

# Forestry and Recreation Code of Forest County

## Chapter 1 - COUNTY FORESTS

### Section 1.01. - Purpose

This chapter is hereby established to prescribe rules and regulations for the administration of County powers and duties as provided in Chs. 26, 28, 29, 59, and 77, Wis. Stats., under which the County Board is granted, in cooperation with the Department of Natural Resources, hereafter referred to as the "DNR", 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 and recreational values, fish and game resources, multiple-use purposes and related uses.

### Section 1.02. - Defined

- (1) Determination is hereby made that for the purpose of proper and complete identification, all County owned forest lands or special use lands now held or hereafter acquired by the County are established and designated as County forests or special use lands and such lands shall be shown on an official County map available at the County Clerk's office according to the records in the office of the Register of Deeds and Forest County Forestry and Recreation Department, hereafter referred to as the "Department".
- (2) It is the intent of the County Board to consolidate County forest holdings as lands are acquired by the County within the above defined areas and to apply to the DNR to enter such lands under § 28.11, Wis. Stats.

### Section 1.03. - Committee of administration.

- (1) *Appointment.* The County Board assigns administration of the Department to the Forestry/Recreation Committee. This will be the committee of jurisdiction for the Department, hereafter referred to as the "Committee".
- (2) *Powers and duties.*
  - (a) The Committee is empowered to recommend to the County Board the acquisition of land within County forest areas by purchase, gift or bequest, or by exchange of County owned lands outside such areas for the purpose of blocking the forest for better administration. Each recommended acquisition shall be presented to the County Board for approval.
  - (b) The Committee may make application for entry of County forest lands under § 28.11(4), Wis. Stats.
  - (c) The Committee shall direct and supervise the County Forestry and Recreation Office. Shall employ a competent County Forest Administrator as its agent and such other competent personnel to direct, perform and enforce the administrative mid-management functions of this ordinance.
  - (d) The Committee may establish and maintain in appropriate centers a forest headquarters for office space and the housing of machinery, tools, equipment and supplies needed in conducting forest operations.
  - (e) The Committee may purchase, acquire, sell, trade or dispose of instruments, tools, equipment and supplies required for the operation of the forest pursuant to the bidding requirements of Wisconsin Statutes Chapters 28 and 59. Purchases not provided for in the budget must receive specific approval of the Finance and Public Property Committee and be referred to the County Board.

- (f) The Committee shall cooperate with the DNR in preparing budgets for County Forest administration, capital and direct expenditures of forestry funds advanced by the DNR and for the other revenues accruing to the County under this Chapter for submission to the County Board.
- (g) The Committee shall do all things necessary for the protection of the forest whether from fire, insects, disease, trespass, or from damage by animals or persons, or from other causes, in cooperation with the DNR.
- (h) The Committee shall regulate the disposal of slash.
- (i) The Committee may designate timber harvest boundaries to establish timber sales on County forest lands.
- (j) The Committee may construct, improve and maintain a system of forest roads, trails and fire breaks, and purchase or secure easements for accessways required to cross privately owned lands. Purchase of easements shall be referred to the County Board for approval.
- (k) In order to protect the public rights the Committee may prohibit specified vehicles from entering County forest or special use lands where such vehicles would interfere with or be detrimental to wildlife, game management, other recreational activities, aesthetic management zones, nursery areas, areas of unique flora and fauna, stream banks or ground cover where erosion may result. The Committee shall have discretion in reasonably marking roads or trails. Gates or other barricades shall be clearly marked.
- (l) The Committee shall conduct forest improvement work, including reforestation, release cuttings, thinnings, pruning and weeding by any method, including spraying or dusting of DNR approved herbicides and pesticides by airplane and other methods and shall authorize disposal of all salvaged materials.
- (m) The Committee shall prepare an intensive 15-year County forest land use plan, with assistance from the DNR, and the plan shall be approved by the County Board and the DNR.
- (n) The Committee is authorized to sell merchantable timber in accordance with § 28.11(6), Wis. Stats.
- (o) The Committee may establish, construct and maintain within the County forest the following: picnic grounds, waysides, camps and campsites, public access roads and boat landings, scenic areas, trails and natural or historic markers. The Committee may establish fees or use permits for the use of these areas. The Committee may also assign certain forest lands to school districts for educational purposes.
- (p) The Committee or its designee may issue permits within the County forest for the collection of firewood per § 28.11(3)(k) Wis. Stats., boughs, Christmas Trees or other natural resources for private use and may charge a fee for such permits.
- (q) The Committee will cooperate with the DNR pursuant to the Memorandum of Understanding dated April 19, 1967, on all matters relating to game and fish management within the County forest and may prohibit hunting or fishing, as advised by the DNR, where such hunting or fishing would be inconsistent with other planned land uses.
- (r) The Committee may enter into agreements with Forest Experiment Stations, the University of Wisconsin System, other universities or with the DNR for the use of tracts of County forest lands, labor, materials or equipment for conducting research.
- (s) The Committee may authorize special forest or recreation development work on other public lands not included in the County forest, including school forests, community forests, other County lands, watersheds, public highways or similar projects with funds from the County Forestry Aid Fund.
- (t) The Committee may enter into agreements to prospect for ore or minerals upon County lands under the jurisdiction of the Committee, subject to approval by the County Board and the DNR.

#### **Section 1.04. - Administration of County forest lands.**

Applications for entry of County owned lands under § 28.11, Wis. Stats., shall be prepared and approved by the Committee and signed by the County Board Chairman and the County Clerk. The County Forest Administrator will forward the applications to the DNR within the time limits prescribed by the DNR. Withdrawal of lands entered under the County forest law shall be in the manner prescribed by § 28.11(11), Wis. Stats. No deed to land so withdrawn shall be issued prior to recording the County Board Resolution and the DNR order of withdrawal with the Register of Deeds.

#### **Section 1.05. - Forest financing.**

- (1) All appropriations from the DNR to Forest County under § 28.11(8)(b), Wis. Stats., for the purchase, development, preservation and maintenance of the County forest shall be deposited in the County Forestry Aid Fund. Income from the sale of lands or equipment purchased with State aid funds shall be restored to this fund. All unexpended funds shall be non-lapsing.
- (2) All monies received by the County from the sale of timber stumpage, cut forest products, fees and use permits, sale of building materials, sale of surplus materials and equipment, or other revenue received by the Committee, except income specified in sub. (1) of this section, shall be deposited according to chapter 215.1, Revenue From Operations, of the County Forest 15 Year Comprehensive Land Use Plan for Forest County.
- (3) The Committee shall prepare a budget of sums required for operations under this chapter and when the sums are appropriated by the County Board, they may be expended by the Committee for the purposes covered by this chapter.

#### **Section 1.06. - County forest use regulations.**

- (1) *Recreation use.*
  - (a) The Committee may designate suitable areas for forest parks, campsites, picnic areas, waysides, parking lots and boat landings, and is authorized to provide needed conveniences, including wells and sanitary facilities. Such areas shall be for public use as prescribed by the Committee.
  - (b) "Camp" or "camping" shall be defined as the use of a shelter such as a tent, trailer, motor vehicle, tarpaulin, bedroll or sleeping bag for temporary residence or sleeping purposes. No person shall camp in any County forest without a camping permit issued by the Committee or its designee. Camping may be permitted in some areas of the County forest without charge for a period not to exceed 14 consecutive days. In order to protect the public rights the Committee may prohibit camping on designated areas of the County forest or special use lands where such activities would interfere with or be detrimental to wildlife, game management, other recreational activities, aesthetic management zones, nursery areas, areas of unique flora and fauna, stream banks or ground cover where erosion may result. The Committee or its designee shall have discretion in reasonably marking areas restricted to camping. The Committee or its designee may authorize by permit persons to camp in waysides and parking lots. Violation of any state law or any rules of the Committee by a member of a camping party is cause for revocation of the camping permit and ejection from the County forest.
  - (c) Persons using County forest facilities must observe all county rules and regulations posted in the areas.
- (2) *Snowmobile and ATV's*
  - (a) *Definitions.* The following terms shall have the meanings indicated:

*All Terrain Vehicle (ATV).* An engine driven device which has a net weight of nine hundred (900) pounds or less, which has a width of fifty (50) inches or less, which is equipped with a seat designed to be straddled by the operator and which is designed to travel on three (3) or more low pressure tires. A low pressure tire is a tire which has a minimum width of six (6) inches and which is designed to be inflated with an operating pressure not to exceed ten (10) pounds per square inch as recommended by the manufacturer.

