

## Chapter 205

### FIREARMS AND WEAPONS

- § 205-1. Definition of firearm and weapon.    § 205-3. Adoption of statutory provisions  
§ 205-2. Discharge of firearm or weapons.    § 205-4. Citations.

[HISTORY: Adopted by the Town Board of the Town of Washington 10-9-2006 by Ord. No. 2006-10. Amendments noted where applicable.]

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#### § 205-1. Definition of firearm and weapon.

The words "firearm" and "weapon" include, without limitation, pistol, rifle, shotgun or other firearm, bow and arrow, air gun, cross bow, or sling or any other device or instrumentality, which expels either a projectile, pellet or other object and which use could cause personal injury, death, great bodily harm or property damage.

#### § 205-2. Discharge of firearm or weapons.

No person shall carry a firearm or weapon or attempt to discharge or cause to be discharged such a device within the limits of Washington Island, Detroit Island, or Rock Island, all located within the Town of Washington, except as provided by the following exceptions:

- A. This chapter shall not apply to peace officers as defined in the Wisconsin Statutes, members of the Armed Forces or military personnel who go armed in the line of duty;
- B. This chapter shall not apply to any person who keeps a handgun or weapon in his or her personal residence or premises, which is owned by said person, authorized agent or lessee;
- C. This chapter shall not restrain the sale, purchase or trade of such firearms or weapons as defined above by a business establishment doing so in the regular course of business and which adheres to federal and state regulatory procedures for the sale of such firearms and weapons;
- D. This chapter shall not apply to instances where a firearm or weapon is used upon a designated target practice area operated and in compliance with the rules of the municipality and the Wisconsin Department of Natural Resources Statutes and Regulations;
- E. This chapter shall not apply to skeet shooting or target practice with a firearm or a weapon within the confines of one's real property or real property of another used with their permission, as long as:

- (1) Such undertaking can be made safely and without peril to others' life, safety, or property;
- (2) Such undertaking complies with the applicable Wisconsin Department of Natural Resources Statutes and Regulations.

“F. When such firearm or weapon is carried or used for lawful hunting purposes upon designated hunting areas within the Town, with the following conditions:

- (1) Such property is not owned by the Town of Washington;
- (2) Such firearm or weapon is not carried or discharged for hunting purposes in violation of applicable Wisconsin Department of Natural Resource Statutes and Regulations as to the use of such firearms or weapons in relation to residences, business establishments or roadways;
- (3) Such firearm or weapon is allowed by applicable Wisconsin Department of Natural Resource Statutes and Regulations at appropriate hunting zones within the confines of the Town of Washington except it shall be unlawful for any person to discharge a rim fire rifle larger than .22 caliber or an center-fire rifle .22 caliber or larger anywhere within the boundaries of the Town of Washington during the white tail deer season as identified by the annual regulations of the Wisconsin Department of Natural Resources, including the Youth Hunt, the regular deer hunting season, and the T-Zone season;
- (4) Any person who shall discharge a rim fire rifle larger than .22 caliber or any center-fire rifle .22 caliber or larger anywhere within the boundaries of the Town of Washington during the white tail deer season as identified by the annual regulations of the Wisconsin Department of Natural Resources, including the Youth Hunt, the regular deer hunting season, and the T-zone season shall, upon conviction thereof, be subject to a forfeiture of not less than \$500 not more than \$1,000. Each day that a violation is committed shall constitute a separate violation.”<sup>2</sup>

#### § 205-3. Adoption of statutory provisions.<sup>1</sup>

Sections 167.31, 941.20, 941.23, 941.235 and 941.237, Wis. Stats., are hereby adopted and incorporated by reference with all future amendments, provisions, or changes and shall have the force of a civil forfeiture as allowed by § 60.23(23), Wis. Stats., which is an enabling statute allowing for violations to be prosecuted by the Town as a civil ordinance violation.

#### § 205-4. Citations.

Any designated police officer acting on behalf of the Town of Washington may issue a citation for violation of this chapter using the civil forfeiture citation method as found in Chapter 23 of the Town of Washington Code and applying the Wisconsin Uniform Bond

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1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

2. Clerk's Note: Amended by town board November 4, 2013

Schedule as a guideline for forfeitures and costs (which applicable sections, corresponding with statutes above named, are herein fully adopted), and if such Uniform Bond Schedule does not apply, the following fine and cost schedule shall apply:

- A. First violation: civil forfeiture of \$160 plus statutory costs.
- B. Second violation within a twelve-month period: \$400 plus statutory costs.
- C. Third violation within a twenty-four-month period or more: \$550 plus statutory costs.