7.2 LAND RECREATION ORDINANCE

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF DOUGLAS DOES ORDAIN AS FOLLOWS:

An ordinance to establish regulation in the recreation areas owned and maintained by Douglas County, Wisconsin, pursuant to authorities and purposes of Sec. 28.11(3)(b) and 59.54(6), Wis. Stats.

SECTION I. PURPOSE

This Ordinance shall prescribe the rules and regulations for the recreational use and enjoyment of Douglas County owned or managed lands. The purpose of this Ordinance is to help preserve the natural, scenic, recreational and commercial value of the natural resources on Douglas County owned or managed lands.

SECTION II. DEFINITIONS

A. "All-Terrain Vehicle" has the meaning given in sec. 340.01(2g), Wis. Stats.

B. “Camping Unit” means any single shelter except bedrolls and sleeping bags used for a camp by a camping party.

C. "Closed Road or Trail" means a trail or road segment which has been officially closed by posting, gating, berming, barricading, signing, or officially publishing a Class 1 legal notice.

D. "County Forest" has the meaning given in sec. 28.11(2), Wis. Stats.

E. “Cross-Country Travel” means land or water travel by a motor vehicle, ATV, snowmobile, moped, motor bicycle or motorcycle off of a designated road or designated trail.

F. “Developed Recreational Area” means the following locations: Gordon Dam County Park, Lucius Woods County Park, Mooney Dam County Park, Long Lake County Park, Bass Lake County Park, Tozer County Park, Minnesuing County Park, Anna-Gene County Park, the clubhouse, kennels, stables, and corral areas of the Bird Sanctuary, Lyman Lake boat landings, North Flowage boat landing, Minnesuing boat landing, and Park Creek Pond recreation area.

G. “Director” means the Douglas County Department of Forestry and Natural Resources Director.
H. “Family” means a camping party composed of a parent, parents, or step-parent with their unemancipated children.

I. “Firearm” has the meaning given in sec. 167.31(1)(c), Wis. Stats.

J. “Fireworks” has the meaning given in sec. 167.10(1), Wis. Stats.

K. “Forestry Roads and Trails” means authorized and approved features that provide access to the County Forest.

L. “Moped” has the meaning given in sec. 340.01(29m), Wis. Stats.

M. “Motor Bicycle” has the meaning given in sec. 340.01(30), Wis. Stats.

N. “Motorcycle” has the meaning given in sec. 340.01(32), Wis. Stats.

O. “Motor Vehicle” has the meaning given in sec. 340.01(35), Wis. Stats.

P. “Non Family” means a camping party composed of 8 or less persons who do not meet the definition of family.

Q. “Pit” means any area which has been or is currently being utilized for its natural materials such as, but not limited to, gravel, sand, clay, or dirt.

R. "Snowmobile" has the meaning given in sec. 340.01(58a), Wis. Stats.

S. “Undeveloped Recreational Area” means all lands and property owned or managed by Douglas County, excluding Developed Recreational Area locations as defined in Section II F.

T. “Vehicle” has the meaning given in sec. 340.01(74), Wis. Stats.

SECTION III. GENERAL PROVISIONS

It is prohibited under this Ordinance for a person or persons on Douglas County land to:

A. Litter, or deposit trash or rubbish in any manner other than by depositing it in designated containers provided by Douglas County. No household trash or rubbish is allowed in Douglas County containers.

B. Use or possess any glass bottles or containers in a recreation area posted “NO GLASS CONTAINERS”.

C. Possess or discharge any fireworks regulated by sec. 167.10(1), Wis. Stats.
D. Damage, destroy, mar or misuse in any way any Douglas County asset, improvement or property.

E. Ignite an open fire within a Developed Recreational Area unless such fire is in a fireplace, grill, or other suitable container provided by Douglas County, or in a container specifically constructed to contain a fire.

F. Dump ashes or charcoal unless they are cool enough to touch with a hand.

G. Leave an open fire unless it has no smoke and the entire coal or ash bed is cool enough to touch with a hand.

H. Erect or place a sign without the permission of the Director or their designee.

I. Construct, place, occupy, use or store personal property without the written permission of the Director or their designee.

J. Jump or dive off any water control structure owned or operated by Douglas County.

K. Engage in any activity which is in violation of a Douglas County sign, notice, regulation or rule.

L. Use or be within a Developed Recreational Area for any purpose between the hours of 10:00 p.m. and 6:00 a.m. of each day, unless such person is a registered camper or otherwise has the permission of the Director or their designee. Designated motorized use trails and designated boat launches may be used 24 hours per day for the designated uses, when the trails/launches are officially open to the public.

M. Refuse to leave an area when directed to leave by the Director, Sheriff, or their designees.

N. Fail to secure the proper permit or approval prior to engaging in an activity which requires such prior permit or approval.

