

CHAPTER 16

FOREST AND LAND ORDINANCE

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16.01 Authority. This chapter is enacted to prescribe rules and regulations for the administration of County powers and duties as provided in Chapters 26, 28, 29, 59, 75 and 77, Wis. Stats., under which the Vilas County Board is granted specific powers relative to the establishment, protection, development, and management of County Lands and 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 Department of Natural Resources. All references to Wisconsin Statutes shall include any amendment thereof.

The County Board of Supervisors of Vilas County do ordain as follows:

16.02 Definitions. As used in this chapter, the following terms mean:

(1) Agent. The Vilas County Forest Administrator.

(2) Beach. Any water area or adjacent land area designated as a swim area by standard regulatory markers.

(3) Boat Landing. Any site adjacent to water that provides public access to navigable waters.

(4) Board. Vilas County Board of Supervisors.

(5) Camp or Camping. The use of a shelter such as a tent, trailer, motor vehicle, tarpaulin, bed roll, or sleeping bag for temporary residence or sleeping purposes.

(6) Campsite. A segment of a campground or camping area which is designated for camping use by a camping unit or camping party.

(7) Camping Unit. A single shelter, except sleeping bags and hammocks, used for a camp by a camping party, except those used exclusively for dining purposes.

(8) Camping Party. Any individual, family, or individual group occupying a campsite.

(9) Committee. The Vilas County Forestry, Recreation and Land Committee.

(10) County Land. County land or lands includes all lands previously and subsequently acquired under supervision of the Forestry, Recreation and Land Committee and those lands under land use agreement with them including Federal, State, Town and private lands that provide forest, wildlife or recreational benefit.

(11) County Property. County property includes trees, shrubs, plants and other natural growth, sand and gravel, rocks, archaeological or geological features, gates, signs, walls tables, piers, and structures.

(12) Department. The Vilas County Forestry Department.

(13) Personnel. Includes all individuals involved with the implementation of the Vilas County Forest 10-Year Comprehensive Land Use Plan and under the direction of the Forestry, Recreation and Land Committee and Forest Administrator.

(14) Picnic Area. Any tract of land developed and maintained for picnicking, including adjacent recreational areas.

(15) Plan. The Vilas County Forest 10-Year Comprehensive Land Use Plan and all other documents referenced therein. [History: rev.1/02-1A]

16.03 Committee Appointment. The Vilas County Board hereby assigns administration of the County Forestry Department to the Committee of this Board known as the Forestry,

Recreation and Land Committee. [History: rev. 1/02-1A]

16.04 Powers and Duties of the Committee.

(1) POLICIES. The Vilas County Forest 10-Year Comprehensive Land Use Plan and all documents referenced therein shall serve as policy for the operation of the department.

(2) LANDS AND FACILITIES. Management and regulatory control of all lands and facilities designated in this chapter or not specifically designated to another committee of the Board of Supervisors are delegated to the Committee.

(3) SCOPE. The provisions of this ordinance shall apply to all lands, structures, and property owned, leased, controlled or administered by Vilas County as determined in Chapter 16.05(2) of this chapter. All such lands shall be shown on an official map or listing at the Forestry Department located at 1881 Highway 45 North, Eagle River, Wisconsin, and in accordance with the records of the office of the Register of Deeds.

(4) COUNTY FOREST LANDS. The Vilas County Forest shall include all lands now held or hereafter acquired for forestry or special use purposes and entered under the provisions of Section 28.11 of the Wisconsin Statutes.

(5) COUNTY RESERVED AND OTHER COUNTY LANDS. Includes all lands administered under the jurisdiction of the Committee and not specified in §16.05(4) of this chapter.

(6) ANNUAL OPERATIONS. The Committee shall approve an Annual Work Plan and Budget prepared by the Administrator for the Department operations for each ensuing year. The Committee shall submit the work plan and budget to the County Board whose approval shall establish the limits as well as purpose for which expenditures may be made.

(7) PERSONNEL. The Committee shall direct and supervise the County Forestry Department subject to approval of the County Board. It shall employ a County Forest Administrator as its agent and such other competent personnel as the Board may authorize to direct, perform, and enforce the administration and management functions of this chapter.

