

COUNTY ORDINANCES

County Forest Ordinance. These are the ordinances that were in effect as of the date this plan was approved. The Official County Ordinance book should be referred to for current ordinances.

TITLE 12

County Lands and Forest

Chapter 1	Bayfield County-Owned Land Regulations
Chapter 2	County Forests
Chapter 3	Tri-County Recreational Corridor

Bayfield County –

Owned Land Regulations

12-1-1	Bayfield County Park Land Regulations
12-1-2	Conduct on County Owned Land
12-1-3	Tree Stands and Ground Structures
12-1-4	Regulation of Waste Disposal

Sec. 12-1-1 Bayfield County Park Land Regulations.

- (a) **Destruction of Property.** No person shall, on County park lands, remove or destroy any trees, shrubs, plants or other natural growth; any rocks, signs, roads, trails, or structures; drive nails in trees; or injure or deface in any manner any County park structure including buildings, signs, fences, tables or other County property or enter by force in any way any building that may be locked or closed to public use. No person shall disturb, molest or remove the property or personal effects of others while on County park lands.
- (b) **Disposal of Refuse.** No person shall dispose of or leave any garbage, bottles, tin cans, paper, appliances, demolition materials, tires, or any other waste material on County park lands or within dumpsters or other receptacles on County park lands, except that garbage resulting from picnicking or camping on County park lands may be disposed of by placing in it receptacles provided for such purpose, but in no other manner. Disposing of any of the above items in any lake or stream within or adjoining County parks is prohibited.
- (c) **Prohibited Washing.** The washing of cars or clothing is prohibited in any of the lakes or streams in or adjoining County parks.
- (d) **Dogs.** No person shall allow any dog to run at large at any time within a County park. All dogs in County parks shall be kept on a leash by the owner at all times. Bathing of dogs is forbidden in any of the streams and lakes within or adjoining County parks.
- (e) **Campfires.** No person shall build any campfire or burn any rubbish on County park lands except as designated places or throw away any matches, cigarettes, cigars or pipe ashes without first extinguishing them.
- (f) **Business Advertising.** No person shall peddle or solicit business of any nature whatsoever, or distribute handbills or other advertising matter on County park

lands unless first authorized in writing by the Bayfield County Tourism and Recreation Director.

- (g) **Improper Vehicle Use.** No person shall drive an automobile, truck, motorcycle or other vehicle in a reckless manner or at a speed greater than that established by signs posted on said County park lands.
- (h) **Loud Speakers.** No person shall operate any sound truck, loud speakers or other mechanical device that produces undue or unnecessary noise in the County park.
- (i) **Parking Limited.** No person shall park and leave unattended for more than forty-eight (48) hours any automobile, truck, trailer, motorcycle, boat, mobile home or other similar equipment without first obtaining a written permit from the Bayfield County Tourism and Recreation Director and such vehicles, boats or equipment shall not be parked or left in any area other than areas designated for such purpose.
- (j) **Disorderly Conduct with a Motor Vehicle.** No person shall operate an automobile, motorcycle or other vehicle in and about the premises of any County park in such a manner as to cause undue motor or tire noise or in such manner as to endanger the safety of any other person.
- (k) **Firearms.** No person shall have in his/her possession or under his/her control any firearm of any kind on County park premises unless the same is unloaded and enclosed within a carrying case and no person shall hunt, trap or disturb any wild animals or birds at any time within posted areas on County park lands.
- (l) **Improper Conduct.** No person shall be intoxicated or engage in any violent, abusive, loud, boisterous, lewd, wanton, obscene or otherwise disorderly conduct tending to create or provoke a breach of the peace or to disturb or annoy others while within the boundaries of any County park.
- (m) **Nighttime Noise.** No person shall intentionally cause any loud noise or disturbance in any County park between the hours of 10:00 p.m. and 7:00 a.m.
- (n) **Camping.** No person shall camp in any County park where camping fees are required without first having paid the camping fee then in effect nor without having on display at his or her camping site a camping fee stub. No person shall launch any boat or canoe at any County park where boat launching fees are required without first having paid the boat launching fee then in effect nor without having in his or her possession a boat launching fee receipt.
- (o) **Statutes Adopted.** The following enumerated sections of the Wisconsin Statutes, exclusive of any provision therein relating to the penalties to be imposed or the punishment for violation of said statutes, are hereby adopted and by reference made a part of this Section as if fully set forth herein. Any act required to be

performed or prohibited by any statute incorporated herein by reference is required or prohibited on County park lands by this Section:

- (1) **Section 125.07(4).** Possession of alcohol beverages in park by underage persons, under 21.
 - (2) **Section 125.07(1).** Furnishing alcohol beverages to underage persons, under 21.
 - (3) **Section 346.93.** Transportation of alcohol beverages by underage person, under 21.
 - (4) **Section 167.10.** Possession or use of fireworks.
- (p) **Unaesthetic Objects.** No person shall place or display on Bayfield County park lands objects, which, in the judgment of the Bayfield County Tourism and Recreation Committee, significantly interfere with the aesthetic appearance of the area in which such objects are placed or displayed. The Tourism and Recreation Department and/or Bayfield County Sheriff's Department may remove any such objects from the property.