*All-Terrain Vehicle Route.* A highway or sidewalk designated for use by ATV operators by the governmental agency having jurisdiction as authorized by S.S. 23.33, Wis. Stats.

*All-Terrain Vehicle Trail.* A marked corridor on public property or on private lands subject to public easement or lease, designated for use by ATV operators by the governmental agency having jurisdiction.

*Snowmobile.* Any engine driven vehicle of a type which utilizes sled type runners, skis or an endless belt tread or any combination of these or similar means of contact with the surface upon which it is operated, but does not include such vehicles which are either manually propelled or driven by a motor of 4 horse power or less and operated only on private property.

*Snowmobile Route.* A highway or sidewalk designated for use by snowmobile operators by the governmental agency having jurisdiction as authorized by S.S. 350-04, Wis. Stats.

*Snowmobile Trail.* A marked corridor on public property or on private property, subject to public easement or lease, designated for use by operators of snowmobiles by the County Snowmobile Coordinator, but excluding highways, except those highways on which the roadway is not normally maintained for other vehicular traffic by the removal of snow.

*Official Trail Opening.* That date and time selected and published in the official County newspaper designating the approved snowmobile trails opened for snowmobile use and approved all-terrain vehicle trails are open for all terrain vehicle use.

*Official Trail Closing.* That date and time selected and published in the official County newspaper designating the approved snowmobile trails closed for snowmobile use and/or all-terrain vehicle trails are closed for all terrain vehicle use.

*Snowmobile Coordinator.* The County Forest Administrator, and such other individuals so designated by the Forestry Committee.

*Approved Snowmobile Trails.* Includes all snowmobile trails or routes that have been designated by the County Snowmobile Coordinator or Forestry Committee.

*Off Road Vehicle.* Includes, but is not limited to, trail bikes, motorcycles, mini bikes, air boats and air cushioned vehicles or golf carts.

(b) *Restricted Uses of Snowmobiles and ATVs*

1. No person shall drive a snowmobile, all-terrain vehicle or off road vehicle on any land under the supervision, management or control of the County Forestry Department that is posted as "closed to unauthorized motor vehicles" or closed in accordance with sub. (2)(d)1 of this section.
2. No person shall operate a snowmobile on any land under the supervision, management or control of the Forest County Forestry Committee except on designated trails or unplowed roads.
3. No person shall drive a snowmobile or all-terrain vehicle at speeds in excess of 10 mph on any portion of an approved snowmobile trail that is posted with a yellow sign indicating "slow", "steep hill", "dip", "turn" or other caution.
4. Operators of a snowmobile or all-terrain vehicle on approved snowmobile trails or approved ATV trails must adhere to all posted speed limits.
5. Operators of a snowmobile or all-terrain vehicle on approved snowmobile trails or approved ATV trails must stop at all locations marked with a red sign indicating "stop".
6. No person shall place unauthorized signs on any property, snowmobile trail or ATV trail administered by the Forestry Committee.
7. No person shall deface, destroy or remove any all-terrain or snowmobile sign posted on any approved all terrain trail or approved snowmobile trail.

8. No person shall deface, destroy or remove any gate, berm, boulders, barricade or bridge on any all-terrain or snowmobile trail.
9. No person shall operate an all-terrain vehicle with tire chains or studded tires on any snowmobile or all-terrain vehicle trail.
10. No person shall operate an all-terrain vehicle on any approved all terrain trail, the Nicolet State Trail or the Wolf River State trail from the official close of the snowmobile trails until May 1, of each year.
11. No person shall operate any motorized vehicle off of any approved all terrain trail, snowmobile trail or established logging road on any Forest County forest property. This activity commonly referred to as "cross country travel" is strictly prohibited on any Forest County forest property.

Notwithstanding other provisions of this ordinance, the Forestry Committee and their agents may, at their discretion, close any and all trails or roads within the County forest boundaries to protect the trails and roads from damage caused by all forms of motorized vehicular travel.

(c) *Restricted Use of Snowmobile and ATV Trails*

1. No person shall operate any four wheel drive vehicle, passenger car, all terrain truck or motorcycle on any state funded snowmobile trail in Forest County, except for snowmobile club trail maintenance activities, without notification to the Forest County Snowmobile Coordinator at County Forestry Department, 200 East Madison Street, Crandon, WI 54520, Phone (715) 478-3475. This subsection shall not apply to any person or persons or their assigns who owns or leases lands abutting that portion of the snowmobile trail or for club trail maintenance activities.
2. No person shall operate any snowmobile or all-terrain vehicle on any approved snowmobile trail until officially opened by the County Snowmobile Coordinator.
3. No person shall operate any snowmobile or all-terrain vehicle on any approved snowmobile trail after such trail is officially closed by the County Snowmobile Coordinator.
4. All-terrain vehicles are not allowed on any state funded snowmobile trail in Forest County except the Nicolet State Trail and Wolf River State Trail.
5. Operation of snowmobiles and all-terrain vehicles by youthful operator is restricted and defined in § 350.05 and 23.33(5), Wis. Stats.

(d) *Gated Roads and Trails*

1. No person shall operate any unauthorized motor vehicle, off road vehicle or all-terrain vehicle on roads or trails which are closed by, but not limited to, being gated, cabled, bermed, barricaded, ditched, embanked, bouldered or posted closed to prohibit motor vehicle travel in accordance with sub. (2)(b)1 of this section.
2. The Forestry Department may authorize, by permit, persons with physical disabilities to use a motorized vehicle as a mode of personal conveyance behind gated roads and trails. A permit is required for disabled persons.
3. No person shall park any vehicle or place any obstruction on the groomed portion of any snowmobile trail or ATV trail.

(3) *Tree stands and Ground Blinds*

- (a) *Tree Stands.* No person shall construct, cause to be constructed, use or occupy any permanent elevated scaffold or other permanent platform or elevated device commonly referred to as a tree stand, on any lands owned or under the control of Forest County. Portable tree stands may be used, provided that they are erected after September 1 of any year and completely removed no later than January 1 of the following year. Portable tree stands shall not, in any manner, be bolted, nailed or screwed to the tree. Portable tree stands shall not cause any permanent damage to the tree in which they are placed. The use of nails, spikes, screws, screw-in steps or other devices to

aid in climbing a tree is prohibited. All portable tree stands must have the owner's name and address attached in such a manner as to be easily read. Tree stands found in violation of this ordinance may be removed and destroyed by authorized agents of Forest County. The cutting of trees, brush or other natural growing plants shall be prohibited to establish what are commonly referred to as shooting lanes.

(b) *Ground Blinds.* A ground blind means a structure, enclosure, or any material, natural or manufactured, placed on the ground to assist in concealing or disguising the user or occupant for the purpose of hunting, photographing, or wildlife viewing. The following types of ground blinds are legal on Forest County Forest Land:

1. *Dead Natural.* These blinds must be completely made of materials natural to the area such as dead leaves, branches, bark or naturally fallen trees. Screws, screw steps, metal spikes, wire, nylon rope or other non-biodegradable materials may not be used to fasten materials together or to trees.
2. *Portable Manufactured.* These blinds must be clearly portable. These blinds can be placed after September 1 of any year and completely removed no later than January 1 of the following year. Fasteners, if used to anchor or attach the blind, cannot damage any living trees and must be removed with the blind.

(c) *Violations.* All tree stands and ground blinds must have the owner's name and address attached in such a manner as to be easily read. Tree stands found in violation of this ordinance may be removed and destroyed by authorized agents of Forest County. The cutting of trees, brush or other natural growing plants shall be prohibited to establish what are commonly referred to as shooting lanes.

#### (4) *Tribal Gathering Rights*

(a) *Permit Required.* Any treaty rights participant interested in gathering firewood, tree bark, maple sap, lodge poles, bows, marsh hay, or other miscellaneous forest products (except fruits, seeds or berries not enumerated in County ordinances), from Forest County owned land shall obtain a County Gathering Permit from the County Forestry Office prior to the exercise of said gathering rights.