O. Fail to follow all permit or approval requirements.

SECTION IV. HUNTING AND TRAPPING RESTRICTIONS

No person or persons shall construct, place, occupy or use on Douglas County land:

A. Treestands and Ground Blinds:
1. A tree stand that is not a hang-on style, self climbing style or a ladder stand style, or which uses material which penetrates the bark of the tree.
2. “Climbing aids”, including, but not limited to, screw in tree steps, landscape spikes, nails, railroad spikes, or bolts.
3. A tree stand, elevated platforms or ground blind which does not have the owner’s name, address, and telephone number displayed in a minimum of 1 inch lettering visible from the ground.
4. A tree stand which utilizes artificial shooting lanes created by cutting, brushing, trimming, or otherwise damaging or altering trees, brush or terrain.
5. More than two tree stands, elevated platforms or ground blinds in combination per valid, current Wisconsin deer/bear license holder.
6. A tree stand which is larger than 52 inches by 36 inches measured at the base, ground blind which measures larger than 7 ft X 7 ft X 7 ft, or elevated platform which the platform measures more than 7 ft X 7 ft X 7 ft.
7. A tree stand, elevated platform or ground blind in the period of February 1 to March 31 and June 1 to August 31 of each calendar year. During hunting season, it is prohibited to use a tree stand, free standing platform or ground blind earlier than one-half hour before, or after the end of legal hunting hours for that given day.

Any tree stand, free standing platform or ground blind which is found in violation of this Ordinance shall be confiscated and disposed of at the user’s expense by Douglas County Forestry Department personnel or the Douglas County Sheriff’s Department, or their designees.

B. Waterfowl blinds:

1. A blind for waterfowl hunting more than 7 days prior to the opening of the waterfowl hunting season, or fail to remove the blind within 7 days after the close of season.
2. A blind used exclusively for waterfowl hunting as provided in sec. 29.327(2), Wis. Stats., which does not bear the name of the owner affixed permanently to the blind in lettering one-inch square or larger.

C. It is prohibited under this Ordinance for a person or persons on Douglas County owned or managed lands to discharge or hunt with a rifle or shotgun loaded with slugs along the Wrenshall Grade Recreational Trail, Saunders grade trail, Wild Rivers Trail, or Gandy Dancer Trail.
SECTION V. DEVELOPED RECREATIONAL AREAS (CAMPING)

It is prohibited under this Ordinance for a person or persons on Douglas County land to:

A. Violate the quiet hours of 10:00 p.m. to 8:00 a.m. by creating excessive noise or causing a disturbance. Create noise with radios, televisions, or other instrument which can be heard from a distance of more than 20 feet.

B. Take or keep within such area a pet or domestic animal unless the same is kept at all times on leash which prevents the pet or domestic animal from running at large. No pets or domestic animals allowed in the beach areas. Animals specially trained to provide services for people with disabilities shall be exempt from this requirement.

C. Camp without paying current registration or self-registration fees and obtaining an appropriate camping permit.

D. Discharge or keep an uncased or loaded firearms, including firearms, BB guns, pellet guns, air guns, paintball guns, slingshots, bows, and crossbows.

E. Clean fish or game within the recreational area, except at designated sites provided for such purposes.

F. Camp at any site other than a designated site for camping.

G. Place, occupy or use any more than one camping unit per designated camping site.

H. Camp in any Developed Recreational Area except for: Lucius Woods County Park, Gordon Dam County Park, Mooney Dam County Park, and the clubhouse and barn areas of the Bird Sanctuary.

I. Occupy single site for a period exceeding ten consecutive days.

Violation of any State law or any rules of the county by a member or guest of a member of a camping party is cause for revocation of the camping permit and eviction from the property.

SECTION VI. UNDEVELOPED RECREATIONAL AREAS

It is prohibited under this Ordinance for a person or persons on Douglas County land to:

A. Camp without paying for a “Special Camping Permit”.

B. Fail to follow permit requirements (including a damage assessment).
C. Jump or dive into waterways contrary to posted notices at any waterway.

D. Camp at a combination of camping sites for a period of thirty consecutive days, or as permitted by the Director or their designee.

SECTION VII. TRAILS, ROADS, AND MOTOR VEHICLE RESTRICTIONS

It is prohibited under this Ordinance for a person or persons on Douglas County land to:

A. Operating a motor vehicle for cross-country travel.

B. Operating a motor vehicle in any Developed Recreational Area except for developed road surfaces and parking lots.

C. Operate a motor vehicle on a non-motorized trail, closed trail, on any trail during a Department of Natural Resources (DNR) ordered fire ban, or in any area other than developed road surfaces and parking lots.