(Amendment Effective Date 10-4-01).

Section 12-1-2 Conduct on County Owned Land

- (a) **Prohibited Camping, Litter or Destruction of Property.** No person or persons shall do any of the following on County owned land:
- (1) Camp overnight in areas designated as no camping areas, or camp in a manner inconsistent with designated camping rules.
 - (2) Litter, or dispose of trash or rubbish in any manner other than depositing such in a provided container.
 - (3) Ignite an open fire unless such fire is in a fireplace, grill, or other suitable container provided for or constructed to contain a fire, or unless the ground is one hundred percent (100%) snow covered.
 - (4) Leave an open fire unattended unless it has no smoke and the entire coal or ash bed is cool enough to touch with a hand.
 - (5) Ignite an open fire during a DNR red flag fire ban period or when the site is posted for no open fires.
 - (6) Cause damage to a County natural feature, resource, trail, gate, berm, barrier or facility.
 - (7) Occupy a site for a period exceeding fourteen (14) days.
 - (8) Refuse to leave an area when directed to leave by the Forest Administrator, Sheriff, their designee, or anyone authorized to enforce this Section.
- (b) **Prohibited Vehicle Conduct.** No person or persons shall do any of the following on County owned land:
- (1) Operate a motorized vehicle on a County trail designated closed with a gate, berm, barrier and/or sign, or in an area designated closed by the Forestry Committee.
 - (2) Operate a motorized vehicle in an area other than on a road or trail designated for such vehicle.
 - (3) Operate a motorized vehicle over seven hundred (700) pounds in net vehicle weight on a trail designated for ATV use.

- (4) Operate a motorized vehicle on a trail or road during a closed period as published in the official County paper or when DNR fire danger is posted in the very high classification or higher.
 - (5) Operate a motorized vehicle which does not have a state approved spark arrestor or which has a modified exhaust system.
 - (6) Construct, repair, disturb or drag material on any County Forest road or trail without the written approval of the Forest Administrator or his/her designee five (5) working days prior to commencement of activity.
 - (7) Operate a motorized vehicle with gross vehicle weight in excess of the weight limit posted by the Forest Administrator or his/her designee.
 - (8) Block or obstruct a primary, secondary or temporary road or trail with a vehicle, camper or other obstruction or otherwise create a hazard to road and trail users.
 - (9) Use a horse, bicycle, skis or dog sled, or operate a vehicle other than snowmobile and maintenance equipment on a state funded snowmobile trail between December 1st and April 1st.
 - (10) *Operate a motorized vehicle below the ordinary high water mark of a stream, river or lake, or within a wetland as determined by wetland map, USGS Quadrangle, soil map, or wetland vegetation, except at a water crossing approved by the Department of Natural Resources, U.S. Army Corp or Engineers, and the Forest Administrator or his/her designee.*
 - (11) Use any County Forest Land or facility for commercial use or organized activity without the written approval of the Forest Administrator or his/her designee.
 - (12) Operate motorized vehicle without state registration number or license number clearly visible.
- (c) **Prohibited Conduct on Property.** No person or persons shall do any of the following on County owned land:
- (1) Post or cause to be posted any sign, picture, advertisement, or other informational device without the written approval of the Forest Administrator or his/her designee.
 - (2) Removal fill, soil, ore, gravel, or any mineral.
 - (3) Disturb, dig, or remove any artifact or historical article.

- (4) Damage, deface, destruct, move, remove, or possess any sign placed or contracted to be placed by the County.
- (5) Ride a horse, bicycle or other non-motorized vehicle below the Ordinary High Water Mark of any lake or stream except at a designated crossing.
- (d) **Exceptions.** Temporary exceptions to any regulation of this Section may be granted by the Forest Administrator or his/her designee for maintenance, management or emergency purposes.
- (e) **Use of Forfeiture Monies.** The County portion of all deposits and forfeitures from violations of this Section shall be segregated into a non-lapsing forestry account for use in constructing or repairing damage to County lands, trails or facilities related to access and recreational facilities.

Sec. 12-1-3 Tree Stands and Ground Structures.

- (a) **Definitions. As used in this Section:**
 - (1) Tree Stand. Any manmade or installed platform, scaffold or other structure or elevated device placed or located in a tree.
 - (2) Ground Structure. Any structure located on the ground, including, but not limited to, structures used as hunting blinds.
- (b) **Tree Stand Regulations.** No person shall place, occupy, use, or leave any tree stand in any tree located on land owned by Bayfield County and no person shall place, occupy, use or leave any ground structure on land owned by Bayfield County unless all of the following terms are complied with:
 - (1) A tree stand may be placed or left in a tree and a ground structure may be placed or left on the ground only during the period from September 1, through December 31, of each year.
 - (2) A tree stand shall not be attached to a tree by any means or device, which would penetrate the bark or the bole of the tree.
 - (3) A tree stand placed in a tree or a ground structure placed on the ground shall be labeled with the name and address of the owner of the tree stand or ground structure in such a manner that the labeling is readable from the ground.
 - (4) A ground blind, including any fasteners, may only be constructed of natural materials.