(b) *Application and Processing.* The County Forest Administrator shall prepare an appropriate application requesting pertinent information from all treaty rights participants who seek gathering rights. Said application shall be available upon request. Upon receipt of an application, the County shall respond to the gathering permit request no later than fourteen (14) days after receipt of said application. Said response shall either grant or deny the request. Should the request be denied, the reason for said denial shall be set forth in the response of the County, including the basis for said denial with specific reference to the limitations set forth in paragraph (d) of this section. Any application which is incompletely or incorrectly prepared shall be returned within said fourteen (14) days to the applicant with specific directions as to which portion or portions of said applications are defective.

(c) *Rights Granted by Said Permit.* The gathering permit shall indicate the location of the material to be gathered, the volume of the material to be gathered and any additional conditions on the gathering of the material necessary for conservation of timber and miscellaneous forest products on County land, or for public health and safety.

(d) *Denial of Gathering Permit.* The County may not deny a request to gather miscellaneous forest products on Forest County property under the terms of this ordinance unless:

1. The gathering is inconsistent with the forest management plan for said property

2. The gathering will conflict with pre-existing rights of a permittee or other person possessing an approval to conduct activity on the property, including a contractor of the County
3. Or is otherwise inconsistent with the conservation of public health or safety.

(5) *Timber Cuttings*

- (a) "Cultural cuttings" shall include thinnings, release cuttings, sanitation cuttings and improvement cuttings to remove trees of inferior species, form or condition for the purpose of stand improvement. All cultural cuttings on County forests shall require approval of the Committee, and such cuttings shall be in accordance with plans made by, or under the supervision of the Team Leader of the DNR. Materials cut in such operations by the Department shall be used by the Department or given to other public agencies for their use, or sold, as the Committee shall determine. When given to other public agencies, the latter shall pay the County a sum equal to the severance tax thereon.
- (b) "Salvage cuttings" shall include the cutting of timber damaged by fire, storm, insect or disease. Salvage cutting shall be done under procedure specified for cultural cutting or for commercial cutting, as the Committee may decide.
- (c) "Commercial cutting" shall include all cutting where stumpage is sold under contract in which the primary objective of the cutting is the marketing of the timber products, including logs, ties, poles, posts, pulpwood, piling, Christmas trees and boughs, or other forest products.
- (d) Proposed 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 Team Leader or designee of the DNR.
- (e) Contract specifications for each cutting operation pertaining to payment and financial responsibility of the bidder shall be determined by the Committee in consultation with the County Forest Administrator and the Team Leader or designee of the DNR.
- (f) After approval of any sale by the Committee a Notice of Intention to Cut shall be filed with the DNR as provided by § 28.11(6)(b)(3), Wis. Stats. Cutting operations shall not be started until cutting notice approval is received by the County from the DNR.
- (g) All timber sales shall conform with the provisions of § 28.11(6), Wis. Stats.
- (h) Payment for forest products shall be made promptly after billing. Prepayment and other payment arrangements may be adopted with the approval of the Committee.

(Ordinance 05-2009; Ordinance 01-2012; Ordinance 02-92)

**Section 1.07. - Fees, rules and permits.**

- (1) *Fee schedule.* No persons shall use any facility, shelter, land or area for which a fee or charge has been established by the Committee without payment of such a fee or charge.
- (2) *Additional rules.* Rules and regulations may be made governing the use and enjoyment of all lands, structures and property owned, leased or administered by the County and under the management, supervision and control of the Committee. Any person who shall violate such rules or regulations or who refuses to subject himself thereto may be excluded from the use of such facility.
- (3) *Permits.* Any person to whom a permit has been issued by the Committee or its designee shall be bound by the provisions of all ordinances of Forest County as fully as though the same were inserted in each permit.

- (4) *Exceptions.* Nothing in this chapter shall prohibit or hinder the Committee, Forest Administrator, Supervisors, Managers or other authorized agents or any law enforcement officers from performing their official duties.

**Section 1.08. - General offenses.**

- (1) *Sales.* No person shall sell or offer for sale any goods, merchandise or service in any County forest except as authorized by the Committee or its designee and when holding proper permits.
- (2) *Posting bills or advertising.* No person shall distribute or post bills or advertisements in any County forest without written permission of the Committee or its designee.
- (3) *Personal conduct.* No person shall engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance in any County forest.
- (4) *Property of others.* No person shall disturb, molest or remove the property or personal effects of others.
- (5) *Unreasonable noise.* No person shall make or cause to be made any unreasonably loud sounds or noises under circumstances which tend to annoy or disturb others, except that noises customary to accepted County forest activities are permitted.
- (6) *Obstructing.* No person shall knowingly obstruct a Forestry Department employee or any law enforcement officer while the employee or any law enforcement officer is doing any act in an official capacity and with lawful authority. Obstruct includes without limitation knowingly giving false information with intent to mislead the employee or any law enforcement officer in the performance of duty including the issuance of any citation.
- (7) *Destruction and entry.*
- (a) *Deface, remove or destroy.* No person shall disturb, molest, deface, remove or destroy any trees, shrubs, plants, or other natural growth, or natural or archeological feature; disturb or remove shoreline rip-rap; carve on any rocks, archeological or geological features, signs, walls or structures; drive nails in trees or move, deface or vandalize in any manner any structures including buildings, signs, fences, tables or other County property. This paragraph shall be deemed to prohibit any natural growth from being cut or cleared to create shooting lanes. Edible fruits, nuts, wild mushrooms and wild asparagus may be picked or gathered without a permit.
- (b) *Prospecting prohibited.*
1. In this subsection, the term "prospecting" means exploring for the presence of rocks, minerals or fossils by means of relocation, removal or displacement of soil or other organic or inorganic materials.
2. No person may collect, or engage in prospecting for, rocks, minerals, or fossil materials located on any Forest County Forest land or the bed of any body of water located thereon.
- (c) *Entry and manipulation.* No person shall enter in any way any building, installation or area that may be under construction or locked or closed to public use or molest or manipulate any water control structure, dam or culvert or enter or be upon any building, installation or area after the posted closing time or before the posted opening time or contrary to posted notice in any County forest.
- (8) *Cleaning and refuse.*
- (a) *Washing.* The washing of motor vehicles, persons, pets, cooking utensils or clothing is prohibited in any lakes, streams or on any picnic areas, boat landings, parking lots or roadways or within 50 feet of any pump, fountain or drinking water outlet in any County forest.
- (b) *Refuse.*
1. No person shall deposit or leave any garbage, sewage, or other waste material upon any body of water or other area in any County forest except in an appropriate solid waste or recycling container.

2. No person shall deposit or leave any residential or commercial waste material in any waste receptacle or other area in any County forest.

(9) *Vehicular traffic.*

- (a) No person shall operate any vehicle at a speed contrary to official traffic signs in any County forest.
- (b) No person shall operate a motor vehicle in an abusive, boisterous, unreasonably loud or otherwise disorderly manner under circumstances which tend to cause or provoke a disturbance. Such conduct shall include, but not be limited to, conduct which tends to disturb, annoy or endanger one or more persons because of unnecessary or deliberate spinning of wheels, squealing of tires, revving of engine, blowing the horn, causing engine to backfire or causing vehicle while commencing to move or in motion to raise one or more of its wheels, tracks or skis off the ground or operate at an unreasonable or imprudent speed in any County forest.
- (c) No person shall operate a motor vehicle in any County forest or on any forest road or trail closed by a gate, soil berm, barricade or other device designed to block access to such area or road or posted as closed, unless such party is authorized by permit or contract issued pursuant to this chapter. The Committee or its designee may authorize special motor vehicle use areas or trails and establish rules and regulations for the use thereof by the general public. The Committee or its designee may authorize by permit persons with physical disabilities to use a designated motor vehicle as a mode of personal conveyance. A permit is not required for disabled persons using a motorized wheelchair. A motor vehicle shall be defined as any self-propelled device for moving persons or property or pulling implements from one place to another, excluding a self-propelled motorized wheelchair or similar device designed solely to aid the mobility of a physically disabled person.
- (d) No person shall operate any vehicle for recreational use or other purposes in such a manner as to cause soil erosion or other damage to County property, except that all-terrain vehicles as defined in § 340.01(2g), Wis. Stats., are permitted on trails specifically designated for such use in accordance with posted regulations.