D. Operate any unregistered or unlicensed motor vehicle on any County Forest road or trail.

E. Leave any vehicle unattended without prior departmental approval for more than 72 hours under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. An abandoned vehicle shall constitute a public nuisance.

F. Operate a motor vehicle on a State approved and funded snowmobile/ATV trails without the permission of the Director or their designee. However, motor vehicles may operate on designated county forest roads.

G. Operate a motor vehicle, ATV, moped, motor bicycle or motorcycle on county designated snowmobile only trails.

H. Operate any ATV, snowmobile, motor vehicle, moped, motor bicycle or motorcycle on any trail, road, or other surface, except for those trails designated and signed for seasonal or year round motorized use during that period when the trail is officially open for the specific designated use.

I. Operate a motor vehicle, snowmobile, ATV, moped, motor bicycle or motorcycle on county designated ski trails or other trails designated and posted by the Forestry Committee without permission of the Director or their designee.

J. Operate a motor vehicle, snowmobile, ATV, moped, motor bicycle or motorcycle on any gated, bermed with native materials, barricaded or signed as closed trail or road.
K. Block in any manner a county road or trail which prohibits access by others.

L. Operate a motor vehicle, snowmobile, ATV, moped, motor bicycle, or motorcycle in any county owned or operated pit.

M. Operate a motor vehicle, snowmobile, ATV, moped, motor bicycle or motorcycle on county designated ski trails or other trails designated non-motorized by the Forestry Committee without permission of the Director or their designee.

N. Operate a motor vehicle, snowmobile, ATV, moped, motor bicycle or motorcycle on State approved and funded trails when the trail or trail segment has been officially closed by posting, gating, berming, barricading, signing, or officially publishing a Class 1 legal notice.

O. Operate a motor vehicle with studded tires without the express permission of the Director or their designee.

SECTION VIII. NATURAL RESOURCES

It is prohibited under this Ordinance for a person or persons on Douglas County land to:

A. Dispose of park generated trash or rubbish in any manner other than depositing it in provided containers. No household trash or rubbish is allowed in park waste containers.

B. Cultivate, disk, rototill, plant, water, fertilize, harvest, or manufacture any controlled substance or illegal drug.

C. Cultivate, disk, rototill, plant, water, fertilize, hunt over, or utilize any type of seed, plant, tree, or food plot without permission from the Director or their designee.

D. Construct, place, occupy, or use structures, or store personal property without the written permission of the Director, County Clerk, or their designee.

E. Construct trails alter, re-route, or in any manner change existing trails, without the permission of the Director or their designee.

F. Use or be within a recreation area for any purpose, except at designated boat launching site and fishing, between the hours of 10:00 p.m. and 6:00 a.m. of each day.

G. Leave the designated trail.
H. Damage, destroy, mar or in any manner misuse the natural features, resources, trails, facilities, assets or property owned or operated by the County.

I. Cut, harvest, or remove any vegetation that is not to be consumed without permission of the Director or their designee.

(This shall not be construed to permit harvest of vegetation otherwise controlled. Vegetation cut in conjunction with an official land survey, cutting of stakes used for trapping or any other use which does not cause damage to the resource involved or otherwise controlled is allowed.)

J. Cut, harvest or remove firewood, Christmas trees, or balsam boughs without a permit from the Douglas County Forestry Department.

K. Tap any tree for the purpose of syrup production without permission from the Director or their designee.

SECTION IX. SIGNAGE

The Director shall be and is hereby directed to post signs in each of the above listed Developed Areas, which signs shall summarize the regulations set forth in this Ordinance and shall recite that the regulations are imposed pursuant to Douglas County Ordinance.

SECTION X. EXCLUSIONS

This Ordinance shall not apply to law enforcement officers, active employees of the Douglas County Forestry Department, or others authorized by the Director or designee while operating snowmobiles, ATV’s, motor vehicles or motorcycles while engaged in their respective official duties.

SECTION XI. EMERGENCY FIRE REGULATIONS

Department of Natural Resources emergency fire regulations shall supersede this Ordinance pursuant to NR Code 30.05.

SECTION XII. PENALTIES

Any person who violates, disobeys, neglects, omits or refuses to comply with any of the provisions of this Ordinance shall forfeit not less than Fifty ($50.00) nor more than Two Thousand Dollars ($2,000.00), together with the costs of prosecution and damages, and in default of payment thereof, by imprisonment in the County Jail of Douglas County, Wisconsin, for a term of not more than 30 days or until such judgment is paid.
Each day a violation exists or continues shall constitute a separate offense. Pursuant to sec. 66.0113, Wis. Stats. and Douglas County Ordinance #1.1, the provisions of this Ordinance may be enforced through issuance of a citation. Enforcement of this is delegated to the Douglas County Sheriff’s Department, the Director of Forestry and Natural Resources, and Town and Village law enforcement, or their designees.

