lessee, and the lessor provides an issuing officer with information required, then the lessee not the lessor shall be charged under this section.
3. If the vehicle is owned by a dealer, and at the time of the violation the vehicle being operated by any person on a trail run, and if the dealer provides the issuing officer with the name, address and operator's license number of the person operating the vehicle, that the person operating the vehicle, and not the dealer, shall be charged under this section.

**10.300 AUTOMOBILES, MOTORCYCLES, MINI BIKES, DIRT BIKES, TRUCKS, OFF-ROAD VEHICLES (OTHER THAN ATV'S) AND SNOWMOBILES.**

10.301 PERMITTED USE OF VEHICLES

(1) Emergency, Law Enforcement, Forestry and Park vehicles are permitted to use all roads, trails, and lands under the management, supervision or control of the Forest, Parks & Recreation/Land Information Systems Sub-Committee.

(2) Disabled person(s) may use vehicles as a means of personal conveyance (excluding non-disabled person(s) by written permit obtained by Forest, Parks & Recreation/Land Information Systems Sub-Committee or designee).

10.302 RESTRICTED USE OF VEHICLES

No person shall operate any motor vehicle, including but not limited to, automobiles, motorcycles, mini bikes, dirt bikes, trucks or off-road vehicles, or snowmobiles on park or forest lands under the management, supervision or control of the Forest, Parks & Recreation/Land Information Systems Sub-Committee, except as follows:

(a) Automobiles, motorcycles, trucks and off- road vehicles that are currently registered with the Department of Transportation are permitted on County Forest Roads (approved by the State Department of Transportation), and existing trails (over 12 feet cleared width) that are not closed by a gate, berm, stumps or posting, or roads that are not designated recreation trails for such purposes as, including but not limited to hiking, cross country skiing, snowmobiling, horseback riding, or ATV operation.

(b) The Forest, Parks & Recreation/Land Information Systems Sub-Committee may authorize and permit snowmobiles on designated snowmobile trails.

10.500       CAMPING

10.501       CAMPING PERMITS

Camping is prohibited, except in designated areas of county parks or county recreation areas. It shall be unlawful to camp in such areas without permit and payment of such fees as may be required. Fee required before camping.

10.502       A Maximum of 4 Adults or one family consisting of husband & Wife and their own children to age 18 shall occupy a single site. Additional Adults shall pay for and occupy an additional site under the terms of this permit.

10.503       No camping unit shall be set up beyond the defined limits of the Campsite.

10.504       No camping party shall move from its assigned site to another campsite without prior approval.

10.505       All camping permits expire at 3:00 P.M. at Chute Pond Campground and 1:00 P.M. at North Bay Shore Campground on the last day of the period.

10.506       Extensions within the 14 day limit may be granted on camping permits.

10.507       No person shall camp and no camping unit shall remain for a period greater than 14 days in any 4-week period in the property of registration. Thereafter, the camping unit must be removed from the property for at least 7 days before being eligible to return. Except campers having a signed seasonal contract for a greater period of time.

10.508       No camping party shall set up or take down its camping unit between the hours of 10:00 P.M. and the following 6:00 A.M.

10.509       It shall be unlawful to park any motor vehicle outside the parking area designated at each campsite and not more than 2 motor vehicles are permitted to any campsite. Except campers having a signed seasonal contract for a greater period of time.

10.510       Violation of any state law, or county ordinance, by a member of a camping party is cause for revocation of the camping permit.

10.511 A campsite must be occupied by a member of the camping party and no campsite may be left unoccupied for more than 16 hours.

10.512 Any party occupying a campsite shall be allowed the use of only one table and one electrical outlet.

## **10.600 RESERVATIONS**

10.601 Reservations must be at least 1 week in advance and paid in full at the time the reservation is made.

10.602 It shall be unlawful for any person to obtain a camping permit for use by a camping party of which he/she is not a member.