- (c) **Violations.** Violation of this Section shall be punishable as prescribed by Section 1-1-6, plus the statutory penalty assessment, jail assessment, automation fee, and court costs and other costs of prosecution, and upon failure to pay such forfeiture, assessments, fees, and costs, confinement in the Bayfield County jail until the same have been paid but not to exceed sixty (60) days. Additionally, a violator shall be liable to the County for the cost of removing a tree stand or ground structure which is in violation of this Section and for twice the current market value of trees cut or damaged. Each day the ordinance is violated shall constitute a separate offense.

Sec. 12-1-4 Regulation of Waste Disposal.

- (a) **Definitions.** For purposes of this Section, "waste" is defined as garbage, rubbish, refuse, decaying or discarded vegetable or animal matter, demolition materials, and any other items, materials or substances discarded or to be discarded by their owner or possessor.
- (b) **Improper Waste Disposal.** No person shall place or leave any waste on any land owned by Bayfield County except under the following circumstances:
 - (1) The waste is generated in the course of permitted recreational use of County parks and is placed in receptacles provided for such purpose.
 - (2) The waste is placed or left on County land pursuant to and in accordance with written authorization from the County.
- (c) **Aiding Violation.** No person shall aid or abet another in the violation of this Section, nor direct, solicit or conspire with another to violate this Section.
- (d) **Penalties.** Violation of this Section shall be punishable by a forfeiture of not less than One Hundred Dollars (\$100.00) nor more than One Million Dollars (\$1,000,000.00), plus the statutory penalty assessment, jail assessment, automation fee, and Court costs, and any other costs of prosecution, and upon failure to pay such forfeiture, assessments, fees, and costs, confinement in the Bayfield County Jail until the same have been paid but not to exceed sixty (60) days. Additionally, a violator shall be liable to the County for any cleanup costs incurred by the County as a result of a violation.
- (e) **Enforcement.** This Section shall be enforced by the Bayfield County Sheriff's Department, whose officers may issue citations under the Bayfield County Citation Ordinance for violations hereof.
- (f) **Reward for Providing Information.** Any person who provides information to Bayfield County which leads to the conviction of another person for a violation of this Section, to which the informant was not a party, shall be paid the amount of One Hundred Dollars (\$100.00) by the County as a reward for such information

upon the convicted person's paying to Bayfield County the forfeiture imposed for his/her conviction.

County Forests

12-2-1	Designation of County Forests
12-2-2	Committee Appointment
12-2-3	Responsibilities and Duties of the Forestry Committee
12-2-4	County Forest Law Administration
12-2-5	Forest Finances
12-2-6	County Forest Use Regulations
12-2-7	Legal Action
12-2-8	Miscellaneous Forest Products Regulations

Sec. 12-2-1 Designation of County Forests.

- (a) Determination is hereby made that for the purpose of proper and complete identification all County owned forest lands now held and entered under the Wisconsin County Forest Law by Bayfield County or hereafter acquired for forestry purposes and located within the areas described below, and as indicated on the official map appended to the comprehensive plan and on file in the office of the County Forest Administrator are established and designated as the Bayfield County Forest. The Bayfield County Forest boundaries are hereby established to encompass the areas described as follows:

Bayfield County Forest Blocking T43N, R7W: The NW-NW, S $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ of Section 26; The E $\frac{1}{2}$ of Section 27; All of Sections 29 through 32; the S $\frac{1}{2}$ -N $\frac{1}{2}$ and S $\frac{1}{2}$ of Section 33; The NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ of Section 34; All of Sections 35 and 36, T43N, R9W.....All of Sections 1 through 4 and 8 through 36, T44N, R9W.....All of Sections 25 through 28 and 33 through 36, T45N, R9W.....All of Sections 1 through 6; The N $\frac{1}{2}$ of Section 7; The N $\frac{1}{2}$, N $\frac{1}{2}$ -SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of Section 8; All of Sections 9 through 16; The E $\frac{1}{2}$ of Section 17, T46N, R9W.....The entire Township T47N, R8W.....The NE $\frac{1}{4}$ of Section 2; The NW $\frac{1}{4}$ and W $\frac{1}{2}$ -SW $\frac{1}{4}$ of Section 3; All of Section 4; The N $\frac{1}{2}$, N $\frac{1}{2}$ -SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of Section 9; The W $\frac{1}{2}$ -NW $\frac{1}{4}$, NW-SW, S $\frac{1}{2}$ -SW $\frac{1}{4}$ and S $\frac{1}{2}$ -SE $\frac{1}{4}$ of Section 10; All of Sections 12, 13 and 14; The E $\frac{1}{2}$ of Section 22; All of Sections 23 and 24; The S $\frac{1}{2}$ of Section 29; The S $\frac{1}{2}$ of Section 30; The N $\frac{1}{2}$ and SE $\frac{1}{4}$ of Section 31; All of Section 32, T47N, R9W.....The SWNW and W $\frac{1}{2}$ -SW $\frac{1}{4}$ of Section 1; The S $\frac{1}{2}$ -NE $\frac{1}{4}$, NW $\frac{1}{4}$ and S $\frac{1}{2}$ of Section 2; All of Sections 3, 4, 8 and 9; The N $\frac{1}{2}$ of Section 11; The W $\frac{1}{2}$ -E $\frac{1}{2}$ and W $\frac{1}{2}$ of Section 12; The NW $\frac{1}{4}$ and W $\frac{1}{2}$ -SW $\frac{1}{4}$ of Section 15; All of Sections 16, 17 and 19 through 22; The S $\frac{1}{2}$ -SW $\frac{1}{4}$ of Section 23; The S $\frac{1}{2}$ of Section 25;

