

VILLAGE OF BIRNAMWOOD

ORDINANCE # 11-10-01

PUBLIC SAFETY ORDINANCE REGULATION OF FIREARMS; HUNTING LIMITATIONS

Section 1 – Purpose

To provide definite and consistent hunting and weapon regulations within the Village of Birnamwood.

Section 2 - Definitions

The following definitions shall apply:

- (a) *Firearm.* A weapon that acts by force of gunpowder. For purposes of this section, a firearm is defined as any instrumentality from or with which a shot, bullet or pellet may be discharged or expelled, regardless of whether the propelling force is provided by air, spring or other mechanical device or gunpowder.
- (b) *Law Enforcement.* Any person employed by the State or any political subdivision of this State for the purpose of detecting and preventing crime and enforcing laws or ordinances and who is authorized to make arrests for violations of the laws or ordinances he is employed to enforce.
- (c) *Weapon.* A handgun, shotgun, rifle, electronic weapon or any device which is designed, redesigned, used or intended to be used, offensively or defensively, to immobilize or incapacitate a person.
- (d) *Other Dangerous Weapon.* Includes bow and arrow, crossbow and other similar weapons.
- (e) *Public Building.* Any building owned by the Village.
- (f) *Building.* Any permanent structure used for human occupancy and includes a manufactured home, as defined in § 101.91(2), Wis. Stats. "Building," as used in this article, does not include any tent, bus, truck, vehicle or similar portable unit.

Section 3 – Carrying of firearms in municipal buildings

In addition to the provisions of §175.60, Wis. Stats., enumerating places where the carrying of a weapon or a firearm is prohibited, it shall be unlawful for any person other than a law enforcement officer or designated person to enter a public building while carrying a weapon or a firearm. In Birnamwood such buildings include but are not limited to the following:

- (1) Matsche Center
- (2) Birnamwood Department of Public Works Building.
- (3) Birnamwood Fire Department Station.
- (4) Birnamwood Municipal Water Utility buildings, pumping stations and water towers.
- (5) Birnamwood Municipal Sewer Utility treatment plant and utility buildings.
- (6) Any other duly posted Village of Birnamwood buildings or structures.

Section 3A - Signage

Signs meeting the requirements of §943.13(2) (bm)1., Wis. Stats., shall be posted in prominent locations near all entrances of such buildings/places indicated that possession of a firearm in that building or place is prohibited.

Section 4 – Hunting

(A) – Hunting on Village property

Hunting is not allowed on any land owned or leased by the Village.

(B) – Hunting within Village limits

Hunting is allowed within the Village only in areas designated as residential/agricultural.

Section 5 – Discharge of firearms and hunting

No person shall shoot or discharge any dangerous weapon anywhere in the Village, except as provided in sections A and B of this section.

- A. No person may discharge a firearm within one hundred (100) yards from a building located on another person's land. This restriction does not apply if the person who owns the land on which the building is located allows the person to discharge a firearm within a specified lesser distance from the building.
- B. A person may not hunt with a bow and arrow or crossbow within one hundred (100) yards from a building located on another person's land. This restriction does not apply if the person who owns the land on which the building is located allows the person to hunt within a specified lesser distance from the building.

Section 6 - Miscellaneous

Other miscellaneous types of projectiles, (not meant to be all inclusive)

It shall be unlawful for any person to discharge or throw by any means any dangerous missile, object, stone or other missile within the Village of Birnamwood.

Section 7 – Effective Date

This ordinance is amended and effective on publication or posting.

The Village clerk shall properly post or publish this ordinance as required under s. 60.80, Wis. stats.

Amended this _____ day of _____, 20__.

(Signature of Village President) _____

Attest: (Signature of Village clerk) _____