

Minutes of a special session of the Common Council of the City of Barron held November 25, 2013 at 5:30 p.m. in the Council Chambers of City Hall. Council members present: David Vruwink, Rod Nordby, Kevin Haller, Ron Fladten, Tony Allen and Bob Rollins. Absent: Mike Dietrich. Others present: Andrew Harrington, Sandy Olson and Robert Zientara.

The meeting was called to order at 5:30 p.m. by Mayor David Vruwink.

Mayor Vruwink reported that the Codes & Ordinances Review Committee has recommended that the Common Council of the City of Barron approve Ordinance No. 2013 - # 3 which would allow deer hunting via bow and arrow within the City of Barron between December 2, 2013 and January 5, 2014 under certain conditions.

Andrew Harrington, City Attorney, reported that the "deer committee" met several times and developed some guidelines for the proposed deer hunt. Mr. Harrington further reviewed the proposed Ordinance.

Moved by Nordby, seconded by Allen to approve Ordinance No. 2013 - # 3 as presented.

ORDINANCE NO. 2013 - # 3

The common council of the City of Barron do ordain as follows: Section 36-77 of the Code of Ordinances for the City of Barron, Wisconsin, pertaining to "Firearms, explosives, and other missiles" shall be amended to read as follows:

Sec. 36-77. Firearms, explosives, and other missiles.

- (a) *Firearm defined.* For purposes of this section, a firearm is defined as any instrumentality from or with which a shot, bullet or pellet may be discharged or expelled, regardless of whether the propelling force is provided by air, spring or other similar mechanical device, or gun powder.
- (b) Discharge prohibited; exception for shooting ranges. No person, except a police officer or other law enforcement officer in the performance of an official duty, shall fire or discharge any firearm, rifle, spring gun, air gun or pneumatic pellet gun of any description other than for target practice, within the city. In addition, no person shall in the territory adjacent to the city discharge any firearm in such manner that the discharge shall enter or fall within the city. This section shall not prevent the maintenance and use of duly supervised rifle or pistol ranges or shooting galleries approved by the common council where proper safety precautions are taken.
- (c) Detonation of explosive devices prohibited; exception. No person shall discharge or detonate any dynamite, nitroglycerin or other explosive within the city without first obtaining a permit to do so from the common council.

(d) Hunting in city limits prohibited. Discharging a firearm or bow and arrow while hunting is prohibited within the corporate limits of the city-, except as otherwise allowed by this section.

i. EXCEPTION. Limited bow hunting shall be allowed only for the purpose of hunting whitetail deer within the corporate limits of the city.

A. Subject to the restrictions of this section, hunting of whitetail deer shall be allowed on private property and on city property.

B. Limited bow hunting of whitetail deer is permissible on private property if:

1. Bow hunting taking place on private property within the corporate limits of the city shall only take place during the time of the whitetail deer bow season for the State of Wisconsin as established by the Wisconsin DNR (WDNR) in any given year.
2. The parcel sought to be hunted on falls within the geographic areas determined by the common council for the City of Barron. Areas of the city open for the hunt shall be determined by the common council for the City of Barron.
3. Anyone seeking to hunt within the corporate limits of the city must be a licensed hunter and otherwise satisfy all state statutes and Wisconsin Department of Natural Resources (WDNR) hunting regulations.
4. The parcel of land to be hunted on shall be no smaller than one (1) acre in size, or if the hunter wishes to hunt on two or more parcels of land that are contiguous with each other with combined acreage equal to or greater than one (1) acre in size.
5. If a hunter is hunting on two or more contiguous parcels of property that are not owned by the same person, the

hunter must have the written consent of all owners before the city will issue a permit to hunt.