The NE¹/₄, N¹/₂-NW¹/₄, NESE and S¹/₂-SE ¹/₄ of Section 26; The N¹/₂-NE¹/₄, SWNE and W¹/₂, W¹/₂-SE¹/₄ and SESE of Section 27; All of Sections 28 through 36, T48W, R8W.....All of Sections 1, 2, 3 and 14; The E¹/₂-NE¹/₄, S¹/₂-SW¹/₄, NESE and S¹/₂- SE¹/₄ of Section 15; All of Sections 22, 23, 26, 27 and 33; The N¹/₂, SW¹/₄ and N¹/₂-SE¹/₄ of Section 34; The N¹/₂, N¹/₂-SW¹/₄ and SE¹/₄ of Section 35, T49N, R4W.....All of Sections 6 and 7. T49N, R5W...All of Sections 1 through 5; Sections 8 through 12 and 14 through 17, T49N, R7W.....All of Sections 2, 3 and 5 through 8; The N¹/₂-NE¹/₄ and W¹/₂ of Section 10; All of Sections 18, 19, 30 and 31, T49N, R8W.....All of Sections 1, 2 and 11 through 14; The E¹/₂ of Section 15; All of Sections 22 through 27 and 34 through 36, T50N, R4W.....The W¹/₂-NW¹/₄ and the SW¹/₄ of Section 4; All of Sections 5, 6, 7 and 8; The N¹/₂ of Section 17; All of Section 18; The W¹/₂ of Section 19; The SE¹/₄-SE¹/₄ of Section 29; the SW¹/₄ and the SW¹/₄ -NW¹/₄ of Section 30; All of Section 31; The N¹/₂ of Section 32, T50N, R5W. All of Sections 1, 2 and 3; The E¹/₂ of Section 4; All of Sections 6 and 7; The W¹/₂ of Section 8; All of Sections 10 through 15; The E¹/₂ and E¹/₂-W¹/₂ of Section 16; All of Section 18 and Sections 20 through 36, T50N, R6W.....All of Section 1; The S¹/₂ of Section 4; The S¹/₂ of Section 5; The SE¹/₄ of Section 6; All of Sections 7,8 and 9; The W¹/₂-E¹/₂ and W¹/₂ of Section 10; All of Sections 12 and 13; The E¹/₂ and SW¹/₄ of Section 14; The W¹/₂- NE¹/₄ and SE¹/₄ of Section 15; All of Sections 18 and 19; The W¹/₂- NW¹/₄ and SW¹/₄ of Section 20; All of Sections 23 through 36, T50N, R7W.....The E¹/₂-E¹/₂ of Section 12; All of Sections 13, 24, 25, 35 and 36, T51N, R3W.....The SWNW and SW¹/₄ of Section 6; The W¹/₂ of Section 7; The N¹/₂ of Section 18, T51N, R4W.....The S¹/₂- N¹/₂ and S¹/₂ of Section 1; The S¹/₂-NW¹/₄ and SW¹/₄ of Section 6; All of Section 7; The SE¹/₄ of Section 8; The S¹/₂-NE¹/₄ and S¹/₂ of Section 9; All of Sections 11 and 12; The N¹/₂ of Section 13; The N¹/₂ of Section 14; All of Sections 15 and 16; The E¹/₂ of Section 17; The NW¹/₄ of Section 18; The NE¹/₄ of Section 21; The N¹/₂ of Section 22; All of Sections 29, 30, 31 and 32, T51N, R5W.....The S¹/₂-NE¹/₄, NW¹/₄ and S¹/₂ of Section 1; All of Section 2; The S¹/₂ of Section 9; All of Section 10 through 16 and 22 through 28; The S¹/₂- N¹/₂ and S¹/₂ of Section 29; The S¹/₂-N¹/₂ and S¹/₂ of Section 30; All of Section 31; The N¹/₂ of Section 32; All of Sections 33, 34, 35 and 36, T51N, R6W.....The S¹/₂ of Section 36.

- (b) It shall be the policy of the Bayfield County Board to acquire lands within the County Forest boundaries as they become available and upon a determination by the Forestry Committee that County ownership of said land is beneficial to the people of Bayfield County and the State of Wisconsin.

Sec. 12-2-2 Committee Appointment.