(8) HEADQUARTERS. The Committee shall establish and maintain forest headquarters for

office space and the housing of machinery, tools, equipment and supplies needed in conducting forestry operations.

(9) EQUIPMENT AND SUPPLIES. The Committee may purchase, sell, trade, or dispose of equipment and supplies required for the operations of its Department.

(10) LAND ACQUISITION. The Committee may negotiate for the acquisition of lands and easements within the County Forest boundary by purchase, gift, bequest, or by exchange of County-owned lands outside the boundary for the purpose of blocking the forest for better administration or for recreational purposes. Each such proposed acquisition must be presented to the County Board for its approval.

(11) ENTRY OF LANDS. The Committee may make application for entry under the County Forest Law as lands are acquired within the County Forest boundary.

(12) PROTECTION. 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 from other causes, in cooperation with the Department of Natural Resources.

(13) SURVEYS. The Committee shall direct the activities of the County Surveyor in locating survey lines and appropriately monumenting corners of County Forest Lands and Reserve Lands.

(14) ROADS. The Committee may construct, improve, and maintain a system of forest roads, trails and firebreaks and purchase secure easements for access required to cross privately owned lands.

(15) FOREST IMPROVEMENT. The Committee may conduct forest improvement work including reforestation, release cuttings, thinnings, pruning, and weeding by any method including spraying or dusting of chemicals by airplane and other methods not prohibited by law.

(16) FISH AND GAME. The Committee shall cooperate with the Department of Natural Resources on all matters relating to game and fish management.

(17) SALE OF FOREST PRODUCTS. The Committee may sell timber stumpage in accordance with the guidelines in the 10-Year Comprehensive Land Use Plan.

(18) COOPERATION. The Committee may enter into agreements with the U.S. Forest Service, Lakes States Forest Experiment Station, the University of Wisconsin, and the Department of Natural Resources for the use of County lands, labor, materials, and equipment for conducting forest research.

(19) SPECIAL USES. The Committee may establish, construct and maintain recreation and interpretation facilities, boat landings, wild resource zones, aesthetic management zones, special use areas, and wildlife habitat. The Committee may do special forest or recreation development work on school forests, community forests, and other public lands in Vilas County that provide public benefit.

(20) PROSPECTING. The Committee may enter into agreements to prospect for minerals upon County lands under its jurisdiction subject to the approval by the Board and the Department of Natural Resources.

(21) USE PERMITS. The Committee may authorize special uses of the County-owned lands by written permit. Any such permit shall be revocable for cause by written notice. The Committee may establish and charge fees for special use permits.

(22) SAND AND GRAVEL PITS. The Committee may issue permits to municipalities within Vilas County for removal of sand and gravel from lands under its jurisdiction. The municipality shall submit a reclamation plan with this request. The reclamation plan shall follow State of Wisconsin Statutes and must be approved by the Committee prior to issuing a permit. The removal of sand and gravel from County Forest Lands shall be for public use only.

(23) PLAN. The Committee shall cooperate with the Department of Natural Resources in the establishment and maintenance of the Vilas County 10-Year Comprehensive Land Use Plan. In addition, the Committee will cooperate in the determination of the allowable annual cut, an inventory of growing stock and an acreage assessment, establishment of compartments, and other necessary items for such plan.

(24) ANNUAL REPORT. The Committee shall present an annual report of its activities prepared by the Forest Administrator to the County Board. The report shall include statistics

showing work accomplished at what cost. Such reports shall be sufficient in detail so that performance of the Forestry Department may be measured. [History: rev. 1/02-1A]

16.05 Forest Finances. (1) COUNTY-OWNED LAND. All proceeds from the sale or trade of County-owned lands shall be credited to the County Land Fund and such fund shall be non-lapsing. The County Land Fund (Segregated Land Account) shall not exceed \$200,000.00. Proceeds over and above this cap shall be deposited in the General Fund, per County Board Resolution 98-49.

(2) GENERAL FUND. All monies received from the sale of timber stumpage, cut forest products, fees, and user permits, sale of building materials, sale of surplus materials and equipment, fire or other damage collections or revenues received by the Forestry, Recreation, and Land Committee will be deposited in the General Fund at the end of the year unless otherwise specified under Sec. 16.06 of the Chapter.