10.603 A minimum reservation is 2 nights on non-holiday weekends and 3 nights for holiday weekends. The site will be held until check-out time of the next day after the reservation was made for.

10.604 No voucher will be given unless a written cancellation is received 2 weeks in advance of the time of the reservation date.

10.605 A separate reservation must be made for each site in the name of the camping party that will occupy the site.

## **10.700 SHELTERS/ORGANIZED GROUPS USES**

### **10.701 SPECIAL USE**

(1) Whenever more than 50 persons from an organized group request to use any park facility they shall apply for and obtain a special park use permit. A refundable deposit for the cleanup and maintenance of the park will be held by the Department as a security deposit. The committee shall establish a fee schedule for this permit and deposit.

(2) Any organized fishing tournament regardless of size shall obtain a special use permit when using launching facilities.

## **10.800 PARK GENERAL RESTRICTIONS**

### **10.801 METAL DETECTORS**

The use of metal detectors is prohibited except by written permit issued by the Committee.

10.802

#### REFUSE

It shall be unlawful for any person to discard or leave any refuse, sewage, or other waste material on the ground, or in any building or installation or into the water or upon the ice of any lake or stream or other body of water, or to dispose of any such refuse or waste material in any manner except by placing in receptacles or other authorized locations provided for such purposes.

10.803

#### PETS

It shall be unlawful for any person to allow his or her dog, cat or other pet to be in any public building or to be upon any bathing beach, picnic area, or playground. In all other park areas, all campgrounds, and on posted trails, dogs, cats and other pets shall be kept on a leash not more than 8 feet in length and under the control of the owner at all time. No person shall fail to prevent his or her dog, cat or other pet from interfering in any manner with the enjoyment of the area by others. The Department shall designate a person to act as Poundmaster for the parks for the purpose of providing a pound for pets found running at large within the parks and which are referred to such Poundmaster for impoundment under provisions of State Statute 174.046 by those persons designated by the Committee to enforce the Ordinance. The Poundmaster may charge the owner of pets impounded for the costs of impoundment prior to their release. If after 7 days an animal is not claimed, the Poundmaster may dispose of the animal. The Poundmaster shall present a monthly statement to the department for animals impounded and not reclaimed by the pet owner. Costs for such impoundment shall be payable to the Poundmaster out of the County's dog license fund.

10.804

#### FIRES

It shall be unlawful for any person to start tend or maintain any fire on the ground or to burn any refuse except in fire places or fire rings in camping areas in any county park.

10.805

#### PEDDLING AND SOLICITING

It shall be unlawful for any person to peddle or solicit business of any nature whatever or to distribute handbills or other advertising matter, to post unauthorized signs on any lands, structures, or property under the management, supervision, or control of the Committee or to use such lands structures or property for commercial operations, for soliciting or conducting business peddling or providing services within or without such lands, structures or property unless first authorized in writing by contractual agreement with the committee or its duly authorized agents.

10.806

#### WATER RIDES

It shall be unlawful to use in any manner the dock, pier, wharf, boat landing, mooring facilities or the waters in the immediately adjacent to any lands under the management, supervision or control of the Committee for the purpose of soliciting rides of any kind unless authorized by the committee.

