

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THAT ORDINANCE PASSED
ON THE 8TH DAY OF DECEMBER, 1975, AND ENTITLED
"AN ORDINANCE REGULATING THE DISCHARGE OF
FIREARMS AND HUNTING IN THE TOWN OF GENESEE,
WAUKESHA COUNTY, WISCONSIN.

The Town Board of the Town of Genesee does hereby amend that ordinance entitled "An Ordinance Regulating the Discharge of Firearms and Hunting in the Town of Genesee, Waukesha County, Wisconsin" passed and adopted by the Town Board of the Town of Genesee on the 8th day of December, 1975. Said amendment to be as follows: (Changes by this amendment are underlined).

PREAMBLE:

WHEREAS the Town of Genesee is a rapidly growing semi-rural community experiencing a heavy population growth; and,

WHEREAS such population growth is occurring throughout the Township; and,

WHEREAS the firing of rifles and handguns involving cartridges and metal projectiles resulting in that projectile traveling great distances; and,

WHEREAS the number of complaints from land owners relative to hunters trespassing on private property without permission has increased;

NOW, THEREFORE, the Town Board of the Town of Genesee does hereby ordain as follows:

SECTION 1: PROHIBITED DISCHARGE OF WEAPONS.

No rifle, pistol, or revolver, of whatever caliber, shall be fired or discharged within the Town of Genesee unless the discharge of that weapon is on an officially approved range as provided in Section 5 of this ordinance.

SECTION 2: NO HUNTING WITHOUT PERMISSION.

There shall be no hunting within the limits of the Town of Genesee unless said hunter has written permission from the owner or occupant of the land upon which he is hunting. Hunting here contemplates only the use of shotguns, bow and arrow or devices not prohibited in Section 1 above. Any person apprehended on land not owned or occupied by that person without written permission from the owner or occupant shall be deemed to have violated the terms of this ordinance. For the purpose of this ordinance air rifles, BB guns or other weapons using air as a propulsion device are to be considered the same as shotguns and the discharge of the same are to be subject to the restrictions imposed upon shotguns. Also for the purpose of this ordinance all muzzle loading, black-powder, antique or replica weapon are considered shotguns and subject to the restrictions imposed against shotguns in this ordinance.

SECTION 3: DISCHARGE OF SHOTGUNS AND OTHER NON-PROHIBITED WEAPONS.

Any person hunting with written permission with a shotgun shall not discharge said shotgun within 250 feet of any building in the Town of Genesee. This section will not prohibit the owner or occupant of said property from discharging his shotgun around his own buildings.

SECTION 4: DISCHARGE OF FIREARMS FOR PROTECTION.

Nothing in this ordinance shall be deemed to prohibit any person from the discharging of firearms when said discharge is solely for the protection of life or property.

SECTION 5: RANGES FOR DISCHARGE OF PROHIBITED WEAPONS.

All weapons whose discharge is prohibited in this ordinance may be discharged at a licensed range located in the Town of Genesee. Any person desiring permission to construct and license a range may make application to the Town Board of the Town of Genesee for permission to operate a range where all weapons prohibited in Section 1 of this ordinance may be fired or discharged.

Requirements for Range:

(A) Applicant must be at least 18 years of age, have a good moral character and must furnish to the satisfaction of the Town Board proof that he is either the owner of the land upon which the range is to be constructed or the tenant with the landlord's permission.

(B) Applicant must file a copy of an insurance policy covering himself for liability in the sum of at least \$200,000.00 on each person injured.

(C) Applicant must have constructed said range in a manner so as to prevent the accidental discharge of bullets upon anyone else's property and said range must be inspected and approved by the Town Board prior to commencement of the operation.

(D) Applicant must show that he will at all times maintain proper supervisory control of the discharge of firearms on said range.

(E) Upon complaint of any citizen the Town Board may revoke this license and the applicant may then request a hearing before the Town Board to request reissuance.

(F) Applicant will file an application for the operating of an approved range on forms furnished by the Town of Genesee.

SECTION 6. PENALTIES.

Any person, firm or corporation violating this ordinance shall, upon conviction thereof, forfeit or pay a fine of not less than \$25.00 or more than \$100.00 together with the cost of prosecution for the first violation hereof. For second and subsequent violations of this ordinance the forfeiture is not to be less than \$50.00 nor more than \$200.00, plus costs of prosecution. Failure to pay the fine or forfeiture imposed herein shall subject

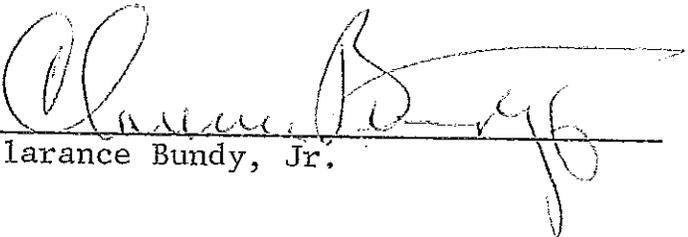
the person violating the terms of this ordinance to be imprisoned in the County Jail of Waukesha County for a period of not to exceed sixty (60) days or until such forfeiture and subsequent costs have been paid.

SECTION 7:

The several sections of this ordinance are declared to be severable. If any section shall be declared by a decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other provisions of the ordinance.

SECTION 8:

This ordinance shall take effect immediately upon passage and publication as provided by law.


Clarence Bundy, Jr.

ATTEST:


Town Clerk

Approved July 13, 1976

Filed July 19, 1976