



## Ordinance Number 70

# An ordinance restricting permanent treestands/ground blinds in the Lake District Preserve

WHEREAS, in the interest of public health, safety, or welfare, including the public's interest in preserving the state's natural resources, the Town of Oakland has the authority to enact ordinances applicable to lands within its jurisdiction if the ordinances are not contrary to or inconsistent with the requirements of Chapter NR 45.09, Wis. Stats., and

WHEREAS, there exists within the Town of Oakland, Jefferson County, Wisconsin, a Lake District Preserve; and

WHEREAS, the Town Board had determined that overnight/permanent tree stands, and tower stands cause damage to trees by restricting the tree from growing normally; any screws, bolts, or ratchet straps can deteriorate and rust over time when left in the elements, discharging hazardous materials into the Preserve; and

WHEREAS, the Town Board has determined that overnight ground blinds could interfere with nocturnal wildlife; and

NOW, THEREFORE, the Board of Supervisors of the Town of Oakland, Jefferson County, Wisconsin, does hereby ordain as follows:

**Section 1: Definitions:** For purposes of this ordinance, the following definitions shall apply:

**Tree Stand:** Any open or enclosed platform secured in a tree to elevate a hunter for a better vantage point.

**Tower Stand:** Any open or enclosed platform to elevate a hunter for a better vantage point.

**Ground Blind:** Any structure, enclosure, shelter, or concealment device placed on the ground to assist in concealing or disguising the user or occupant for purposes of taking game.

**Overnight:** Any 24-hour duration of time.

**Lake District Preserve:** All land, structures, and property owned, leased, or administered by Lake Ripley Management District ("District") now held or hereinafter acquired for nature preservation under the management, supervision, and control of Lake Ripley Management District, including parcel no. 022-0613-0924-001, 022-0613-0913-000, 022-0613-0814-001, 022-0613-0841-000, 022-0613-0923-000, 022-0613-0911-001, 022-0613-0914-000, 022-0613-0924-000, 022-0613-0941-001, and 022-0613-0742-053.

**Section 2: Regulatory Provisions:** In order to preserve the natural environment that supports a diversity of wildlife in the Lake District Preserve, no person may do any of the following within the Lake District Preserve:

1. No person may construct, occupy, place, or use any permanent tree stand, tower stand or ground blind. A portable tree stand may be used provided it is not in any manner bolted, nailed, or screwed to the tree, and provided it will not cause any permanent damage to the tree in which placed.
2. Portable tree stands, ground blinds and other temporary elevated devices may be placed one hour prior to the shooting hours established by the District and must be removed within one hour of the end of the District's shooting hours each day.
3. Any tree stand, ground blind, or elevated device must have a Wisconsin Department of Natural Resources (WDNR) customer number or the owner's name and address on or attached to the stand at eye level to a person standing on the ground.
4. The use of nails, screws, spikes, or other devices to aid in climbing a tree is prohibited, except that a ladder-type device is permitted, provided it is not in any manner bolted, nailed, or screwed to the tree, and provided it does not cause any permanent damage to the tree in which placed.
5. Cutting of trees, shrubs, or other live vegetation is strictly prohibited.

**Section 3: Penalties:** In addition to those penalties specified below in Section 4(a), (b) and (c), any person who violates this subsection, is subject to a forfeiture of not less than \$50.00 and no more than \$500.00.

**Section 4: Removal, Notice, Storage, Reclaimer, or Disposal of Hunting Equipment:** The provisions of this subsection shall apply to the removal, storage, notice, reclaimer, or disposal of abandoned tree stands or ground blinds.

- a. **Removal/Notice:**

- i. If the tree stand/ground blind has an identification tag on it, the District will attempt to contact the owner. The owner has 10 days to remove the equipment from District lands. After 10 days, the equipment is subject to immediate removal.
- ii. If the tree stand/ground blind does not have an identification tag on it, it shall be deemed abandoned property and is subject to immediate removal.

b. Storage:

- i. All removed tree stands/ground blinds will be brought back to the Town of Oakland and the owner has 180 days to retrieve their property.

c. Disposal of Abandoned Property:

- i. After 180 days, any equipment that was not reclaimed will be deemed abandoned property. Any abandoned equipment will be auctioned or disposed of at the discretion of the District.

**Section 5: Severability:** Should any portion of this Ordinance or the affected Code Section(s) be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected.

**Section 6: Effective Date:** Upon adoption, this Ordinance shall take effect the day after publication or posting.

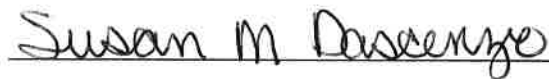
Town of Oakland, By:



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Town Chair

Attest:



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Clerk/Treasurer

Vote: Aye: 5 No: 0

Published: \_\_\_\_\_