



Preserving Yesterday's Heritage for Tomorrow.

DISCHARGE OF FIREARMS PERMIT

As the Town continues to develop, the areas where it is permissible to discharge a firearm are becoming less numerous. Town Code (Sec. 237-2), state statutes and WDNR regulations provide the guidelines by which a person can discharge a firearm within the Town of Cedarburg.

The section of the Town of Cedarburg Code regulating the discharge of firearms in the Town is attached to this information. Any individual intending on discharging firearms within the Town shall read this information, abide by the ordinance, and have the permit signed by the owner of the property on which the individual wishes to discharge a firearm on their person while doing so. A copy of the complete ordinance can be obtained at Town Hall or online at the Town website: www.townofcedarburgwi.gov.

Below is information regarding FAQs associated with firearm discharge in the Town.

What do I need to do to discharge a firearm in the Town of Cedarburg?

You must have the property owner sign the Discharge of Firearms permit attached here. Make sure to carry the permit when discharge your firearm; nothing needs to be filed at Town Hall. A firearm is defined as: all weapons used for the purpose of propelling bullets, shot or other missiles, whether from cartridge, shell or other container, by explosives or compressed air, and shall include, without limitation because of specific enumeration, all forms of shotguns, rifles, revolvers and other similar types of equipment whereby such bullets, shot or missiles are propelled through the air by reason of discharge therefrom by explosives, caps or compressed air.

Is there any cost associated with this permit?

The Town does not collect a fee for this permit, nor does the Town keep a copy of the permit.

Is firearm discharge allowed in Town parks?

No, it is prohibited in all Town parks and recreational areas. Only law enforcement officials may possession/control a firearm in a Town park. Additionally, hunters may NOT use Town parks as means to access Cedar Creek for hunting purposes so long as they are carrying a firearm.

What are the regulations for shooting?

No bullet (or shot or missile) can enter or pass over a neighboring property or public highway or grounds.

How far away from houses and subdivisions do I have to be when discharging a firearm?

No firearm can be discharged within the limits of a subdivision in the Town or within 150 yards of any residence dwelling. Also, when within those distances, any firearm must be unloaded and knocked-down or enclosed in a carrying case or other suitable container.

What are the regulations associated with firearm discharge along Cedar Creek?

Most property along the banks of Cedar Creek is private property. However, a person may walk and discharge a firearm from within the water of a navigable waterway, following the WDNR's "keep your feet wet" rule. A navigable waterway is generally defined as a public waterway that is possible to float a canoe or small watercraft at some time during the year. If game is shot while standing within the stream and lands on the bank of the stream, permission is required from the property owner to retrieve it.

What are legal ways to access Cedar Creek for hunting?

Hunters may access Cedar Creek from Town, County, or State rights-of-way (ROW), such as over bridge decks. Hunters must be cognizant to avoid trespassing on private property when entering the creek. ROW are typically measured as 33 feet from the center line of a road, but may vary in width so you should confirm that before using the ROW. Hunters must also be aware of local parking regulations to ensure that their vehicles are legally parked on any Town, County, or State roads.

I believe there is an illegal hunt ongoing, what should I do?

Emergency situations: such as hunting related accidents or violent crime contact 911 for the Ozaukee County Sheriff. Their non-emergency number is 262-284-7172.

For state hunting law violations such as hunting game out of season, hunting outside of legal hunting hours, impeding a hunt, or other violations contact the Ozaukee County WDNR Warden Tony Young at (262) 993-0078, or by email at Anthony.Young@wisconsin.gov.

For Town ordinance violations such as trespassing, contact Town Hall at 262-377-4509 and ask staff to create a Service Request with the Constable to begin an investigation.

What should I expect in terms of a response time/investigation?

Emergency situations will receive an immediate response through 911 dispatch.

If the concern is not an emergency, a call to WDNR or Service Request placed with the Town Constable will result in a follow-up investigation.

WDNR Warden Young stressed to NOT approach a hunter even if you suspect them of hunting illegally. Rather, please try to provide an identifiable description such as license plate number or video taken when calling in to the WDNR, Town, or County Sheriff for the follow-up. It is not recommended to approach a hunter as that could result in a State issued citation for impeding a hunt.

**DISCHARGE OF FIREARMS PERMIT
TOWN OF CEDARBURG**

SEC. 237-2 FIREARMS AND EXPLOSIVES

A. Definition. For the purpose of this section, the following definitions shall apply:

FIREARMS — Includes all weapons used for the purpose of propelling bullets, shot or other missiles, whether from cartridge, shell or other container, by explosives or compressed air, and shall include, without limitation because of specific enumeration, all forms of shotguns, rifles, revolvers and other similar types of equipment whereby such bullets, shot or missiles are propelled through the air by reason of discharge therefrom by explosives, caps or compressed air.

B. Discharge of firearms restricted.

- (1) No person, except a property owner or his or her designee and when the property owner is present, shall discharge any firearm as above defined within the Town of Cedarburg, except when he or she has in his/her possession a copy of a written permit (upon forms provided and available in the office of the Town Clerk), signed by the owner of the land, permitting the discharge of firearms upon the premises actually owned or occupied. This subsection does not apply and may not be enforced if the person's conduct was justified, or had it been subject to a criminal penalty, would have been subject to a defense described in § 939.45, Wis. Stats.
- (2) The discharge of firearms shall be so controlled that the bullet, shot or missile propelled therefrom does not enter or pass over the premises of another or upon public highways or other public grounds.
- (3) Firearms shall not be used in such manner as to be in reckless disregard of the lives or property of persons upon the public highways or public grounds of the Town or property of others.
- (4) The discharge of firearms shall not interfere with the peace, quiet and enjoyment of their property by any neighboring residents.
- (5) No person, except a Sheriff, Town Constable or law enforcement officer, shall fire or discharge any firearm, rifle, or spring or air gun of any description within the limits of any subdivision within the Town of Cedarburg, or within 150 yards of any residence dwelling, or have any firearm, rifle, or spring or air gun in his possession or under his control unless it is unloaded and knocked down or enclosed in a carrying case or other suitable container within the above-described area.

C. The discharge of firearm restrictions stated under the above Subsection B do not apply to persons who are hunting on private lands which are designated open to public access under Wisconsin Forest Tax Law programs.

D. Shooting ranges. This section shall not prevent the maintenance and use of duly supervised rifle or pistol ranges or shooting galleries approved by the Town Board, after an advisory recommendation from the Town Constable and Town Administrator, where proper safety precautions are taken.

E. Any person who shall violate any of the above sections of this Code, shall upon conviction thereof, be subject to a forfeiture of not less than \$200 for each offense together with the costs of prosecution and in default of payment of such forfeiture and costs of prosecution, shall be imprisoned in the county jail until such forfeiture and costs are paid, but not exceeding 90 days.

Permission is hereby granted to: (Name) _____
(Address) _____

To discharge firearms, as defined by Chapter Sec. 237-2 of the Town of Cedarburg Code of Ordinances, adopted by the Town Board of the Town of Cedarburg, on lands controlled by the residents of said Town whose signatures appear hereon.

Permit to be in effect through _____, 20__.

Permit Holder agrees to save signer harmless from any liability whatsoever; and to pay for any damages done to signer's property.

Signatures of property owners:	Address:
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____