The Bayfield County Board assigns administration of the County Forest(s) to the Forestry Committee, hereinafter referred to as the Committee.

Sec. 12-2-3 Responsibilities and Duties of the Forestry Committee.

- (a) Annually, at the budget meeting, the Committee shall present to the County Board, for its consideration and adoption, a work plan for the ensuing calendar year together with a detailed recommended budget in a form prescribed by the Finance Committee of the County Board. The work plan and budget adopted by the County Board at this meeting shall serve as a directive to the Committee and shall establish the limits as well as purpose for which expenditures may be made.
- (b) Subject to budget limitations, the Committee is assigned the responsibilities detailed in Subsections (b)(1) through (23) below:
 - (1) The Committee shall direct and supervise the County Forestry Office, shall employ a competent County Forest Administrator as its agent and such other competent personnel to direct, perform and enforce the administrative mid-management functions of this Chapter.
 - (2) The Committee shall establish and maintain forest headquarters for office space and the housing of machinery, tools, equipment and supplies needed in conducting forestry operations.
 - (3) In conformity with the procedures established by the Forestry Committee or County Board rules, the Committee may purchase, acquire, sell, trade or dispose of instruments, tools, equipment and supplies required for the operations of the Department. Items costing more than Twenty Thousand Dollars (\$20,000.00) shall be purchased by competitive bid according to Sec. 59.08, Wis. Stats.
 - (4) The Committee is empowered to negotiate for and acquire lands within the designated County Forest area. Acquisition may be by outright purchase, based on competent appraisal of the value or values involved, or by gift, bequest or action to foreclose tax liens, or by trade of County owned lands outside of such areas for the purpose of blocking the forest for better administration or for recreational purposes. The Committee shall have the power and duty to execute applications for entry under provisions of Ch. 28, Wis. Stats., for lands acquired or owned by Bayfield County within the County Forest boundaries. Upon entry of the tax-delinquent lands, the Committee will have delinquent taxes satisfied using funds from the Land Acquisition account.

- (5) The Committee shall approve and make application for entry of "County Special Use" lands, which are defined in Sec. 28.11(4)(b), Wis. Stats.
- (6) The Committee shall do all things necessary for the protection of the forest, whether from fire, insects, disease, trespass, encroachment or from damage by animals or from other causes, in cooperation with the Department of Natural Resources, in all such related matters.
- (7) Regulate the disposal of slash and dispose of all salvaged materials.
- (8) Locate survey lines and appropriately monument corners of County forest land.
- (9) Construct, improve and maintain a system of forest roads, trails and firebreaks, and purchase or secure easements for access ways and recreational trails to cross privately owned lands.
- (10) Conduct forest improvement work including reforestation, release cuttings, thinning, pruning and weeding by any method including spraying or dusting of chemicals by airplane and other methods not prohibited by law.
- (11) Cooperate with the Department of Natural Resources in the determination of the allowable annual cut by establishment of an intensive County forest management plan including an inventory of growing stock and increment, acreage control, establishment of cutting compartments and other necessary items for such plan.
- (12) Sell timber stumpage in accordance with a County forest management plan in cooperation with the Department of Natural Resources.
- (13) In accordance with plans approved by the County Board, establish, construct and maintain wherever desirable within the forest, picnic grounds, waysides, camps and campsites, public access roads and boat landings, scenic areas, nature trails, multiple use trails, and designate, mark and preserve places of natural or historic interest and significance. Management and regulatory control of all County forest recreation areas is hereby specifically delegated to said Committee.
- (14) Cooperate with the Department of Natural Resources on all matters relating to game and fish management within the County forest on which a memorandum of understanding between the County Board and the Wisconsin Department of Natural Resources is in existence.
- (15) The Committee is authorized to enter into agreement with the North Central Forest Experiment Station, the University of Wisconsin or other

recognized research organizations, bureaus or entities with the endorsement of, or directly with the Department of Natural Resources for the use of tracts of County Forest lands, labor, materials and equipment for conducting forest research.

- (16) Perform special forest or recreation development work on other public lands not included in the County forests including such lands as County lands, state lands, federal lands, school forests, County Special Use Lands, community forests, County parks, public highways and similar projects and be authorized to acquire easements and develop trails over private land.
- (17) With Board approval and after obtaining Department of Natural Resources approval, the Committee may grant permits to prospect for ore or minerals upon County lands under the jurisdiction of this Committee in accordance with the provisions of the County Forest Law.
- (18) Establish regulations pertaining to the posting of signs on County Forest lands.
- (19) The Committee shall issue such permits for private access roads across County land with such safeguards to protect the County interest.
- (20) The Committee shall issue such easement for utility lines, town roads and permits for town disposal sites with such safeguards to protect the County interest.
- (21) Prepare and present an annual report of its activities to the County Board. The report shall include statistics showing work accomplished. Such reports shall be in sufficient detail so that performance of the Forestry Office may be measured.
- (22) To follow Schedule A--Terms and Agreements of Easements as adopted by County Board resolution (on file with the County Forester).
- (23) To manage, appraise and sell timber as directed by the Development and Land Sale Committee or County Board on tax-delinquent properties.