- 10.807            **BOATS IN SWIMMING AREAS**  
It shall be unlawful to operate a boat within a water area marked by buoys or other approved regulatory devices as a bathing beach, nor operate a boat in a restricted use area contrary to regulatory notice marked on buoys or other approved regulatory devices.
- 10.808            **HORSES**  
It shall be unlawful to ride, lead, or cause or suffer any horse in any county park.
- 10.809            **PARKING**  
No person shall park, stop or leave standing whether attended or unattended, any vehicle or watercraft, in any manner as to block, obstruct or limit the use of any road, trail, waterway, or winter port facility, or contrary to posted notice.
- 10.810            **VEHICULAR ACCESS**  
No person shall operate any motor vehicle in any county park or recreation area except on roads improved for vehicular traffic.
- 10.811            **ABANDONED VEHICLES**  
It shall be unlawful to leave any vehicle unattended without prior Committee approval for more than 48 hours under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. An abandoned vehicle shall constitute a public nuisance.
- 10.812            **FIREARMS**  
It shall be unlawful for any person to have in his possession or under his control any firearm or airgun as defined in section 939.22 Wisconsin Statutes, or any slingshot or springloaded device designed for shooting a projectile unless the same is unloaded and enclosed in a carrying case, or any bow unless it is unstrung or enclosed in a carrying case.
- 10.813            **WILDLIFE**  
No person shall take, catch, kill, hunt, trap, pursue, or otherwise disturb any wild animals or birds in any county park, campground or picnic area or contrary to posted notice on other areas under the control of the committee.
- 10.814            **FEES AND CHARGES**  
It shall be unlawful for any person to use any facility, land or area for which a fee or charge has been established by the committee without payment of such fee or charge.
- 10.815            **CLOSED/RESTRICTED AREAS**  
The department may close/restrict, by posted notice/sign, any park, park facility or park activity and county forest area recreation activity or activities, but not

limited to the following: any picnic area, beach, camp area, trail head, boat landing, parking area, special use area, environmental area, unpaved road or similar recreation facility.

10.816 BEACHES

It shall be unlawful for any person to perform any ambulation or shampoo on any bathing beach or in the water adjacent to any bathing beach in any county park. It shall be unlawful to swim beyond or disturb or molest a bathing beach boundary buoy or marker in any swimming beach in any county park.

10.817 FIREWORKS, ROCKETS, EXPLOSIVE DEVICES

It shall be unlawful for any person to possess, fire, discharge, explode, or set off any squib, cracker, or other explosive or pyrotechnic device containing powder or other combustible or explosive material, within the limits of any county park, excepting that exhibitions of fireworks as authorized by the committee or its agents by written permit, contract or policy, are permitted.

10.818 NOISE

It shall be unlawful for any person to operate any sound truck, loudspeaker, generator, air-conditioner or other device that produces excessive noise without first obtaining a written permit from the committee or their authorized agent.

10.819 CURFEWS

The designated park areas will be closed except for camping areas to registered campers from 10:30 p.m. to 5:00 a.m.

10.820 DESIGNATION OF CURFEW AREAS

Pioneer Memorial Park  
Ranch Lake Beach Area  
North Bay Shore Recreation Area  
Chute Pond Park (Fisher Memorial Park)  
Townsend Dams  
Gillett Riverside (BB)  
D.E. Hall  
North River Road Boat Access  
Iron Bridge Access  
Anderson Lake  
Machickanee Flowage Access  
Grange Park  
Recreation Trail  
Pensaukee Landing  
Patzner Park  
Couliardville Park

10.821 SWIMMING IN LAUNCH AREAS  
It shall be unlawful for any person to swim within 100 feet of a county boat landing.

10.822 NORTH BAY SHORE HARBOR AND BREAK WATER  
It shall be unlawful for any person to swim within the harbor area or between the breakwaters.

**10.900 BOATS**

10.901 LAUNCH FEE  
There is hereby established a boat launch user fee for launch of a boat or some other form of watercraft from all Oconto County Boat Launches under Forest/Parks control, including:

North Bay Shore Recreation Area  
Machickanee Flowage Pond  
Chute Pond East  
Chute Pond Field House  
Chute Pond South  
Patzner Park  
Pensaukee Landing  
Riverside Park  
Anderson Lake

(a) That the fee be established by the Forest, Lands, Parks and Recreation Committee and reviewed every year for the launch or use of one of the designated Oconto County Launch Facilities. Such fee shall have a daily, annual component, and commercial compact. Effective January 1, 2011: Daily \$5.00, Seasonal \$30.00, and Commercial \$50.00.

(b) Launch fee must be paid prior to using launch.