6. Anyone seeking to hunt on private property within the corporate limits of the city must submit an application to hunt. The city shall have pre-approved, prepared application forms which shall set forth the following information:
 - a. The name of the applicant;
 - b. The name, address, telephone number, and DNR Customer ID# of the hunter;
 - c. Proof of a current WDNR archery license;
 - d. The name, address, telephone number, parcel number, and acreage of the parcel which is to be hunted;
 - e. The written consent of the owner of the parcel or parcels.
7. All applications to hunt deer within the corporate limits of the city shall be submitted to the City of Barron for approval. Applications are subject to the approval of the Common Council for the City of Barron, which may designate and/or create a body of its choosing to approve applications. The Council or the body it designates shall approve such applications upon verification that the applicant has satisfied all requirements established under state law and the Code of Ordinances for the City of Barron.
8. LIMITATIONS ON HUNT. Only one (1) person subject to this program may be allowed to hunt on any lot or tract of land less than five (5) acres in size.
9. Any hunter granted the privilege to hunt under this section shall carry his or her city-issued permit on their person at all times while they are hunting.

C. Limited bow hunting of whitetail deer shall be permitted on city property if:

1. The provisions of this section set forth above at sub-section (d)i., A. – B., is incorporated herein by reference as if more fully set forth herein, to the extent not altered or changed by this sub-section.
2. Bow hunting taking place on city property shall only take place during the time of the bow season for the State of Wisconsin as established by the Wisconsin DNR (WDNR) in any given year. No hunting shall be allowed in either Becker Park or in Anderson Park.
3. Anyone seeking to hunt within the corporate limits of the city must be a licensed hunter and otherwise satisfy all state statutes and Wisconsin Department of Natural Resources (WDNR) hunting regulations.
4. Anyone seeking to hunt on city property within the corporate limits of the city must submit an application to hunt. The city shall have pre-approved, prepared application forms which shall set forth the following information:
 - a. The name of the applicant;
 - b. The name, address, telephone number, and DNR Customer ID# of the hunter;
 - c. Proof of a current WDNR archery license;
5. Applications to hunt deer within the corporate limits of the city shall be submitted to the Police Department of the City of Barron for approval.
6. Approval of applications to hunt on city-owned property and the issuance of permits shall be by a lottery system. The number of permits to be issued for the hunting on city-owned property and the persons to whom the permits will be issued shall be in the discretion of the common council of the city or to whomever the council may delegate the decision.

7. Hunters hunting on city-owned property shall be prohibited from erecting any permanent stand on city property. Any stand that a hunter may erect on city property must be taken down and completely removed daily when their hunt is complete. In erecting or placing any stand on city property, no screws or nails or other device shall be used to secure the stand to any tree.

D. Any whitetail deer killed or injured by way of the limited bow hunt on either private property or city property shall inform the City within forty-eight (48) hours of killing or injuring the deer.

ii. VIOLATION OF THIS SECTION AND PENALTY. The Mayor, City Clerk, and/or the Chief of Police reserve the right to revoke a hunter's permit at any time for violation of this section. A permit to hunt within the city limits granted under this section does not relieve any hunter of any liability, civil or criminal, and is not a defense to any liability, civil or criminal, for trespassing or other damage resulting from the unauthorized entry on to private property. Any incident trespassing or damage resulting from any unauthorized entry on to private property shall result in revocation of the privilege to hunt within the city limits."

This Ordinance shall take effect the day after passage and publication as provided by law. Adopted by the Common Council of the City of Barron, Wisconsin, this 25th day of November, 2013.

David Vruwink, Mayor

ATTEST:

Tony Slagstad, City Clerk
PASSED: November 25, 2013
PUBLISHED: November 27, 2013

Motion carried 4 ayes 1 naye. (Fladten voting naye.)

Moved by Rollins, seconded by Haller to designate the "deer committee" the authority to approve applications for hunting on behalf of the Common Council of the City of Barron. Motion carried 4 ayes 1 naye. (Fladten voting naye.)

Duly moved to adjourn at 5:45 p.m.

Tony Slagstad, City Clerk