(10) *Parking.*

- (a) No person shall park, stop or leave standing, whether attended or unattended, any vehicle or obstruction:
  1. In any manner as to block, obstruct or limit the use of any road, trail, sidewalk, parking lot, waterway or winter sport facility.
  2. Outside of any area provided for such purposes when it is practical to use such areas.
  3. Contrary to posted notice.
- (b) No person shall park, stop or leave standing any vehicle, whether attended or unattended, whether temporarily or otherwise, in areas reserved, by official traffic signs indicating the restriction, for vehicles displaying registration plates or identification cards which designates the vehicle as a vehicle used by a physically disabled person as defined in § 346.505, Wis. Stats.
- (c) No person shall park, stop or leave standing any vehicle, whether attended or unattended, whether temporary or otherwise, in areas designated as fire lanes with signs.
- (d) The forfeiture for a violation of paragraph (a) shall be \$10.00. The forfeiture for a violation of paragraphs (b) or (c) shall be \$30.00. In the event that the violator fails to appear in court on the date and time indicated on the citation, or fails to enter a "not guilty" plea by mail by the court date, or fails to stipulate to the violation by posting the forfeiture required in the office of the Forest County Clerk of Courts at the address indicated on the citation by the court date, said forfeiture shall be ordered by the court in default and shall be increased by the amount of \$30.00 as a penalty for failure to pay in a timely fashion, for a total forfeiture of \$40.00 for a violation of paragraph (a) and \$60.00 for a violation of paragraph (b) or (c).

- (e) The provisions of § 345.28, Wis. Stats., and any subsequent amendments thereto, are specifically adopted and incorporated herein by reference. If the alleged violator fails to pay the amount of the forfeiture as provided herein, or to appear in court, the County may take any or all of the actions authorized under § 345.28, Wis. Stats.
  - (f) The registered owner of a vehicle is deemed to have authorized the parking of a vehicle found parked in violation of this subsection.
- (11) *Abandoned vehicles.* No person shall leave any vehicle unattended without approval of the Committee or its designee for more than 48 hours under such circumstance as to cause the vehicle to reasonably appear to have been abandoned. An abandoned vehicle shall constitute a public nuisance and be subject to removal at the owner's expense. Removal of the vehicle shall not relieve the owner or the operator of the vehicle from any penalty incurred because of such violation.
  - (12) *Fires.* No person shall abandon any fire or leave any fire unattended or throw away any matches, cigarettes, cigars, pipe ashes or embers without first extinguishing them. No person shall start, tend or use in any manner any fire contrary to posted notice in any County forest.
  - (13) *Fireworks.* No person shall possess or discharge any fireworks regulated by § 167.10(1), Wis. Stats., in any County forest.
  - (14) *Animals in public facilities.* No person shall allow a dog or other animal to enter any public buildings or picnic areas in any County forest, except for dogs assisting physically impaired persons or as authorized by the Committee.
  - (15) *Animal feces.* The owner or person having immediate care, custody or control of a dog or other animal shall promptly remove and dispose of, in a sanitary manner, any feces left or deposited by the animal within any trailhead, parking area, day-use area, camping area, or on a trail.
  - (16) *Horses.*
    - (a) The owner or person having immediate care, custody or control of a horse or other beast of burden shall promptly remove and dispose of, in a sanitary manner, any feces left or deposited by the animal in any designated parking, day use or camping area.

**Section 1.09. - Legal action.**

- (1) *Criminal action.* Whenever an arrest shall have been made for unlawful cutting on land owned by Forest County or on which the County holds a tax certificate, the District Attorney shall take appropriate action under § 26.18, Wis. Stats.
- (2) *Seizure.* Whenever forest products are found known to have been unlawfully severed from County forest lands, the Sheriff shall, on satisfactory evidence, seize such materials pursuant to § 26.06, Wis. Stats., for use by the County or sale as the Committee may determine.
- (3) *Civil action.* Whenever evidence of unlawful cutting on Forest County lands shall be lodged with the Corporation Counsel, who shall, on recommendation of the Committee, bring suit to recover damages as provided by § 26.09, Wis. Stats. The Committee may bring civil suit against parties responsible for forest fire damage under § 26.21, Wis. Stats.
- (4) *Cooperation.* The Committee and its appointed administrative agent shall secure information and seek the cooperation of the State, County and town officers in securing information required for legal action.
- (5) *Jurisdiction over minors and underage persons.* Any and all County ordinances conferring jurisdiction on the Circuit Court for persons 12 years of age or older, including all subsequent amendments and/or revisions thereto, are hereby adopted and by reference made a part of this section.

- (6) *Authority to issue a citation.* Citations for violations of this chapter may be issued by any law enforcement officer or by the Administrator, per Forest County Ordinance 01-99, and those administrative, supervisory or managerial Department personnel delegated by the Administrator and listed below:

Forest Administrator;

Assistant Administrator

County Forester;

Natural Resources Technician

Trails Technician

**Section 1.10. - Schedule of cash deposits, County forests.**

Section	Title	Deposit
1.06(1)	Recreation Use	\$20.00
1.06(2)	Snowmobile and ATV Use	100.00
1.06(3)	Tree Stands and Ground Blinds	50.00
1.06(4)	Tribal Gathering Rights	50.00
1.07	Fees, Rules and Permits	50.00
1.08(1)	Sales	40.00
1.08(2)	Posting Bills or Advertising	40.00
1.08(3)	Personal Conduct	40.00
1.08(4)	Property of Others	50.00
1.08(5)	Unreasonable Noise	20.00
1.08(6)	Obstructing	40.00
1.08(7)(a)	Deface, Remove or Destroy (Plus Restitution for Damages)	50.00
1.08(7)(b)	Prospecting Prohibited	50.00
1.08(7)(c)	Entry and Manipulation	30.00
1.08(8)(a)	Washing	20.00

1.08(8)(b)	Refuse	50.00
1.08(9)	Vehicular Traffic	40.00
1.08(11)	Abandoned Vehicles	40.00
1.08(12)	Fires	30.00
1.08(13)	Fireworks	30.00
1.08(14)	Animals in Public Facilities	10.00
1.08(15)	Animal Feces	10.00
1.08(16)	Horses	10.00

## Chapter 2 – COUNTY PARKS

### Section 2.01. - General, administrative and terms.

(1) *Terms.*

- (a) *Forestry and Recreation Committee.* The term "Forestry and Recreation Committee" is the committee of jurisdiction for the Forest County Forestry and Recreation Department, hereafter referred to as the "Committee" under this subchapter.
- (b) *County park.* The terms "County park" and "park" mean all lands and water previously and subsequently acquired by the County for park or recreational purposes or placed under the jurisdiction of the Committee and including without limitation, parks, beaches, campgrounds and privately owned lands, the use of which has been granted or leased to the County for park, recreational or like public purposes under this subchapter.

(2) *Scope.*

The provisions of this subchapter shall apply to all lands, structures and property owned, leased or administered by the County and under the management, supervision and control of the Committee.

(3) *Forest Administrator.* The Forest County Forestry and Recreation Department, whose head shall be the Forest Administrator (Administrator), shall be the administrative or executive agency of the Committee. The Administrator shall be the authorized agent of the Committee as referred to in this subchapter.

(4) *Closing hours.* No person shall enter or be in any County park between 10:00 p.m. and 6:00 a.m., except registered campers in or en-route to designated campgrounds; persons transporting watercraft to and from designated boat landings are permitted at any hour.

(5) *Fees, charges and deposits.*

- (a) *Fee schedule.* No person shall use any facility, shelter, land or area for which a fee or charge has been established by the Committee without payment of such a fee or charge.
- (b) *Deposits.* Shelters or facilities will be reserved upon completion and approval of a use agreement; payment of the rental fee; and payment of the security deposit. The Security deposit will be subject to retention, in whole or part, by the Committee, if the shelter or facility has been subjected to abuse; inadequately cleaned; or used in violation of current facility use regulations.