(3) SEVERANCE ACCOUNTS. All monies received from the sale of timber stumpage and cut forest products as provided under §28.11(9), Wis. Stats., and amendment thereof shall be distributed from the General Fund at the end of the year.

(4) STATE FUNDS. All allotments from state funds under §28.11(8)(b) State Forest Aid Fund, §86.315 Road Aids, §92.14 Land Conservation Fund, §23.09(17m) Habitat Development Grant, §23.09(12) County Fish and Game Fund, §23.09(26) Snowmobile Aids, and §23.09(25) Motorcycle Aid Program, of the Wisconsin Statutes, shall be deposited in their respective funds and shall be non-lapsing, except that the County Forest Administrators Grant shall be deposited into the State Forest Aid Account, and withdrawals shall be made quarterly or semi-annually by the County Clerk for the salary of the Forest Administrator. [History: rev. 1/02-1A]

16.06 Forest Land Use Regulations.

(1) DESIGNATION OF FOREST LANDS. All lands and facilities owned, leased, controlled, or operated by the Committee, and not designated under Chapter 27, Wis. Stats., shall be

considered forest lands and regulated by this chapter.

(2) FOREST PRODUCTS HARVEST AND THEFT.

(a) *Timber Cutting.* Commercial cutting, salvage cuttings, and cultural cuttings on lands designated in this chapter shall be by written permit, or contract approved by the Committee.

(b) *Firewood and Special Products* Commercial harvest of firewood and specialty products shall be by contract or written permit by the Committee.

(c) *Product Theft.* No person shall remove any plant, tree, parts of a tree, or other forest products from any County lands designated in this chapter except as authorized by the Committee or its agents by written permit, contract, or policy. Picking fruit, berries, nuts and mushrooms is permitted.

(3) COUNTY PROPERTY DESTRUCTION AND ENTRY.

(a) *Destruction.* No person shall disturb, vandalize, damage, deface, remove or destroy any trees, shrubs, plants, other natural growth, sand or gravel; carve on any rocks, archaeological or geological features, signs, walls, tables or structures; drive nails into trees; or remove, injure, or deface in any manner any structures including buildings, signs, gates, fences, tables, or other County property. The picking of fruits, berries, nuts, and mushrooms is permitted.

(b) *Entry.* No person shall enter or be in any building, installation, area, or trail that is locked or closed to public use or contrary to public or posted notice without a written permit from the Committee.

(c) *Tampering.* No person shall tamper with any building, installation, or area which is under construction, locked, or closed to public use, and/or tamper with, use, or damage any water control structure, device, dam or culvert, or contrary to posted or public notice.

(d) *Damage by Vehicle.* No person shall operate a vehicle for recreational use or other purpose in or on any property administered by the Committee in such a manner as to cause soil erosion, pollution or other damage.

(4) SPECIAL USE. Special use of specific areas of County lands shall be authorized only by written permit issued by the Committee.

(5) REFUSE. No person shall leave or dump any litter, rubbish, debris, dirt, stone, stumps, yard waste or other materials on any County-owned lands.

(6) FIRES. No person shall burn trash, slash, or litter on designated forest lands except as authorized by written permit or policy.

(7) EXPLORING OR PROSPECTING. No person shall explore or prospect on County-owned lands without a written permit.

(8) SPORTING AND RECREATIONAL USE OF FOREST LANDS.

(a) *Recreational Use Permits.* Written permits issued by the Committee to incorporated organizations for recreational use of specific areas of County-owned lands, including ski clubs, snowmobile clubs, and other organizations is permitted.

(b) *Abandoned Vehicles.* As used in this section, vehicle means any motor vehicle, trailer, semi-trailer, or mobile home. No person shall leave any vehicle unattended without prior Committee authority 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.

(c) *Hunting.* No person shall erect, occupy, or use other than a commercially available, factory manufactured portable tree stand or elevated platform for hunting purposes and only during the period from start of deer archery season through December 31st and for no more than eleven (11) consecutive days. Climbing devices to access the portable stand or elevated platform shall be of the ladder type or steps which are attached to the tree with binding straps or chains. Climbing stands which do not damage the tree will be permissible. Penetration of any part of the tree by the combination of stand, platform or climbing device is strictly prohibited. Each licensed hunter shall be limited to one portable tree stand or platform which is in compliance with this Section. Portable tree stands and elevated platforms must have the owner's name, address and telephone number permanently attached to the climbing device at four (4) feet above ground level. Portable tree stand and elevated platforms found in violation of this Section will be removed by the County.