(c) That any revenues generated by these fees be placed into a special non-lapsing account that would be designated specifically for capital improvements of any County launch facility.

10.902 DISPLAY OF RECEIPT  
Daily permit in the form of a sticker or some other form designated by the Department shall be displayed on the vehicle used for launching from the respective boat launch in the manner described by the department. All permits shall remain on display for the entire time the vehicle is on the premises of the respective boat launch.

Seasonal Permit in the form of a sticker shall be displayed on trailer used for launching.

Commercial sticker must be in vehicle while launching.

10.903 FAILURE TO PAY

It shall be unlawful for any person or owner of a vehicle to fail to pay the required fee at the time of launch at any of the designated boat launches, and to display the receipt of same. The owner of a vehicle found in violation of this section of the code shall be liable for the violation.

10.904 LATE FEE

It shall be established in lieu of issuance of a citation and payment of forfeiture a late fee of \$20.00 is hereby established insomuch as the late fee is received no later than 5 days from the date of violation. If the late fee is not received within the five day period a citation may be issued for failure to pay as stated in section 10.903 of this ordinance.

10.905 PENALTY

Any person violating any provisions of this ordinance shall, upon conviction, be subject to a forfeiture of not less than \$5.00 nor more than \$100.00, plus costs of prosecution, and in default of payment of said forfeiture and costs, shall be imprisoned in the Oconto County Jail until said forfeiture and costs are paid but not to exceed 90 days.

10.906 UNATTENDED WATERCRAFT

No boat, watercraft or personal watercraft shall be left on shore, moored, left unattended or anchored overnight in waters of any County Park or County Forest, except in areas designated for that purpose.

10.907 NO WAKE

The following areas shall be no wake for all watercraft:

North Bay Shore Harbor  
Between North Bay Shore Breakwaters

10.1000 STATE RECREATIONAL TRAIL (NICOLET AND OCONTO RIVER)

ADMINISTRATION. The Oconto County Board of Supervisors, hereinafter called the Board, hereby assigns the administration of the recreation trail hereinafter described to the Committee of the County Board known as Forest, Parks, & Recreation/Land Information Systems Sub-committee, hereinafter referred to as the Committee.

LAND. Management and regulatory control of all lands and facilities designated by this Ordinance is delegated to the Committee.

10.1001 SCOPE

The provisions of this Ordinance shall apply to all lands covered by the Nicolet Trail easement and the Oconto River Easement. The aforementioned lands shall be open to the public for the purpose of bicycling, hiking, snowmobiling, or other mutually agreed upon compatible uses.

10.1002 CODES REFERENCED

Sections 9.716 Abandoned Vehicles and Personal Property, 9.720 Camping, 9.721 Fire, 9.725 Trash/Litter, 9.726 County Property, 9.900 All-Terrain Vehicles Regulated, 10.301 Permitted Use of Vehicles, 10.302 Restricted Use of Vehicles, 10.802 Refuse, 10.804 Fires, 10.809 Parking, 10.812 Firearms, and 10.815 Closed Areas, shall apply to the recreation trail.

PENALTY. The penalty for violation of any provision of this ordinance shall be a forfeiture as hereinafter provided along with costs and penalty assessments. Any person failing to pay said forfeiture shall be imprisoned in the Oconto County Jail for a period not to exceed 60 days.

(a) Local Regulations. Except as otherwise provided, any person found ;guilty of violating the provisions of this ordinance shall pay a forfeiture of not less than \$50.00 nor more than \$500.00.

10.1003 TRESPASS

It shall be unlawful to enter private lands adjacent to the recreational trail except with prior approval from the private landowner.

10.1004 CAMPING/PICNICKING/REST STOP

It shall be unlawful to camp, picnic, or make a rest stop except in those places designated by a posted sign authorized by the Committee.

10.1005 HUNTING

Hunting will not be allowed on any State Recreation Trail (Nicolet & Oconto River).