(6) *Additional rules, permits, exceptions.*

- (a) *Additional rules.* Rules and regulations may be made governing the use and enjoyment of all lands, structures and property owned, leased or administered by the County and under the management, supervision and control of the Committee. Any person who shall violate such rules or regulations or who refuses to subject himself thereto may be excluded from the use of such facility.
- (b) *Permits.* Any person to whom a permit has been issued by the Administrator shall be bound by the provisions of all ordinances of Forest County as fully as though the same were inserted in each permit.
- (c) *Exceptions.* Nothing in this chapter shall prohibit or hinder the Committee, its Administrator, Supervisors, Park Managers, Rangers or other authorized agents or any law enforcement officers from performing their official duties.

(7) *Public utilities and private construction.*

- (a) *Public utilities.* The location of all sewers and receivers, gas pipes, water pipes, stopcock boxes, hydrants, lamp posts, telegraph, telephone and electric power posts and lines, manholes, conduit and pumps within any park or parkway shall be subject to the jurisdiction and control of the

Committee; and their construction, erection, repair or relocation shall be undertaken only after written permission is received from the Committee.

(b) *Private construction.*

1. No curb, whether stone, concrete or grass, shall be cut for the purpose of constructing a private driveway across any parkway border nor for any other purpose, without written permission of the Committee.
2. The location, width, grade and construction of all paths, driveways and roadways across any sidewalk border along any parkway shall be subject to the approval of and constructed only after written permission is obtained from the Committee.
3. Every person who receives a permit to open a trench, cut a curb or deposit materials in or upon any park or parkway shall at all times after such work has been commenced or materials deposited and until the same has been completed and all accumulations of materials resulting from such work have been removed so guard and protect the same that persons driving or passing along the roadway or sidewalk in the vicinity of the place where the work is being done shall not be likely to meet with any accident therefrom; and shall from sunset to sunrise while such work is in progress cause the same to be securely fenced and guarded by a warning light or lights placed in a conspicuous position and so secured that the same shall not be extinguished.

**Section 2.02. - Public meetings and sales.**

(1) *Public meetings.*

- (a) Any person desiring to hold a public meeting of any kind in any park shall first obtain written permission from the Committee or its authorized agent. Permission shall be applied for not less than 48 hours prior to the scheduled event.
- (b) Permission will be granted for the purpose of holding any lawful public assembly in accordance with published regulations governing the reasonable use of parks.

(2) *Sales.* No person shall sell or offer for sale any goods, merchandise or service in any park, except as authorized by the Committee and when holding proper permits.

(3) *Soliciting boat rides.* No person shall use in any manner the dock, pier, wharf, boat landing, mooring facilities in or the waters in or immediately adjacent to any County park for the purpose of soliciting rides of any kind unless authorized by the Committee.

(4) *Posting bills or advertising.* No person shall distribute or post bills or advertisements in any park without written consent of the Committee.

**Section 2.03. - Personal conduct and nuisances.**

(1) *Personal conduct.* No person shall engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance in any County park.

(2) *Property of others.* No person shall disturb, molest or remove the property or personal effects of others.

(3) *Unreasonable noise.* No person shall make or cause to be made any unreasonably loud sounds or noises under circumstances which tend to annoy or disturb others. No person shall operate a loudspeaker within any County park except upon written consent issued by the Committee or its authorized agent upon such terms and conditions as will ensure that the public peace and order will not be unreasonably disturbed.

(4) *Jumping and diving.* No person shall jump, dive, or otherwise launch themselves from any bridge or approach thereto into any body of water within any County park.

(5) *Docks and piers.* No person shall use docks or piers adjacent to any boat landing in any manner as to obstruct or hinder the launching, landing, loading or unloading of watercraft.

- (6) *Obstructing.* No person shall knowingly obstruct a park employee or any law enforcement officer while the employee or law enforcement officer is doing any act in an official capacity and with lawful authority. Obstruct includes without limitation knowingly giving false information with intent to mislead the employee or law enforcement officer in the performance of duty including the issuance of any citation.

**Section 2.04. - Destruction, entry, cleaning and refuse.**

(1) *Destruction and entry.*

- (a) *Deface, remove or destroy.* No person shall disturb, molest, deface, remove or destroy any trees, shrubs, plants, or other natural growth, or natural or archeological feature; disturb or remove shoreline rip-rap; carve on any rocks, archaeological or geological features, signs, walls or structures; drive nails in trees or move, deface or vandalize in any manner any structures including buildings, signs, fences, tables or other County property. Edible fruits, nuts, wild mushrooms and wild asparagus may be picked or gathered without a permit.
- (b) *Prospecting prohibited.*
1. In this subsection, the term "prospecting" means exploring for the presence of rocks, minerals or fossils by means of relocation, removal or displacement of soil or other organic or inorganic materials.
  2. No person may collect, or engage in prospecting for, rocks, minerals, or fossil materials located on any Forest County Park land or the bed of any body of water located thereon.
- (c) *Entry and manipulation.* No person shall enter in any way any building, installation or area that may be under construction or locked or closed to public use or molest or manipulate any water control structure, dam or culvert or enter or be upon any building, installation or area after the posted closing time or before the posted opening time or contrary to posted notice in any County park.

(2) *Cleaning and refuse.*

- (a) *Washing.* The washing of cars, persons, pets, cooking utensils or clothing is prohibited in any lakes, streams or on any picnic grounds, playgrounds, recreation areas, boat landings, parking lots or roadways or within 50 feet of any pump, fountain or drinking water outlet in any County park. The washing of persons, cooking utensils and clothing shall be permitted at designated campgrounds or at other authorized and posted locations.
- (b) *Fish and game cleaning.* No person shall clean, butcher, scale or skin any fish, game, livestock or poultry in any County park except that fish may be cleaned at designated fish cleaning tables provided for such purposes. Refuse from such cleaning operations shall be suitably wrapped or packaged and deposited in the refuse containers provided for that purpose.
- (c) *Refuse.*
1. No person shall deposit or leave any garbage, sewage, or other waste material upon any body of water or other area in any County park except in an appropriate solid waste or recycling container.
  2. No person shall upset or turn over the contents of any solid waste or recycling container in any County park.
  3. Charcoal residue or wood ash shall be left in a grate or fireplace until cool or placed in receptacles provided for such purposes.
  4. No person shall deposit or leave any residential or commercial waste material in any waste receptacle or other area in any County park.

## Section 2.05. - Vehicles.

### (1) *Vehicular traffic.*

- (a) No person shall operate any vehicle at a speed in excess of 5 mph or contrary to official traffic signs in any County park.
- (b) No person shall fail to stop when directed to do so by a park employee or law enforcement officer.
- (c) No person shall operate a motor vehicle for any purpose other than entering or leaving their campsite.
- (d) No person shall operate a motor vehicle in an abusive, boisterous, unreasonably loud or otherwise disorderly manner under circumstances which tend to cause or provoke a disturbance. Such conduct shall include, but not be limited to, conduct which tends to disturb, annoy or endanger one or more persons because of unnecessary drive-throughs or deliberate spinning of wheels, squealing of tires, revving of engine, blowing the horn, causing engine to backfire or causing vehicle while commencing to move or in motion to raise one or more of its wheels, tracks or skis off the ground or operate at an unreasonable or imprudent speed in any County park.
- (e) No person shall operate any unlicensed/un-registered motor vehicle in any County park.
- (e) No person shall operate or park any motor vehicle except as provided in this subchapter, upon any bridle path, hiking trail, beach area, playground, picnic area or any other area other than established roads, parking areas, boat ramps and service areas or contrary to posted notice or within any park seasonally closed to vehicular traffic.
- (f) No person shall operate a snowmobile as defined in § 340.01(58a), or an ATV as defined in § 340.01(2g) or a UTV as defined in § 23.33(1)(ng) Wis. Stats., in any County park, except on trails approved by, or user authorized by, the Committee.

