

TOWN OF ROCK

ORDINANCE NO. 2002-01

SHOOTING ORDINANCE

AN ORDINANCE TO AMEND ORDINANCE NO. 955 DATED OCTOBER 2, 1995, REGULATING SHOOTING IN THE TOWN OF ROCK, ROCK COUNTY, WISCONSIN.

THE TOWN BOARD OF THE TOWN OF ROCK, ROCK COUNTY, WISCONSIN, DOES ORDAIN AS FOLLOWS:

ORDINANCE NUMBER 2002-01 OF THE CODE OF ORDINANCES OF THE TOWN OF ROCK, ROCK COUNTY, WISCONSIN, IS HEREBY CREATED TO READ AS FOLLOWS:

1. Ordinance Number 955 entitled Shooting Ordinance is hereby repealed and in lieu thereof this Ordinance Number 2002-01 is created and adopted.

2. No person shall fire or discharge, attempt to fire or discharge, or cause to be fired or discharged any weapon within the municipal limits of the Town of Rock. The word weapon as used in this ordinance includes without limitation any pistol, rifle, shotgun or other firearm, crossbow, bow and arrow or any other device or instrumentality which, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm.

3. The following are exceptions to paragraph 2 of this ordinance:

- A. When such weapon is being used by a police officer in the lawful performance of his duty.**
- B. When such weapon is necessary to protect the person or property of the one carrying such weapon or the person or property of another, provided such weapon does not constitute a concealed weapon within the definition of Section 941.23 of the Wisconsin Statutes.**
- C. When such weapon is used upon a licensed target practice range.**
- D. When such weapon is a shotgun with scatter shot or fine shot loads, such weapon may be used for hunting purposes upon agriculturally zoned property within the Town of Rock during legal hunting season provided such weapon is not fired or discharged, attempted to be fired or discharged or caused to be fired or discharged within three hundred (300) feet from any permanent or occupied dwelling and two hundred (200) feet from any public highway.**

- E. When such weapon is a bow and arrow, such weapon may be used for hunting purposes upon agriculturally zoned property within the Town of Rock during legal hunting season provided such weapon is not discharged, attempted to be discharged or caused to be discharged within three hundred (300) feet from any permanent or occupied dwelling and two hundred (200) feet from any public highway.
- F. When such weapon is a shotgun loaded with a single slug or a single ball or any rifle or handgun, such weapon may be used for hunting purposes upon agriculturally zoned property within the Town of Rock during legal hunting season provided such weapon is not fired or discharged, attempted to be fired or discharged or caused to be fired or discharged within three hundred (300) feet from any permanent or occupied dwelling and two hundred (200) feet from any public highway.
- G. When such weapon is a shotgun with scatter shot or fine shot loads, such weapon may be used for hunting migratory water fowl on that portion of the Rock River or the banks thereof lying between the Janesville City Limits and Townline Road within the municipal limits of the Town of Rock during legal hunting season provided such weapon is not fired or discharged, attempted to be fired or discharged or caused to be fired or discharged within three hundred (300) feet from any permanent or occupied dwelling and two hundred (200) feet from any public highway.
- H. When such a weapon is a shotgun with scatter shot or fine shot loads, such weapon may be used for hunting purposes upon a "game bird and animal farm" licensed pursuant to Wis. Stats. §29.867 provided such weapon is not fired or discharged, attempted to be fired or discharged or caused to be fired or discharged within three hundred (300) feet from any permanent or occupied dwelling, two hundred (200) feet from any public highway, or three hundred (300) feet from any public or private parkland.

4. Reference to the term "person", "anyone", or like reference shall be deemed to refer to a person, a sole proprietorship, a partnership, a limited liability company, a corporation or any other entity and also a responsible partner or a responsible member or a responsible officer or a responsible managing agent of any sole proprietorship, partnership, limited liability company, corporation or other entity unless the context clearly indicates otherwise.

5. This ordinance shall not eliminate supervised, controlled shooting in areas designated by the Town Board of the Town of Rock, Rock County, Wisconsin, and any person desiring to have supervised, controlled shooting areas may make application for such to the Town Clerk of the Town of Rock, subject to the approval of the Town Board of the Town of Rock, Rock County, Wisconsin.


6. Written permission shall be obtained by the person shooting from the landowner or his agent for any shooting in the Town of Rock, Rock County, Wisconsin.

7. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

8. Any person who shall violate any of the provisions of this ordinance shall forfeit and pay to the Town of Rock, Rock County, Wisconsin, a forfeiture of not less than \$20.00 nor more than \$200.00 for each offense, together with the costs of prosecution of such offense. Imprisonment in the county jail may be ordered only for failure to pay the forfeiture that may be imposed. If imprisonment is ordered for failure to pay the forfeiture, it shall be limited to one day of confinement for each \$5.00 of forfeiture or fraction thereof.

9. This ordinance shall take effect and shall be in full force from and after its passage and publication as provided by law.

DATED this 1st day of July, 2002.


Richard M. O'Leary, Town Chairperson


James Connell, Town Supervisor


Mark Polzin, Town Supervisor

Attest:


Deborah Bennett, Town Clerk

CERTIFICATE

I hereby certify that the above ordinance was adopted by the Town Board of the Town of Rock on the 10th day of July, 2002, and that on the 13th day of July, 2002, a copy of the above ordinance was published in The Janesville Gazette, the official newspaper of the Town of Rock.

Deborah Bennett
Deborah Bennett, Town Clerk
Town of Rock, Rock County, Wisconsin

Subscribed and sworn to before me
this 5th day of August, 2002.

[Signature]
Notary Public, Rock County, Wis.
My Commission: 12 September