SECTION XIII. RESPONSIBILITY OF VEHICLE OWNERS.

Owners of any ATV, snowmobile, motor vehicle, moped, motor bicycle or motorcycle operated in violation of the Ordinance shall be in violation of this Ordinance and be subject to all allowable penalties herein.

SECTION XIV. SEVERABILITY

Should any sub-section, clause, or provision of this Ordinance be declared by the Court to be invalid, the same shall not affect the validity of the section as a whole or any part thereof, other than the part so declared to be invalid.

SECTION XV. EXPULSION AUTHORITY

The Director of Forestry and Natural Resources, Sheriff, or their designees may expel any person or persons from lands under the management, supervision, and control of the County for violations of any State law, administrative rule or posted rules or regulations. The period of time for which a person may be expelled is 48 hours, or for the period of their camping permit, whichever is longer. No expelled person may return to the property before the eviction period has elapsed. Persons expelled are not eligible for refunds for unused camping fees or vehicle admission fees. People charged with violent, assaultive or disorderly behavior may be expelled until after the case is adjudicated in court.
SECTION XVI. EFFECTIVE DATE

This Ordinance shall take effect and be in force after its passage and publication as required by law.

Dated this 15th day of August, 1991.

Amendments: October 17, 1991
February 20, 1992
April 20, 1995
January 20, 2000
February 17, 2000
May 15, 2003
June 19, 2003
October 21, 2004
July 20, 2006
DEPOSIT SCHEDULE FOR RECREATION ORDINANCE #7.2

Sec. 66.0113, Wis. Stats. requires that there be a deposit schedule to establish a uniform deposit for violations of specific Ordinance provisions. These uniform deposit amounts must include a 20 percent law enforcement training penalty under Sec. 165.87, Wis. Stats. and a jail assessment imposed by Sec. 302.46(1), Wis. Stats. which is to be 1 percent of the original forfeiture but in no event less than $10.00. The law enforcement training penalty and jail assessment are in addition to the below described deposits.

1. Camping at an undesignated site/camping without a permit/camping beyond length of stay policy/camping within 200 foot privacy radius of another camper/camping in excess of camping units and/or number of campers per site..... $147.00
2. Littering/household trash. ................................................................. $209.00
   a. Second and subsequent offenses....................................................... $275.00
3. Firearms (uncased or loaded) or prohibited weapon/illegal discharge or keep ...... $275.00
4. Improper fire/leaving fire........................................................................ $209.00
5. Disorderly conduct:
   a. Excessive noise. ................................................................. $185.00
   b. Refusal to leave. ................................................................. $185.00
   c. Quiet hour violation............................................................... $185.00
6. Pets not on leash/pets on beach................................................................ $147.00
7. In park when closed. ........................................................................... $209.00
8. Vandalism (damage, destroy, mar, or misuse in any way any Douglas County asset, improvement, or property). ................................................................. $275.00
9. Own or operate a motor vehicle, snowmobile, ATV, motor bicycle, or motorcycle in prohibited areas................................................................. $147.00
   a. Second and subsequent offenses....................................................... $275.00
10. Own or operate a motor vehicle, snowmobile, ATV, motor bicycle, or motorcycle on a trail when trails are closed. ................................................................. $147.00
    a. Second and subsequent offenses....................................................... $275.00
11. Erect, post, or place illegal signs............................................................ $147.00
12. Illegal trail construction................................................................. $335.00
13. Illegal harvest or cutting of forest products .................................................. $335.00
14. Illegal tree stands, tree steps, spikes, waterfowl blinds, ground blinds, elevated platforms................................................................. $147.50
    a. Second and subsequent offenses....................................................... $275.00
15. Fire during DNR imposed fire bans............................................................ $147.00
16. Glass on beach .............................................................................. $147.00
17. Clean fish/game. ........................................................................... $147.00
18. Dump ashes or charcoal....................................................................... $147.00
19. Possess or discharge fireworks............................................................ $147.00
20. Construct, place, occupy or use structures or store personal property without permission................................................................. $209.00
21. Abandoned vehicle. ........................................................................... $275.00
22. Unregistered or unlicensed vehicle............................................................. $147.00
23. Cross country travel by a motor vehicle, snowmobile, ATV, motor bicycle, or motorcycle. ................................................................. $147.00
   a. Second and subsequent offenses............................................................... $275.00
24. Engage in any activity which inhibits others from engaging in the purpose for which the area was intended........................................... $147.00
25. Block a County road or trail in any manner................................................. $147.00
26. Jumping/diving off of water control structure............................................. $147.00