### (2) *Parking.*

- (a) No person shall park, stop or leave standing, whether attended or unattended, any vehicle, obstruction or watercraft:
  - 1. In any manner as to block, obstruct or limit the use of any road, trail, sidewalk, parking lot, boat landing, waterway or winter sport facility.
  - 2. Outside of any area provided for such purposes when it is practical to use such areas.
  - 3. Contrary to posted notice.
- (b) No person shall park, stop or leave standing any vehicle, whether attended or unattended, whether temporarily or otherwise, in areas reserved, by official traffic signs indicating the restriction, for vehicles displaying registration plates or identification cards which designates the vehicle as a vehicle used by a physically disabled person as defined in § 346.505, Wis. Stats.
- (c) No person shall park, stop or leave standing any vehicle, whether attended or unattended, whether temporary or otherwise, in areas designated as fire lanes with signs or marked curbs.
- (d) The forfeiture for a violation of paragraph (a) shall be \$10.00. The forfeiture for a violation of paragraph (b) or (c) shall be \$30.00. In the event that the violator fails to appear in court on the date and time indicated on the citation, or fails to enter a "not guilty" plea by mail by the court date, or fails to stipulate to the violation by posting the forfeiture required in the office of the Forest County Clerk of Courts, at the address indicated on the citation by the court date, said forfeiture shall be ordered by the court in default and shall be increased by the amount of \$30.00 as a penalty for failure to pay in a timely fashion, for a total forfeiture of \$40.00 for a violation of paragraph (a) and \$60.00 for a violation of paragraph (b) or (c).
- (e) The provisions of § 345.28, Wis. Stats., and any subsequent amendments thereto, are specifically adopted and incorporated herein by reference. If the alleged violator fails to pay the amount of

the forfeiture as provided herein, or to appear in court, the County may take any or all of the actions authorized under § 345.28, Wis. Stats.

- (f) The registered owner of a vehicle is deemed to have authorized the parking of a vehicle found parked in violation of this subsection.
- (3) *Abandoned vehicles.* No person shall leave any vehicle unattended without approval of the Committee or its authorized agent for more than 48 hours under such circumstance as to cause the vehicle to reasonably appear to have been abandoned. An abandoned vehicle shall constitute a public nuisance and be subject to removal at the owners expense. Removal of the vehicle shall not relieve the owner or the operator of the vehicle from any penalty incurred because of such violation.

#### **Section 2.06. - Fires, fireworks, firearms, projectiles.**

- (1) *Fires.*
  - (a) No person shall start, tend or maintain any fire except at designated fireplaces, fire rings or permanent grills within any county park.
  - (b) Fires for cooking or heating may be made in portable metal stoves, heaters, grills or fireplaces at picnic areas or designated campgrounds.
  - (c) No person shall abandon any fire or leave any fire unattended or throw away any matches, cigarettes, cigars, pipe ashes or embers without first extinguishing them. No person shall start, tend or use in any manner any fire contrary to posted notice in any county park.
  - (d) No person shall deposit or burn garbage, debris, refuse, or anything other than clean firewood.
- (2) *Fireworks.* No person shall possess or discharge any fireworks regulated by §167.10(1), Wis. Stats. in any County park except that exhibitions of fireworks given under the direction or by the permission of the Committee or its authorized agent are permitted.
- (3) *Firearms.*
  - (a) No person shall discharge any firearm as defined in §167.31(1)(c), Wis. Stats., or airgun as defined in §939.22, Wis. Stats., or any bow in any County park..
  - (b) Unless other facts and circumstances that indicate a criminal or malicious intent on the part of the person apply, a person is not in violation of, and may not be charged with a violation of, this section for loading, carrying, or going armed with a firearm, without regard to whether the firearm is loaded or is concealed or openly carried.
  - (c) This section does not apply and may not be enforced if the actor's conduct is justified or, had it been subject to a criminal penalty, would have been subject to a defense described in §939.45, Wis. Stats.
  - (d) No person, except a law enforcement officer, shall enter any building, facility, or location open to the public that is restricted by state law or posted as a no firearms or concealed weapons location while possessing, carrying, or concealing a firearm or weapon, whether with or without a state permit.
- (4) *Throwing or shooting projectiles.* No person shall throw or shoot an arrow, knife, stone, paintball or other projectile, by hand or any other means, in any County park.

#### **Section 2.07. - Animals.**

- (1) *Animals in public facilities.*
  - (a) *Restricted.* No person having immediate custody, care or control of a dog or other animal, shall permit said animal to enter and/or remain in any public park building, bathing beach or playground safety surface area in any County park, except assistance dogs or animals being used or trained to assist emergency services workers or as authorized by the Commission.
  - (b) *Definitions.* The following terms shall have the meanings indicated:

*Assistance dog.* Any dog that has been or is being trained as a guide dog, hearing dog, or service dog. Such terms are further defined as follows:

*Guide dog.* Any dog that has been or is being specially trained to aid a particular blind or visually impaired person.

*Hearing dog.* Any dog that has been or is being specially trained to aid a particular deaf or hard of hearing person.

*Service dog.* Any dog that has been or is being specially trained to aid a person with a disability other than sight or hearing.

- (2) *Animals running at large.* No person shall allow a dog or other animal to run at large in any County park. The animal shall be considered as running at large unless it is on a leash no more than 8 feet in length, is in or upon a vehicle, is in or on the property of its owner or another who does not object to the presence of such animal.
- (3) *Howling animals.* No person shall own, keep, possess or harbor a dog or other animal in any County park which by frequent or habitual howling, yelping, barking or wailing disturbs other persons.
- (4) *Animal feces.*
  - (a) The owner or person having immediate care, custody or control of a dog or other animal shall promptly remove and dispose of, in a sanitary manner, any feces left or deposited by the animal upon any County park.
  - (b) No person shall permit a dog or other animal to be in any County park unless such person has, in his immediate possession, an appropriate means of removing animal feces.
- (5) *Horses.*
  - (a) No person shall ride or use a horse or other beast of burden in any manner in any County park, except on designated bridle trails or for events authorized by the Committee.
  - (b) No person shall ride or use a horse or other beast of burden in a careless, negligent or reckless manner so as to create a nuisance or to endanger the life, property or person of others.
- (6) *Hunting and trapping.*
  - (a) *Restricted.* No person shall take, catch, kill, hunt, trap, pursue or otherwise disturb any wild animals or birds in any County park, except that waterfowl, as that term is defined herein, may be hunted from a blind, as that term is defined herein, in accordance with applicable State statutes and applicable provisions of the Wisconsin Administrative Code setting forth regulations of the Department of Natural Resources, placed below the ordinary high watermark, as that term is defined herein. A blind may be established not more than seven days prior to the opening of the waterfowl hunting season and must be removed by the owner within seven days after the close of the season. Any blind on park property used in hunting waterfowl must bear the name, address, and phone number of the owner affixed permanently to the blind in lettering one inch square or larger.
  - (b) *Definitions.* The following terms shall have the meanings indicated:

*Blind.* Any permanent structure used in hunting waterfowl, which is not removed at the end of hunting hours each day.

*Ordinary high watermark.* The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark, such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation or other easily recognized characteristic. Where the bank or shore at any particular place is of such character that it is difficult or impossible to ascertain where the point of ordinary high-water is, recourse may be had to the opposite bank of a stream or to other places on the shore of a lake or flowage to determine whether a given stage of water is above or below the ordinary high watermark.

*Waterfowl.* Includes wild geese, brant, wild ducks, rails, coots, gallinules, jacksnipe, woodcock, plovers, sandpipers and wild swan.

- (c) *Penalty.* Violations of this subsection shall be punishable as provided in Sec. 2.14 of this chapter relating to hunting and trapping violations.

### **Section 2.08. - Athletics.**

- (1) *Golf and archery.* No person shall use golf or archery equipment within any County park or parkway except upon golf facilities or archery ranges established by the Committee.
- (2) *Roller skates, skateboards, and scooters.* No person shall ride, push or travel upon roller skates, in-line skates, skateboards, or scooters within any public buildings or on any facilities not specifically intended for such use including, but not limited to: tennis courts, benches, tables, bleachers or on docks and piers adjacent to any boat landing within any County park, except in designated areas and in accordance with posted regulations.