Persons found in violation of this ordinance shall be subject to citation and a forfeiture. Ground blinds other than commercially available, factory manufactured portable ground blinds may be constructed only of natural materials (e.g., no manufactured or processed materials, including sawn lumber). No nails, screws or metal objects may be placed into any tree. No damage may occur to trees. [History: cr. 1996-3A; rev. 1/04-2A]

(d) *Off Road Vehicles*. No person shall operate or park any unlicensed or licensed motor vehicle within the County Forest Lands except where such use is specifically approved by the Vilas County Forestry, Land and Recreation Committee. "Motor Vehicle" includes but is not limited to trail bikes, motorcycles, mini-bikes, and all-terrain vehicles. [History: rev. 6/95-1A]

(e) *Vehicles*. No person shall operate or park any motor vehicle upon any blocked road, designated snowmobile trail, or recreational trail, other than a County forest road, or contrary to posted notice, or upon any area other than existing roads or parking areas except for off-road parking and camping adjacent to existing roadway.

(f) *Snowmobiles*. No person shall operate or park any snowmobile on any blocked road, road, trail, or ski trail, other than designated on the official Vilas County Snowmobile Trails Map, or contrary to official signing.

(g) *Access*. No person shall block or restrict access to any trail, road, parking area, or recreational facility, or intentionally interfere with lands and facilities under the management and regulatory control of the Committee. [History: 1/02-1A]

16.07 Survey Regulations. (1) SURVEY MONUMENTS. No person shall remove, cover, bury, destroy, or deface any survey monument, corner post, monument accessory, witness tree, bearing tree, or survey accessory on any lands within Vilas County, without following §59.74, Wis. Stats.

(2) FILING OF SURVEYS. A correct and true copy of all surveys for individuals or corporations performed by any land surveyor of land in Vilas County must be filed in the Office

of the Vilas County Surveyor within 60 days after completion of the survey. [History: rev.1/02-1A]

16.08 Recreational Use. Recreation Lands, Sporting Lands and Water. (1) DESIGNATION OF RECREATIONAL LANDS, SPORTING LANDS AND WATER. All lands and water heretofore and hereafter acquired, leased, controlled or operated by the Committee, and not designated under §16.06(1) of this chapter. The following recreational sites shall be shown on an official County map or listing at the Forestry Office located at 1881 Highway 45 North, Eagle River, Wisconsin 54521.

City of Eagle River

Vilas County Fairgrounds and Tennis Courts
Riverside Park

Cloverland Township

Boot Lake
Cook's Lake
Ewald Lake
Mud Minnow Lake
Muskellunge Lake
Pickerel Creek
Rice Lake
Snipe Lake
Wood Duck Lake

Conover Township

Baker Lake
Buckatabon
Buckatabon Shelter
Vilas County Shooting Range
Deep Lake
Lake of the Hills
Rummels Road Canoe Campsite
Hunter Lake
McLeod Lake
Razorback Canoe Campsite
River Road Canoe Campsite
Rummels Road Shelter
Tamarack Flowage
Tamarack Springs Campground
Torch Lake
Chicago Avenue Radio-Controlled Model
Airplane Facility

Land O'Lakes Township
 White Spruce Lake Primitive Campground
 Lake of the Woods Primitive Campground

Lincoln Township
 Dr. Oldfield Memorial Park

Phelps Township
 Lac Vieux Desert Park

Plum Lake Township
 Langley Lake
 Snyder Lake

Washington Township
 Eagle Lake County Park
 Cranberry Island Park

(2) ACCESS. No person shall block or restrict access to any trail, road, parking area, or recreational facility, or intentionally interfere with lands and facilities under the management and regulatory control of the Committee.

(3) COUNTY PROPERTY DESTRUCTION AND ENTRY.