Sec. 12-2-4 County Forest Law Administration.

When the Committee makes application for entry of additional lands under the County Forest Law, the County Clerk and County Board Chairman shall take all necessary action to approve such application as provided by statute. Withdrawal of lands entered under the County Forest Law shall be in the manner prescribed by Sec. 28.11(11), Wis. Stats., or any amendment thereof. Upon receipt of a withdrawal request by the Committee, a study group will be designated to investigate. The group will be composed of five (5) members:

One (1) from the Forestry Committee, one (1) from the township in which the land lies, one (1) from the Department of Natural Resources, one (1) from the Zoning Department, and the Forest Administrator. The Chairman of the study group will be determined by the group. It shall be the duty of this study group to investigate the withdrawal request and report back to the Committee all information relative to the proposal.

Sec. 12-2-5 Forest Finances.

- (a) All allotments from the Wisconsin Department of Natural Resources to Bayfield County under Sec. 28.11(8)(b), Wis. Stats., or any amendment thereof, for the purchase, development, preservation, maintenance and sustainability of the County Forest lands, shall be deposited in the County Forestry Aid Fund. If any lands or equipment purchased from said funds are sold, the County shall restore the purchase price to the County Forestry Fund. All monies received as cost sharing on the expenditure of County Forestry Funds shall be credited to that fund. All unexpended County Forestry funds shall be non-lapsing.
- (b)
 - (1) All monies received from the sale for timber stumpage, cut forest products, fees and use permits, sale of building materials, sale of surplus materials and equipment, fire or other damage collections or other revenue received by the Committee, except income specified in Subsections (a) and (c) of this Section, shall be deposited in the Bayfield County General Fund. All severance taxes incurred as a result of such sales shall be paid as required by statute from the County General Fund.
 - (2) Monies received from the sale of timber from non-County Forest Crop or Special Use lands will be used first to pay expenses of the Department for labor, equipment and materials. The balance of the funds will go to the Land and Development Fund.
- (c) For the purpose of financing land acquisition within the County Forest boundaries, there is hereby established a non-lapsing fund known as the County Forest Land Acquisition Fund. Said fund to consist of revenues from the following sources:
 - (1) All net proceeds from the sale of lands withdrawn from the County Forest(s), subject to the limitations set forth herein below in Subsection (c)(2).
 - (2) Whenever the balance in the County Forest Land Acquisition Fund is less than Forty Thousand Dollars (\$40,000.00) the Forestry Committee, with the concurrence of the Executive Committee, may direct that a maximum of ten percent (10%) of the net proceeds from County timber sales be deposited in said fund as they are collected, but only until a Fifty Thousand Dollar (\$50,000.00) balance in said fund has been attained,

which last said amount shall be the maximum balance permitted to accumulate in said account.

Sec. 12-2-6 County Forest Use Regulations.

(a) Recreational Use.

- (1) Overnight camping, including tents, trailers, cars, trucks and portable hunting and fishing camps may be permitted at on County Forest Land campgrounds, or other areas on the County Forest for a duration not to exceed 16 days, unless specifically authorized by the Forestry Committee. not to exceed two (2) weeks.
- (2) No overnight camping will be permitted at areas designed as picnic areas, boat landings, or on any town or County Forest road or access trail.
- (3) The Committee shall be empowered to establish trails and facilities and procedural standards for development and regulations for the use of all types of recreational trails.
- (4) Vehicular traffic and motorized recreational devices may be banned or otherwise restricted from any part of the County Forest when in the opinion of the Committee, serious damage may result from such use.
- (5) The following activities are prohibited on County Forest lands or in the lakes, rivers and streams of such lands:
 - a. Careless use of fire.
 - b. Dumping or leaving of rubbish, garbage, debris, dirt, stone or other littering materials.
 - c. Creating a disturbance.
 - d. Damage, destruction or misuse of any improvement including any land monument, landmark, or corner post of the government survey, County survey or survey of public record.
- (6) Legal action for violation of rules and regulations under this Section are covered under Section 12-2-7.

(b) Timber Cutting.

- (1) Cultural cuttings shall include thinnings, release cuttings, sanitation cuttings and improvement cuttings to remove trees or weed species from or condition for the purpose of stand improvement. All cultural cuttings on

County Forests shall be in accordance with County Forest Management Plan and in cooperation with the staff of the Department of Natural Resources. Materials cut in such operations may be used by the Forestry Office or given to other agencies for their use, or sold, as the Committee shall determine. When sold to other public agencies, the latter shall pay to the County a sum of not less than the prevailing average stumpage rate.