### **Section 2.09. - Beaches.**

- (1) *Boundary buoys.* No person shall disturb or molest a boundary buoy or marker in any swimming beach in any County park or moor or cause to be within that area of water enclosed by boundary buoys as per Sec. 2.11 of this document.
- (2) *Beach athletics.* Except in locations designated for such purpose, no person shall engage in any athletic game or sport or in any activity upon a bathing beach or in the water when injury or inconvenience to others might result therefrom.
- (3) *Bathing dress.* No swimmer or bather shall enter the water or onto any bathing beach unless clothed in a suitable bathing dress or suit.
- (4) *Changing clothing.* No person shall change clothes, except in beach houses or other enclosed places.

### **Section 2.10. - Camping.**

- (1) *Definitions.* The following terms shall have the meanings indicated:

*Campground.* Any tract of land designated exclusively for camping.

*Camping or camp.* The use of a shelter such as a tent, trailer, motor vehicle, tarpaulin, bedroll or sleeping bag for temporary residence or sleeping purposes.

*Camping party.* Any individual, family, or nonfamily group occupying a campsite.

*Camping unit.* Any single shelter used for a camp by a camping party.

*Campsite.* A segment of a campground which is designated for nightly camping use by a camping unit or camping party.

*Seasonal Campsite.* A campsite which is designated for camping use by a camping unit or camping party, for the open season of a campground.

*Monthly Campsite.* A campsite which is designated for camping use by a camping unit or camping party, for a 4 week period.

*Closed shelter.* Any building or structure capable of being closed to public access and reserved for public or private group activities.

- (2) *Camping regulations.*

- (a) *Camping permit.* No person shall set up camp prior to completing and displaying a camping permit. All camping fees shall be prepaid for the permit period prior to occupying the campsite as provided in subsection 2.01(5)(a) of this code relating to a fee or charge established by the Committee.

- (b) *Camping limited, designated campgrounds.* No one person shall camp and no camping unit shall remain in a campsite for a period greater than 14 consecutive days.
- (c) *Campsite changes.* No camping party shall move from its assigned campsite to another campsite without prior approval.
- (d) *Camping permit expiration.* All camping permits expire at 1 p.m. on the last day of the permit period. If a camping party would like to stay additional days, within the 14 day limit, a new permit must be obtained by 11 a.m.
- (e) *Campsite entry hours.* No camping party shall start setting up or taking down its camping unit between the hours of 10 p.m. and 6 a.m., unless ordered to leave the park.
- (f) *Campsite parking.* No person shall park any motor vehicle outside the parking area designated at each campsite.
- (g) *Campsite reservations.* Campsite reservations will be accepted only for seasonal campsites. The reservation policy will be set by the Committee. The Seasonal Camper policy is hereby adopted and by reference made a part of this section.
- (h) *Campsite capacity.* Excessive vehicle parking will not be allowed. Park workers and any law enforcement officer reserve the right to ask that vehicles be parked in the parking lot.
- (i) *Camping contrary to posted notice.* No person shall camp on any lands under the management, supervision or control of the Committee contrary to posted notice.
- (j) *Camping violations.* Violation of any State law or any rules of the Committee by a member of a camping party is cause for revocation of the camping permit.
- (k) *Campground quiet hours.* No person shall make or cause to be made any unreasonable sounds or noises in or adjacent to any designated campground as provided in subsection 2.03(3) of this chapter between the hours of 10:00 p.m. and 6:00 a.m.

**Section 2.11. - Boating.**

- (1) *Boating Regulations.* Possessing a boat, including every description of watercraft, used or capable of being used as transportation on water are prohibited within in the limits of any swimming area as defined by regulatory buoys and or signs.
- (2) *State boating and water safety laws adopted.* The statutory provisions describing and defining regulations with respect to water traffic, boats, boating and related water activities and safety found in § 30.68, Wis. Stats., Prohibited Operation, are hereby adopted and by reference made a part of this section.

**Section 2.12. - Jurisdiction over minors and underage persons.**

Any and all County ordinances conferring jurisdiction on the Circuit Court for persons 12 years of age or older, including all subsequent amendments and/or revisions thereto, are hereby adopted and by reference made a part of this section.

**Section 2.13. - Legal action.**

- (1) *Civil action.* Whenever an arrest shall have been made or any violation shall occur, the District Attorney shall prosecute as provided by law.
- (2) *Arrest powers.* Any law enforcement officer of the County or any of its municipal subdivisions may without a warrant arrest any offender whom he may detect in the violation of any of the provisions of this chapter and take the person so arrested immediately before a magistrate having competent jurisdiction and he shall have at all times the right to enter the premises of any building, structure or enclosure in any park or parkway, including such grounds, buildings, structures or enclosures which

may be leased or set aside for private or exclusive use of any individual or group of individuals for the purpose of arresting violators and may use all necessary means to attain that end.

(3) *Citation.*

(a) *Authority to issue.* Citations for violations of this chapter may be issued by any law enforcement officer or by the Administrator, per Forest County Ordinance 01-99, and those administrative, supervisory or managerial Forest County Forestry and Recreation Department personnel delegated by the Administrator and listed below:

Natural Resources Technician;

Park Supervisor;

Park Manager;

Trails Technician

(b) *Format.* The citation issued for violations of this chapter shall be Wisconsin Citation and Complaint (Non Traffic), or equivalent, except for certain violations of Sec. 12, where State Form GF-116, "Wisconsin Uniform Citation Underage Alcohol Offenses or Harassment" or current equivalent, shall be used.

**Section 2.14. - Schedule of cash deposits, County parks.**

Section	Title	Deposit
2.01(4)	Closing Hours	\$30.00
2.01(5)	Fees, Charges and Deposits	20.00
2.01(7)(b)	Private Construction	50.00
2.02(1)	Public Meetings	40.00
2.02(2)	Sales	40.00
2.02(3)	Soliciting Boat Rides	40.00
2.02(4)	Posting Bills or Advertising	40.00
2.03(1)	Personal Conduct	40.00
2.03(2)	Property of Others	50.00
2.03(3)	Unreasonable Noise	20.00

2.03(4)	Jumping and Diving	20.00
2.03(5)	Docks and Piers	10.00
2.03(6)	Obstructing	40.00
2.04(1)(a)	Deface, Remove or Destroy (Plus Restitution for Damages)	50.00
2.04(1)(b)	Prospecting Prohibited	50.00
2.04(1)(c)	Entry and Manipulation	30.00
2.04(2)(a)	Washing	20.00
2.04(2)(b)	Fish and Game Cleaning	20.00
2.04(2)(c)	Refuse	50.00
2.05(1)	Vehicular Traffic	40.00
2.05(3)	Abandoned Vehicles	40.00
2.06(1)	Fires	30.00
2.06(2)	Fireworks	30.00
2.06(3)	Firearms	50.00
2.06(4)	Throwing or Shooting Projectiles	30.00
2.07(1)	Animals in Public Facilities	10.00
2.07(2)	Animals Running at Large	10.00
2.07(3)	Howling Animals	10.00
2.07(4)	Animal Feces	10.00

2.07(5)	Horses	10.00
2.07(6)	Hunting and Trapping	50.00
2.08	Athletics	10.00
2.09(1)	Boundary Buoys	50.00
2.09(2)	Beach Athletics	10.00
2.09(3)	Bathing Dress	10.00
2.09(4)	Changing Clothing	10.00
2.10(2)(a)	Camping Permit	20.00
2.10(2)(b)	Camping Limited, Designated Campgrounds	20.00
2.10(2)(c)	Campsite Changes	10.00
2.10(2)(d)	Camping Permit Expiration	10.00
2.10(2)(e)	Campsite Entry Hours	10.00
2.10(2)(f)	Campsite Parking	10.00
2.10(2)(h)	Campsite Capacity	10.00
2.10(2)(i)	Camping Contrary to Posted Notice	20.00
2.10(2)(k)	Campground Quiet Hours	20.00
2.11(1)	Boating Regulations	30.00
2.11(2)	State Boating and Water Safety Laws Adopted	50.00

