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January 24, 2019

VIA EMAIL ONLY

Ted Ritter

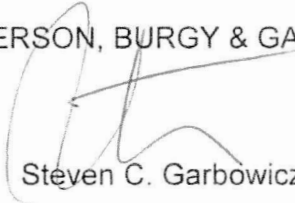
RE: **Old Ordinances**

Dear Ted:

I have received your proposed Resolution for rescinding these old Ordinances. Again, this is an excellent idea and I see very few communities that take these steps which makes reading of Ordinances extremely difficult when they are old and really not applicable or enforceable. Therefore, your Resolution is satisfactory and I highly recommend it be adopted.

Sincerely,

O'BRIEN, ANDERSON, BURG & GARBOWICZ, L.L.P.



Steven C. Garbowicz

SCG:alc

STATE OF WISCONSIN
Town of St. Germain, Vilas County
Resolution SG19-01-1
Rescinding of ordinances ST-1 & H-1

WHEREAS The Town of St. Germain, on September 12, 1977, adopted ordinance ST-1 pertaining to safety and trespassing; and

WHEREAS the Town of St. Germain, on November 06, 1982, adopted ordinance H-1 regulating the discharging and carrying of firearms; and

WHEREAS the above ordinances or portions thereof are now non-compliant with applicable State statutes; and

WHEREAS the Town of St. Germain has no ability to enforce current State laws pertaining to these subjects and relies on authorized State and County law enforcement agencies to do so,

BE IT THEREFORE RESOLVED that the Town Board of Supervisors does hereby rescind ordinances ST-1 and H-1 and all amendments to both including an unsigned draft titled "Chapter 8 of the Town of St. Germain Ordinances".

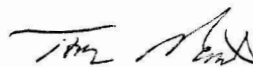
BE IT FURTHER RESOLVED that no Town of St. Germain ordinance(s) pertaining to carrying or discharging firearms or bows and arrows or pertaining to safety and trespassing shall be enacted unless done so as properly adopted chapters of the Town of St. Germain Code of Ordinances.

Adopted this 31st day of January 2019

Attest



Tom Christensen, Chairman



Tom Martens, Clerk

Ordinance No. H-1

An Ordinance regulating the discharging and carrying of firearms

The Town Board of the Town of St. Germain, Vilas County, Wisconsin, does hereby ordain as follows:

Section 7 of the Ordinances of the Town of St. Germain, Wisconsin is hereby created to read as follows:

Section 1. Prohibited Acts

No handguns, whether holstered, cased or uncased, shall be worn on a person, or otherwise carried, while said person is inside a public building, or place of business, including, but not limited to, places of businesses which are licensed for the sale of alcoholic or fermented malt beverages.

Section 2. This section shall not apply to the following:

- (A) A sheriff, deputy sheriff, warden, constable, U.S. Marshal, State trooper, police officer or other law enforcement officer.
- (B) The maintenance and use of supervised rifle or pistol ranges or shooting galleries or firearm, rifle, or handgun safety courses.
- (C) Display of unloaded firearms, rifles, handguns in public or private premises.
- (D) The carrying, other than on the person, display or possession of firearms, including rifles, and handguns, for purposes of sale in places of business properly licensed and engaged in the business of the sale of firearms.

Section 3

Any person found guilty of violating this ordinance shall be subject to a forfeiture of not less than \$10.00 nor more than \$100 for the first offense or not less than \$50.00 nor more than \$250.00 for the second and subsequent offense.

Section 4. Conflict and Separability

- (A) Conflict of Provisions. If the provisions of the different sections of this ordinance conflict with or contravene each other, the provisions of each section shall prevail as to all matters and questions arising out of the subject matter of such sections.
- (B) Separability of Ordinance Provisions. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause or phrase or portion thereof. The board hereby declare that it would have passed this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more

sections, subsections, sentences, clauses, phrases or portions may be declared invalid or unconstitutional.

Section 5. Effective Date

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

- (A) Date Adopted: 11-6-82
- (B) Date Published: 11-16-82
- (C) Effective Date: 11-16-82

TOWN OF ST. GERMAIN ORD.#ST-1₇ TOWN ORDINANCE FOR SAFETY AND TRESPASSING

Section 1. Purpose and Intent. This Safety and Trespassing Ordinance is necessary to maintain and protect the property owner and to insure the safety of human life. It is also intended to give hunters reasonable guidelines acceptable in the Town of St. Germain regarding property rights and the sportsmanlike conduct for the taking of all game animals.