(a) *Destruction.* No person shall disturb, vandalize, damage, deface, remove, or destroy any trees, shrubs, plants, other natural growth, sand, or gravel; carve on any rocks, archaeological or geological features, signs, walls, tables or structures; drive nails into trees; or remove, injure, or deface in any manner any structures including buildings, signs, gates, fences, tables, or other County property. The picking of fruits, berries, nuts, and mushrooms is permitted.

(b) *Entry.* No person shall enter or be in any building, installation, area, or trail that is locked or closed to public use or contrary to public or posted notice without a written permit from the Committee.

(c) *Tampering.* No person shall tamper with any building, installation, or area which is under construction, locked, or closed to public use, and/or tamper with, use or damage any water

control structure, device, dam or culver, or contrary to posted or public notice.

(d) *Damage by Vehicle.* No person shall operate a vehicle for recreational use or other purposes in or on any property administered by the Committee in such a manner as to cause soil erosion, pollution or other damage.

(4) PROPERTY OF OTHERS. No person shall destroy, molest, or attempt to remove or remove the property of others without the consent of the owner.

(5) REFUSE. No person shall discard or leave any refuse, sewage, or other waste material on the ground, or in any building or installation, into the water or upon the ice of any lake or stream or other body of water, or dispose of any such refuse or waste material in any manner except by placing in receptacles or other authorized locations provided for such purposes. Refuse must be packed out from those areas where official containers are not provided. Charcoal residue must be left in a grate or fire ring until cool, or placed in receptacles provided for such purposes.

(6) PETS. No person shall allow his/her dog, cat or other pet to be in any building or upon any swimming beach, picnic area, or playground. Dogs, cats, and other pets shall be kept on a leash not more than 8 feet long and under the control of the owner at all times in recreation areas, all campgrounds, and on posted trails. No person shall fail to prevent his/her dog, cat or other pet from interfering in any manner with the enjoyment of the area by others. Nothing in this section shall prohibit the use of a seeing-eye dog by the blind.

(7) FIRES. No person shall start, tend, or maintain any fire on the ground, or burn any refuse except in fire rings or grills at any recreational area. No person shall leave any fire unattended, or throw away any matches, cigarettes, cigars, or pipe ashes or any embers without first extinguishing them, or start, tend, or use in any manner any fire contrary to posted notice on any lands or property under the management, supervision, and control of the Committee.

(8) PEDDLING AND SOLICITING. No person shall peddle or solicit business of any nature whatsoever or distribute handbills or other

advertising matter, post unauthorized signs or decorative matter on any lands, structure, or property under the management, supervision, or control of the Committee, or use such lands, structures, or property as a base of commercial operations for soliciting or conducting business, peddling, or providing services within or outside of such lands, structures, or property.

(9) VEHICULAR TRAFFIC. No person shall operate any vehicle at a speed in excess of 15 miles per hour or contrary to official traffic signs in any recreational area. No person shall operate or park any vehicle as defined in §340.01(74), Wis. Stats., which is required to be registered by law, on lands under the control and management of the Committee except on roads or in designated parking areas.

(10) OFF ROAD VEHICLES. No person shall operate or park any unlicensed or licensed motor vehicle with the County Forest Lands and recreational areas except where such use is specifically approved by the Vilas County Forestry, Recreation and Land Committee. "Motor vehicle" includes but is not limited to trail bikes, motorcycles, mini-bikes and all-terrain vehicles. [History: rev. 6/95]

(11) 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 facility, or contrary to posted notice.

(12) SNOWMOBILES. No person shall operate or park any snowmobile on any blocked road, road, trail, or ski trail other than designated on the official Vilas County Snowmobile Trail Map, or contrary to official signing.

(13) WATERCRAFT.

(a) No person shall moor, anchor, or leave unattended any watercraft overnight in the waters of any recreation site under the management, supervision and control of the Committee.

(b) No person shall remain overnight in any watercraft in the waters of any recreation site under the management, supervision, and control of the Committee.

(c) No person shall operate a boat within a water area marked by buoys or other approved regulatory devices as a swimming beach, nor

operate a watercraft in a restricted area contrary to regulatory notice marked on buoys or other approved regulatory devices. This subsection does not apply in the case of emergency or to patrol or rescue craft.

(14) CAMPING RESTRICTIONS.