## Chapter 3 - CONSTRUCTION AND EFFECT OF ORDINANCES

### Section 3.01. - Rules of construction.

- (1) In the construction of this Code, the following rules shall be observed unless such construction would be inconsistent with the manifest intent of the ordinance:
  - (a) *Wisconsin Statutes.* All references to "Wisconsin Statutes" or "Wis. Stats." shall mean the current Wisconsin Statutes and their successor statutes.
  - (b) *Gender, singular and plural.* Every word in this Code and in any ordinance imparting the masculine gender may extend and be applied to females as well as males, and every word imparting the singular number only may extend and be applied to several persons or things as well as to one person or thing; provided these rules of construction shall not be applied to any provision which contains any express language excluding such construction or when the subject matter or context of such provision may be repugnant thereto.
  - (c) *Person.* The word "person" extends and applies to natural persons, firms, corporations, associations, partnerships or other bodies politic and to all entities capable of being sued, unless plainly inapplicable.
  - (d) *Acts of agents.* When a provision requires an act to be done which may, by law, as well be done by an agent as by the principal, such requirement shall be construed to include all such acts when done by an authorized agent.
  - (e) *Authority to issue.* Citations for violations of this code may be issued by County officials which pursuant to Forest County Ordinance 01-99
- (2) *Liability of vehicle owners.*
  - (a) *Definition.* In this section, with respect to a vehicle that is registered, or is required to be registered, by a lessee of the vehicle under §341, Wis. Stats., "owner" means the lessee of the vehicle.
  - (b) *Liability.*
    1. If a vehicle is found in violation of any part of this code, and the department cannot locate the operator of the vehicle, the owner of the vehicle shall be presumed liable for violation.
    2. Notwithstanding par. 1., no owner of a vehicle involved in a violation may be convicted under this section if the person who, at the time of the violation, is operating the vehicle or who has the vehicle under his or her control has been convicted for the violation.
    3. Service may be made by certified mail addressed to the vehicle owner's last-known address.
  - (c) *Defenses.* The following are defenses to the imposition of liability under sec. (b):
    1. That a report that the vehicle was stolen was given to the department before the violation occurred or within a reasonable time after the violation occurred.
    2. If the owner of the vehicle provides the department with the name and address of the person operating the vehicle or having the vehicle under his or her control at the time of the violation and sufficient information for the department to determine that probable cause does not exist to believe that the owner of the vehicle was operating the vehicle at the time of the violation, then the owner of the vehicle shall not be liable under sub. (1m) or s. 27.01 (7) (b).
    3. If the vehicle is owned by a lessor of vehicles and at the time of the violation the vehicle was in the possession of a lessee, and the lessor provides the department with the information required under §343.46 (3), Wis. Stats., then the lessee and not the lessor shall be liable under sec. (b).

4. If the vehicle is owned by a dealer, as defined in §340.01 (11), Wis. Stats, (intro.) but including the persons specified in §340.01 (11) (a) to (d), Wis. Stats., and at the time of the violation the vehicle was being operated by or was under the control of any person on a trial run, and if the dealer provides the department with the name, address and operator's license number of the person operating the vehicle, then that person, and not the dealer, shall be liable under sec. (b).

**Section 3.02. - Conflict and separability.**

- (1) *Conflict of provisions.* If the provisions of the different chapters of this Code conflict with or contravene each other, the provisions of each chapter shall prevail as to all matters and questions arising out of the subject matter of such chapter.
- (2) *Separability of code provisions.* If any section, subsection, sentence, clause or phrase of the Code is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause or phrase or portion thereof. The Board hereby declares that it would have passed this Code and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions may be declared invalid or unconstitutional.

**Sec. 3.03. – Forest Administrator to file documents incorporated by reference.**

Whenever in this Code any standard, code, rule, regulation or other written or printed matter is adopted by reference, it shall be deemed incorporated in this Code as if fully set forth herein, and the Forest Administrator shall file, deposit and keep in his office a copy of the code, standard, rule, regulation or other written or printed matter as adopted. Materials so filed, deposited and kept shall be public records open for examination with proper care by any person during the Forest Administrator's office hours, subject to such orders or regulations which the Forest Administrator may prescribe for their preservation.

**Sec. 3.04. - Penalty provisions.**

- (1) Except as otherwise provided, any person who shall violate any of the provisions of this Code shall, upon conviction of such violation, be subject to a penalty, which shall be as follows:
  - (a) *Snowmobile and ATV.* Any person, firm or corporation violating any of the provisions of the Ordinance shall, upon conviction, forfeit not less than One Hundred and 00/100 Dollars (\$100.00) nor more than One Thousand and 00/100 Dollars (\$1,000.00) for each offense together with court costs, restitution of trail, bridge or sign damage, and in default of payment of such forfeiture and costs, shall be imprisoned in the County Jail until the same are paid, for a period of time not to exceed thirty (30) days, or until otherwise discharged pursuant to law.
  - (b) *Tree Stands.* Any person who shall violate any provision of this ordinance shall upon conviction, be subject to a penalty, which shall be as follows: forfeit not less than \$50.00 nor more than \$500.00, together with the costs of prosecution.
  - (d) *Tribal Gathering Rights.* Any person exercising rights without having first obtained a permit therefore, or shall exercise gathering rights beyond authority granted by section 106(4)(c) of this code, shall be guilty of a forfeiture in the amount of Fifty and 00/100 (\$50.00) dollars for the first offense and One Hundred and 00/100 (\$100.00) dollars for every subsequent offense within twelve (12) months of the first offense.
  - (c) *General Penalty.* Any person, firm or corporation violating any of the provisions of the Ordinance shall, upon conviction, forfeit not less than One Hundred and 00/100 Dollars (\$100.00) nor more than Five Hundred and 00/100 Dollars (\$500.00) for each offense together with court costs, restitution of trail, bridge or sign damage, and in default of payment of such forfeiture and costs, shall be imprisoned in the County Jail until the same are paid, for a period of time not to exceed thirty (30) days, or until otherwise discharged pursuant to law.

- (2) *Continued violations.* Each violation, and each day a violation continues or occurs, shall constitute a separate offense. Nothing in this Code shall preclude the County from maintaining any appropriate action to prevent or remove a violation of any provision of this Code.
- (3) *Execution against defendant's property.* Whenever any person fails to pay any forfeiture and costs of prosecution upon the order of any court for violation of any ordinance of the County, the court may, in lieu of ordering imprisonment of the defendant, or after the defendant has been released from custody, issue an execution against the property of the defendant for such forfeiture and costs.
- (4) *Citation method of enforcement.* Citations may be issued for violations of this Code, including those for which a statutory counterpart exists.
  - (a) Issuance of citations is expressly limited to the following County officials and employees and the authority delegated to a County official or employee to issue citations may only be granted or revoked by the County Board:
    1. Forest Administrator or their designee as set forth in sections 1.09(6) and 2.13(3)(a) of this code.
    2. Any law enforcement officer.
  - (b) The citation shall contain the following:
    1. Name and address of alleged violator.
    2. Factual allegations describing alleged violation.
    3. Time and place of offense.
    4. Section of ordinance violated.
    5. Designation of offense in a manner which can readily be understood by a person making a reasonable effort to do so.
    6. Time alleged violator may appear in court.
    7. Statement which, in essence, informs alleged violator:
      - a. That a cash deposit based on the schedule established by the County Board from time to time and on file in the office of the County Clerk may be made to and deposited with the Clerk of Court prior to time of scheduled court appearance.
      - b. That if a deposit is made, no appearance in court is necessary unless he is subsequently summoned.

**Section 3.05. - Title; effective date; citation.**

These ordinances shall be known as the "Forestry and Recreation Code of Forest County," and shall take effect from and after passage and publication as provided in § 66.0103, Wis. Stats. All references thereto shall be cited by section number (example: sec. 2.06, Forestry and Recreation Code of Forest County).

**Section 3.06. - Keeping code current; Administrator's amendments.**

As each ordinance or resolution affecting the Code becomes effective, the Forest Administrator shall incorporate them into the Code. The Forest Administrator shall make no substantive changes to such ordinances and resolutions but may renumber, rearrange and edit them without first submitting them to the Board; and such rearranging, renumbering and editing shall not affect the validity of such ordinances and resolutions or the provisions of this Code affected thereby.