- (2) Salvage cuttings shall include the cutting of timber damaged by fire, storm, insect or disease. Salvage cutting shall be done under the procedure specified in Forestry Handbook 2461, as the Committee may decide.
- (3) Commercial cuttings shall include all cutting where stumpage is sold under contract in which the primary object of the cutting is the marketing of the timber products, including logs, ties, poles, posts, pulpwood, piling, Christmas trees and boughs or other forest products.
- (4) Contract specifications for each cutting operation pertaining to payment and financial responsibility of the bidder shall be determined by the Committee.
- (5) All timber sales shall conform to provisions of Sec. 28.11(6), Wis. Stats., and shall follow the procedure for pre-sale appraisal, pre-sale approval, cutting notice and cutting report as provided by Department of Natural Resources Timber Sale Handbook 2461 or any amendments thereto. Timber sales may be submitted to the Committee for approval prior to the sale.

Sec. 12-2-7 Legal Action.

- (a) **Criminal Action.** Whenever an arrest shall have been made for unlawful cutting on land owned by Bayfield County or on which the County holds a tax certificate, the District Attorney shall take appropriate action under Ch. 26, Wis. Stats., or any amendment thereof.
- (b) **Seizure.** Whenever forest products are found, known to have been unlawfully severed from County lands, the Bayfield County Sheriff shall on satisfactory evidence seize such materials pursuant to Sec. 26.06, Wis. Stats., for use by the County or sale as the Committee may determine.
- (c) **Civil Action.** Whenever evidence of unlawful cutting on Bayfield County lands shall be lodged with the District Attorney, he/she shall on recommendation of the Committee bring suit to recover damages as provided by Sec. 26.09, Wis. Stats. Similarly, civil suit shall be brought against parties responsible for forest fire damage under Sec. 26.21, Wis. Stats.

- (d) **Cooperation.** It shall be the duty of the Committee and its appointed administrative agent to secure information and to seek the cooperation of state, county and town officers in securing information required for legal action.
- (e) **Penalties.** Any person, firm, company or corporation including all forest visitors and users who violate the rules and regulations of Section 12-2-6 shall be subject to a forfeiture as prescribed in Section 1-1-6, together with the cost of the action and in default of payment thereof to imprisonment on the County Jail until such forfeiture and cost be paid but for not more than thirty (30) days pursuant to law. Those who violate any part of Section 12-2-6 or any state fish and game laws or litter laws shall be subject to ejection from the County Forest.

Sec. 12-2-8 Miscellaneous Forest Products Regulations.

- (a) **Definition.** As used in this Section, the term "miscellaneous forest product" shall mean any forest product produced on Bayfield County Forest Lands which may include; fuel wood, Christmas trees, conifer boughs, birch tops, princess pine, and minor volumes of timber, posts, poles, cabin logs, or chips. These permits may be free, or there may be a fee charged as determined by the Forestry Committee
- (b) **Permit Required.** No person shall cut, pull, harvest or remove any miscellaneous forest product from Bayfield County Forest Lands without first having a miscellaneous forest products permit issued for said products by the Bayfield County Forestry Department for the period, product and location of harvesting.
- (c) **Placard Required.** No person shall harvest or transport any miscellaneous forest product without a placard issued by the Bayfield County Forestry Department clearly displayed in the windshield of the vehicle.
- (d) **Timber Sale Purchaser Permission.** No person shall harvest or transport any miscellaneous forest product from an active timber sale without written permission from the timber sale purchaser.
- (e) **Prohibited Harvest Area.** No person shall harvest any miscellaneous forest product within a Wilderness Area, Wild Area, administrative site, developed recreation site, within fifty (50) feet of the cleared area of any gas tax road or recreation trail, or within seventy-five (75) feet of any lake, river or stream unless designated in writing on the permit.
- (f) **Firewood.**
 - 1) No more than ten (10) cords of firewood may be cut for personal use in any calendar year.
 - (2) No live tree may be cut unless designated in writing on the permit.

- (3) No dead tree may be cut within one hundred (100) feet of any road unless designated in writing on the permit.
- (g) **Christmas Trees.**
 - (1) No cutting of a tree greater than fifteen (15) feet in height is allowed.
 - (2) No stump may be left in excess of six (6) inches from the surrounding ground level.
 - (3) No more than one (1) Christmas tree may be harvested per household (per permit).
 - (4) No tree may be cut from any plantation or County planting area.
- (h) **Conifer Boughs.**
 - (1) No cutting of species other than balsam fir is allowed.
 - (2) No cutting of a bough is allowed from a tree less than ten (10) feet in height, or from the top one-third (1/3) of the branched portion (live crown) of a tree.
 - (3) No tree may be cut down to harvest a balsam fir bough.
 - (4) Branches shall be cut cleanly with a shear or similar tool, and may not be broken or torn from the tree.
 - (5) Lateral branches shall be cut to parent branch at least three (3) times the diameter of the portion removed.
- (i) **Birch Products.** No harvesting of a birch product is allowed from a live tree or from a tree not harvested as part of commercial timber sale operation.
- (j) **Princess Pine.** No specie other than *Lycopodium obscurum* may be harvested unless specified on the permit.
- (k) **Violation.** Violation of this Section shall be punishable by forfeiture prescribed by Section 1-1-6, plus the statutory penalty assessment, jail assessment, automation fee, and court costs and other costs of prosecution, and upon failure to pay such forfeiture, assessments, fees, and costs, confinement in the Bayfield County jail until the same have been paid but not to exceed sixty (60) days. The deposit amount for a violation of a provision of this Section shall be double the amount otherwise stated in this schedule if the violator has been convicted of violating the same provision within five (5) years prior to the current violation. Additionally, a violator shall be liable to the County for the current market value

of products removed or trees damaged and for all restoration costs. Each day the ordinance is violated shall constitute a separate offense.