(a) Camping is prohibited at boat landings, picnic grounds, and beaches unless otherwise designated. No person shall camp at any recreation site without a permit and the payment of the prescribed fees, except when traveling by watercraft and camping at the designated canoe campsites on the Wisconsin River. Camping fees must be paid and a permit obtained before setting up camp. Camping is permitted on County Forest Lands in designated camping areas by permit only and not to exceed 10 consecutive days. The only exception is that during the Wisconsin Gun Deer Season camping on County Forest Lands in areas not designated for camping is allowed, by permit only. Any camper who has violated the terms of this chapter or the Wisconsin Statutes that are part of this chapter shall be subject to immediate ejection from the County-owned lands. [History: rev. 1/02-1A]

(b) When traveling by watercraft no person shall camp at any of the designated canoe campsites on the Wisconsin River for more than a 24-hour period.

(c) All camping permits expire at 3:00 p.m. on the last day of the permit period.

(d) Extensions within the 10-day limit may be granted on camping permits. Extensions must be obtained prior to 3:00 p.m.

(e) After the 10-day limit, the camping unit must be removed from the property for at least 7 days before being eligible to return.

(f) A campsite must be occupied by a camping unit on the first night of the permit period, and no campsite may be left unoccupied by the camping party for more than 48 hours. Any tent, equipment or motor vehicle not occupied for more than 48 hours may be removed by the Department at the owner's expense.

(g) No person shall obtain a camping permit for use by a camping party of which that person is not a member.

(h) No more than one recreational trailer or motor home may occupy a campsite.

(15) FIREWORKS. No person shall possess, fire, discharge, explode or set off any explosives or pyrotechnic device containing powder or other combustible or explosive material within the limits of any recreation site under the management, supervision and control of the Committee or contrary to posted notice.

(16) FIREARMS. No person shall have in his possession or under his control any firearm or airgun as defined in §939.22, Wis. Stats., or any slingshot or spring-loaded device designed for shooting a projectile, unless the same is unloaded and enclosed in a carrying case, or any bow unless same is unstrung or enclosed in a case at any campground, picnic area, swimming beach or boat landing.

(17) SHOOTING RANGES. No person shall discharge any firearm, airgun, or bow in any shooting range under management, supervision, and control of the Committee contrary to posted regulations.

(a) “*Weapon*” shall mean any rifle, pistol, firearm, airgun or other device whose function is similar to that of a firearm.

(b) The following rules shall apply to all shooting ranges on County-owned lands:

1. Whenever a person is down range for any reason, all individuals in the range shall cease firing and unload and break open the actions on their weapons.

2. All weapons are to be shot or fired only into the backstops. Targets shall not at anytime be placed on top of the backstops.

3. Glass targets shall not be used.

4. Users of the range must remove all refuse (cans, plastic containers, shell casings, etc.) from the range when finished and must dispose of such refuse at an appropriate disposal site.

5. Alcoholic beverages and containers are absolutely prohibited at the shooting range site and shall not be consumed on or brought to the premises.

6. The range is open spring, summer, and fall during daylight hours within the period from 7:00 a.m. to 8:00 p.m. It is closed during the winter season, as the snowmobile trail passes through it, and the access road is not plowed.

(c) Violations of this section shall be subject to the penalty and assessment provisions found in §16.10 of the General Code of Vilas County. [History: rev. 9/99-5A]

(18) WILDLIFE. No person shall take, catch, kill, hunt, trap, pursue or otherwise disturb any wild animals, bird or any other wildlife in any campground, picnic area, swimming beach, or boat landing or contrary to posted notice on other areas under the management, supervision and control of the Committee.

(19) HORSES. No person shall ride a horse in any campground, picnic area, beach area, or any other recreation site.

(20) PERSONAL CONDUCT. No person shall engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene, or otherwise disorderly conduct tending to create a breach of the peace or to disturb or annoy others. The Department may expel any person from lands under the management, supervision and control of the Committee for violation of any state law, county ordinance or contrary to posted rules or regulations.

(21) UNDUE OR UNNECESSARY NOISES. No person shall operate soundtracks, loud speakers, motors, motorboats, motor vehicles or any other mechanical devices that produce undue or unnecessary noises.

