

**ORDINANCE NO. 2024. 04**

**AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 13 OF THE TOWN OF EAGLE MUNICIPAL CODE REGARDING REGULATIONS CONCERNING HUNTING AND RECREATIONAL TARGET SHOOTING IN THE TOWN OF EAGLE**

WHEREAS, from time to time, the Town of Eagle Town Board considers changes to the Town of Eagle Municipal Code; and

WHEREAS, the Town of Eagle regulates hunting, target shooting, and the discharge of firearms in Chapter 13 of the Town of Eagle Municipal Code; and

WHEREAS, Section 66.0409 of the Wisconsin Statutes permits towns that have been authorized to exercise Village powers to enact ordinances restricting the discharge of firearms; and

WHEREAS, Section 29.038 of the Wisconsin Statutes permits towns that have been authorized to exercise Village powers to enact ordinances regulating the hunting of wild animals; and

WHEREAS, the Town of Eagle Town Board has determined that certain sections of the Municipal Code should be modified to address the discharge of firearms and other weapons in the Town of Eagle and enact regulations regarding the same to promote the health, general welfare, and safety of the Town of Eagle and its residents.

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

**Section 1.** Town of Eagle Ordinance No. 17-04, entitled “An Ordinance to Repeal and Recreate Chapter 13 of the Ordinances of the Town of Eagle Establishing Regulations Concerning the Discharge of Firearms and Other Weapons Within the Town of Eagle is hereby repealed and Chapter 13 of the Town of Eagle Municipal Code, entitled “Discharge of Firearms and Other Weapons,” is hereby repealed in its entirety and recreated and renamed as follows:

**Chapter 13  
Hunting and Recreational Target Shooting**

**13.01 Hunting Without Written Permission Prohibited**

There shall be no hunting within the limits of the Town of Eagle unless said hunter has permission from the owner of the land upon which he/she is hunting. Any person apprehended on land not owned by that person without permission from the owner shall be deemed to have violated the terms of this chapter

**13.02 Discharge of Weapons**

No person shall discharge any shotgun, bow and arrow or crossbow, rifle, pistol, revolver (of whatever caliber), air rifle, BB gun or other weapon using air as a propulsion device, or a muzzleloader, black powder, or antique or replica weapon within the limits of the

Town of Eagle without permission from the owner of the land where the weapon is discharged, and, in addition, any such discharge is subject to the following limitations and restrictions:

(a) Discharge of any shotgun, pistol, revolver (of whatever caliber), air rifle, BB gun or other weapon using air as a propulsion device, or a muzzleloader, black powder, or antique or replica weapon is prohibited within 250 feet of any building in the Town of Eagle that is not owned by the person discharging the weapon.

(b) Hunting with a bow and arrow or crossbow is subject to the following additional limitations and restrictions: No person shall hunt with a bow and arrow or crossbow within 100 yards from a building located on another person's land, provided that this prohibition does not apply if the person who owns the land on which the building is located allows the hunter to hunt within 100 yards of the building. Any person who hunts with a bow and arrow or crossbow must discharge the arrow or bolt from the respective weapon toward the ground, such as from a tree stand.

(c) No person may hunt on any land owned or leased by the Town of Eagle.

(d) No projectile, such as a bullet, shot, or arrow, from the shotgun, bow and arrow or crossbow, rifle, pistol, revolver (of whatever caliber), air rifle, BB gun or other weapon using air as a propulsion device, or a muzzleloader, black powder, or antique or replica weapon shall leave or cross the lot lines of the property upon which the discharge or shooting occurs.

### **13.03 Discharge of Firearms for Protection**

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

### **13.04 Violations and Penalties**

Any person who shall violate, neglect or refuse to comply with any of the provisions of this Chapter shall, upon conviction thereof, forfeit or pay a fine of not less than \$200.00, nor more than \$500.00, together with costs of prosecution, and in default of payment thereof, shall be imprisoned in the county jail for a period of not to exceed 30 days or until such forfeiture and subsequent costs have been paid.

**Section 2. Severability.** Each section, subsection, paragraph, sentence, clause, phrase and provision of the foregoing ordinance is and the same is hereby declared to be severable and if any portion or provision thereof is duly determined to be invalid for any reason, such determination shall not invalidate any other portion or provision thereof

**Section 3. Effective Date.** This Ordinance shall take effect upon passage and publication or posting as required by law.

Dated this 19<sup>th</sup> day of June, 2024.

*Christine Mommaerts*  
Christine Mommaerts, Town Chairperson

ATTEST:

*Mercia Christian*  
Mercia Christian, Town Clerk/Treasurer

Voted Aye   4   Voted Nay   1  

Abstain            Absent           

Published and/or posted this   18<sup>th</sup>   day of   July  , 2024

Motion to replicate the Town Genessee  
State statute for penalties or penalty