- (1) **Enforcement.** This Section shall be enforced by the Bayfield County Sheriff's Department Officers and Forestry Department Foresters, who may issue citations for violations hereof.

Tri-County Recreational Corridor

12-3-1 Tri-County Recreational Corridor Regulations

Sec. 12-3-1 Tri-County Recreational Corridor Regulations.

(a) **Purpose.**

- (1) This Section is established to regulate areas of the Tri-County Recreational Corridor right-of-way subject to the ownership and jurisdiction of the Tri-County Recreational Corridor Commission pursuant to Sec. 59.01, 59.02, 59.54(6) and 66.30, Wis. Stats., and the Charter of the Tri-County Recreational Corridor Commission as ratified by the participating counties.
- (2) The Tri-County Recreational Corridor Commission was established by the Counties of Douglas, Bayfield, and Ashland for the purposes of acquiring, maintaining, and regulating the abandoned railroad right-of-way now known as the Tri-County Recreational Corridor.
- (3) The Tri-County Recreational Corridor Commission has found a need for certain regulations governing the use of that portion of the Tri-County Recreational Corridor subject to its ownership and jurisdiction.

(b) **Applicability.** This Section shall apply to all lands lying within the right-of-way of the Tri-County Recreational Corridor which is subject to the ownership and jurisdiction of the Tri-County Recreational Corridor Commission unless otherwise specified.

(c) **Vehicle Use Regulations.**

- (1) No person may operate a motor vehicle as defined by Sec. 340.01(35), Wis. Stats., an all-terrain vehicle or a snowmobile within the Corridor right-of-way in excess of a speed which is reasonable and prudent. Towns, villages and cities in which the Corridor is located are specifically permitted to enact, post, and enforce speed limits within their respective jurisdictions. The costs of posting shall be the responsibility of the municipality.
- (2) No person may operate a motor vehicle as defined by Sec. 340.01(35), Wis. Stats., anywhere within the traveled or untraveled portions of the Corridor right-of-way.

- (3) No person may operate an all-terrain vehicle as defined by Sec. 340.01(35), Wis. Stats., or a snowmobile as defined by Sec. 340.01(58)(a), Wis. Stats., on a portion of the Corridor right-of-way not designated for travel.
- (d) **Use Regulations.** No person shall do any of the following on lands within the Corridor right-of-way:
- (1) Discharge a firearm within fifty (50) feet of the centerline of the Corridor right-of-way;
 - (2) Camp overnight in areas not designated for said purpose or not in accordance with posted camping rules;
 - (3) Ignite an open fire unless such fire is in a fireplace, grill or other suitable container provided for or constructed to contain a fire, or unless the ground is one hundred percent (100%) snow covered;
 - (4) Ignite an open fire during Wisconsin Department of Natural Resources Red Flag Ban periods or on a site otherwise posted for no open fires;
 - (5) Cut or remove forest products;
 - (6) Cause damage to any natural feature, resource, trail, gate, berm, barrier, sign, or facility;
 - (7) Construct or locate any tree stand or other manmade structure without prior authorization in accordance with the provisions of this Chapter;
 - (8) Remove fill, soil, ore, gravel, or any mineral;
 - (9) Litter or dispose of trash or rubbish in any manner other than depositing in a provided container;
 - (10) Disturb or remove any artifact or historical article;
 - (11) Move or remove any posting or sign;
 - (12) Post or cause to be posted any sign, picture, or advertisement or other informational device without prior authorization as provided in this Section.
- (e) **Exceptions.** Exceptions to the terms of this Section, excepting applicable local speed limit ordinances, and necessary prior authorizations may be granted by the Corridor Administrator or Commission Chairperson or, in the case of emergency, any Commissioner. An emergency for the purpose of this Section shall constitute

any natural or manmade condition, which may constitute a life-threatening situation for any person or persons.

(f) **Penalties.**

- (1) Any person who violates, disobeys, neglects, omits or refuses to comply with any of the provisions of this Section shall forfeit not less than Fifty Dollars (\$50.00), nor more than One Thousand Dollars (\$1,000.00), together with the cost of prosecution, and in default of payment thereof, by imprisonment in the county jail of the county in which the offense was committed for a term of not more than sixty (60) days or until such forfeiture is paid. Every day a violation exists or continues, shall constitute a separate offense. In addition, for every violation that results in damage to the Tri-County Corridor or property located thereon, the violator may be required to make restitution upon a hearing and a finding of damages by the court.
- (2) Any law enforcement officer as defined by Sec. 165.85(2)(c), Wis. Stats., acting with his/her jurisdiction is authorized to enforce the terms of this Section and shall be exempt from Subsection (c) when necessary to enforce this Section.