(22) CLOSING HOURS. No person except registered campers in or enroute to designated campsites shall park or enter any campground, picnic area, swimming beach, or boat landing site between sunset and sunrise unless launching a watercraft. [History: rev. 1/02-1A]

(23) CLOSING AREAS. The Department may close, by posted notice, any picnic area, beach, camping area, trail, unpaved road, or similar recreational site.

(24) BEACHES AND LANDINGS. No person shall wash cars, persons, pets, cooking utensils, or clothing in any waters adjacent to these areas under the management, supervision, and control of the Committee.

(25) SWIMMING. No person shall swim more than 50 yards from shoreline or swim beyond or molest a swimming beach boundary buoy or marker in any swimming beach under the management, supervision, and control of the Committee.

(26) FEES AND CHARGES. No person shall 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. [History: 1/02-1A]

16.09 Gathering Miscellaneous Forest Products. (1) PERMIT REQUIRED. Any treaty rights participant as covered in decision dated 19 March 1991, in case number 74-C-313-C, the Honorable Barbara B. Crabb, District Judge for the Federal District Court for the Western District of Wisconsin, 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 County-owned land shall obtain a County Gathering Permit from the County Forestry Department prior to the exercise of said gathering rights.

(2) APPLICATION AND PROCESSING. The County Forest Administrator shall prepare an appropriate application requesting pertinent information from all treaty rights participants who seek to gather miscellaneous forest products on County Forest Lands. Said application shall be available upon request. Those treaty rights participants who seek to gather miscellaneous forest products shall provide proper identification and present a valid tribal membership card upon submitting an application with the County. 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 reasons 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 §16.09(4) below. 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.

(3) 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 or miscellaneous forest products on County land, or for public health and safety.

(4) DENIAL OF GATHERING PERMIT. The County may not deny a request to gather miscellaneous forest products on County property under the terms of this Ordinance unless:

(a) The gathering is inconsistent with the forest management plan for said property;

(b) The gathering will conflict with pre-existing rights of a permittee or other person possessing an approval to conduct an activity on the property, including a contractor of the County; or

(c) Is otherwise inconsistent with conservation or public health or safety. [History: 1/02-1A]

16.10 Enforcement and Penalty Assessments.

(1) ENFORCEMENT. Every law enforcement officer shall enforce the provisions of this chapter.

(2) PENALTY ASSESSMENTS.

(a) Any person, firm, or corporation, including those doing work for others who shall violate any of the provisions of the Ordinance shall, upon conviction thereof, forfeit to Vilas County the sum of not less than \$25.00 nor more than \$500.00 plus the penalty assessment imposed. Each day a violation exists shall constitute a distinct and separate violation of this Ordinance and as such, forfeitures shall apply accordingly.

(b) Any treaty rights participant gathering miscellaneous forest products without first obtaining a gathering permit shall be subject to all existing penalties provided for in County Ordinances, including trespass and timber theft charges. Any person who possesses a gathering permit, and gathers beyond the authority granted in the permit, or who causes damage to the timber or miscellaneous forest products on County land, shall be assessed a forfeiture of not less than \$50.00 nor more than \$200.00 for the first offense and not less than \$75.00 nor more than \$300.00 for every subsequent offense within twelve (12) months of the first offense.

(c) In addition to the penalties above, any person damaging the property of the County or another person shall remain liable in a civil action for the amount of that damage. [History: cr. 1/02-1A]

(3) INJUNCTION. Any use or action which violates the provisions of this Ordinance shall be subject to a court injunction prohibiting such violation.

(4) RESPONSIBILITY FOR COMPLIANCE. Any person, firm, or corporation causing a violation or refusing to comply with any provisions of this Ordinance will be notified in writing of such violation by the County Forest Administrator or his designated representative, giving the person responsible a time period not to exceed 30 days from the date on the letter of notification to have the violation brought into compliance with the provisions of this Ordinance. Each day a violation exists thereafter shall constitute a distinct and separate violation of this Ordinance, and as such forfeitures shall apply accordingly. [History: 1/02-1A]

16.11 Conflicts. Any and all Ordinances or Resolutions of Vilas County, or any portion of said Ordinances or Resolutions to the contrary or in derogation of the above sections, are hereby repealed only insofar as conflict exists.