Section 2. Trespassing Violations. There shall be a designated fine for trespassing on private property. It is recommended that all private property have "no trespassing" signs posted on individual posts with a minimum of four signs per forty acres; however, failure to post land does not allow anyone the right to go on another persons property without permission. Complaints may be signed by the owner, lessee, or guardian of property involved. (See Department of Natural Resources Hunting Regulations Bulletin.)

Section 3. Discharging a firearm or bow and arrow. No gun regardless of caliber and no bow and arrow regardless of make or design shall be discharged or shot from any named road in the Town of St. Germain regardless of the type of surfacing. (Example: Pedycourt Road).

Section 4. Carrying Weapons in an Automobile, Truck, Van, Snowmobile, Motorcycle, Minibike, etc.

- a. All rifles, shotguns or handguns shall be unloaded and in a closed case secured against opening by being tied, snapped, clasped or zippered shut.
- b. All conventional bows shall be unstrung and in a closed case secured against opening by being tied, snapped, clasped or zippered shut.
- c. All compound bows shall be locked around the multiple bowstrings with a standard lock and key and placed in a closed case secured against opening by being tied, snapped, clasped or zippered shut.
- d. No arrows of any kind (target or hunting) shall be carried in or on a vehicle without being in a quiver or carrying case.
- e. No one shall have a strung bow outside the case, or a loaded rifle, regardless of caliber, or a loaded shotgun within fifty (50) feet of any vehicle on a named road.

Section 5. Penalties. Any person or persons who violate, disobey, neglect, or refuse to comply with, or who resist the enforcement of any provision of this ordinance shall be subject to a fine of not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00) together with the cost of the action. They may also have any or all equipment used in the violation confiscated, based upon the court's decision.

Section 6. The Wisconsin Hunting Regulations bulletin is hereby adopted by reference where applicable and allowable unless covered by a St. Germain Ordinance.

Section 7. All Ordinances, in whole or in part, which conflict with the provisions of this ordinance are hereby repealed.

Section 8. This Safety and Trespassing Ordinance may be amended as recommended by the Town Board by the same procedure as this ordinance was originally adopted.

Section 9. Should any section or provision of this Safety and Trespassing Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof, other than the part so declared invalid.

Section 10. This ordinance shall take effect and be in force from and after passage and publication.

ADOPTED: September 12, 1977
PUBLISHED: September 14, 1977
EFFECTIVE: September 14, 1977
AMENDED: May 1, 1978

BY THE TOWN BOARD OF ST. GERMAIN.

Chairman: George G. Lorentz
Supervisor: Donald Eliason
Supervisor: William Wetzel

TOWN OF ST.GERMAIN
VILAS COUNTY, WISCONSIN
AMENDMENT TO ORDINANCE ST-1

Section 3, as set forth in Ordinance ST-1, adopted September 12, 1977 and codified as Chapter 8.03 of the Town of St. Germain Ordinances is hereby repealed and replaced with the following:


8.03 DISCHARGING A FIREARM OR BOW AND ARROW.

1. No firearm, as defined by Wis. Stat. 167.31, regardless of caliber and no bow and arrow or crossbow, regardless of make or design, shall be discharged in the Town, within 150 feet of any adjacent property, without the written consent of the adjacent property owner.
2. Any discharge in compliance with this section shall be so aimed as to cause the projectile to travel in a direction parallel to, or away from adjacent properties or habitable dwelling.
3. This section shall not apply to persons engaged in bonified practice with a bow and arrow, provided an appropriate backstop is employed to prohibit an arrow from traveling onto the property of others and in a direction so as not to place others in jeopardy.

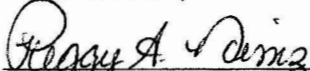
The above amendment was duly adopted at the regular meeting of the Town Board of the Town of St. Germain this 12th day of SEPTEMBER, 2005.

APPROVED


BY:



Jim Wendt, Chairman



Peggy Nimz, Supervisor



Todd Wiese, Supervisor



Ted Ritter, Supervisor



Lee Christensen, Supervisor

ATTEST:



Thomas Martens, Clerk