16.12 Publication. This Ordinance will take effect and be in force upon passage and publication as provided by law.

16.13 Uniform Schedule of Deposits.

(1) COUNTY FOREST AND LAND FORFEITURE SCHEDULE AND TOTAL DEPOSIT.

| <u>Ordinance</u> | <u>Violation</u> | <u>Forfeiture</u> |
|------------------|-------------------------------|-------------------|
| 16.06(2)(c) | Product Theft | \$200.00 |
| 16.06(3)(a) | Destruction of Property | 200.00 |
| 16.06(3)(b) | Entry to County Property | 50.00 |
| 16.06(3)(c) | Tamper w/Property | 50.00 |
| 16.06(3)(d) | Damage to Property | 80.00 |
| 16.06(5) | Refuse Dumping | 200.00 |
| 16.06(6) | Forest Fires | 200.00 |
| 16.06(8)(a) | Recreation Permit | 50.00 |
| 16.06(8)(b) | Abandoned Vehicles | 200.00 |
| 16.06(8)(c) | Hunting | 200.00 |
| 16.06(8)(d) | Off Road Vehicles | 100.00 |
| 16.06(8)(e) | Vehicle on Trails | 100.00 |
| 16.06(8)(f) | Snowmobiles on Trails | 100.00 |
| 16.06(8)(g) | Access to County Forest Lands | 80.00 |

| | | |
|----------|----------------------------|--------|
| 16.09(1) | Gathering Permit Required | 50.00 |
| 16.09(3) | Gathering Permit Violation | 50.00 |
| 16.09(3) | 2 nd Violation | 150.00 |

(2) RECREATIONAL LANDS.

| <u>Ordinance</u> | <u>Violation</u> | <u>Forfeiture</u> |
|------------------|-----------------------------|-------------------|
| 16.08(2) | Access to Rec. Lands | \$ 80.00 |
| 16.08(3)(a) | Destruction of Property | 200.00 |
| 16.08(3)(b) | Entry to County Property | 50.00 |
| 16.08(3)(c) | Tamper with County Property | 50.00 |
| 16.08(3)(d) | Damage to County Property | 200.00 |
| 16.08(4) | Property of Others | 50.00 |
| 16.08(5) | Refuse Dumping | 200.00 |
| 16.08(6) | Pets | 50.00 |
| 16.08(7) | Fires | 200.00 |
| 16.08(8) | Peddling and Soliciting | 50.00 |
| 16.08(9) | Vehicular Traffic | 50.00 |
| 16.08(10) | Off Road Vehicles | 80.00 |
| 16.08(11) | Parking | 50.00 |
| 16.08(12) | Snowmobiles | 100.00 |
| 16.08(13)(a) | Watercraft Unattended | 50.00 |
| 16.08(13)(b) | Watercraft Camping | 50.00 |
| 16.08(13)(c) | Watercraft Buoys | 100.00 |
| 16.08(14)(a) | Camping Restricted | 50.00 |
| 16.08(14)(b) | Canoe Campsites | 50.00 |
| 16.08(14)(c) | Camping Permit Expiration | 50.00 |
| 16.08(14)(d) | Camping Permit Extensions | 50.00 |
| 16.08(14)(e) | Camping 10-day Limit | 50.00 |
| 16.08(14)(f) | Unoccupied Campsites | 50.00 |
| 16.08(14)(g) | Non-member Permit Restrict | 50.00 |
| 16.08(14)(h) | One Unit per Campsite | 50.00 |
| 16.08(15) | Fireworks | 100.00 |
| 16.08(16) | Uncased Firearms | 100.00 |
| 16.08(17) | Shooting Ranges | 100.00 |
| 16.08(18) | Wildlife in Parks | 50.00 |
| 16.08(19) | Horses - Riding | 50.00 |
| 16.08(20) | Personal Conduct | 100.00 |
| 16.08(21) | Unnecessary Noise | 100.00 |
| 16.08(22) | Closing Hours | 100.00 |
| 16.08(23) | Closed Areas | 100.00 |
| 16.08(24) | Beaches and Landings | 50.00 |
| 16.08(25) | Swimming | 50.00 |
| 16.08(26) | Fees & Charges | 50.00 |

[History: rev.1/02-1A; Upd. 2/10/05]