

Bayfield County – Owned Land Regulations

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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 Forestry and Parks Administrator.
- (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 Forestry and Parks Administrator 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 Forestry and Parks Committee, significantly interfere with the aesthetic appearance of the area in which such objects are placed or displayed. The Forestry and Parks Department and/or Bayfield County Sheriff's Department may remove any such objects from the property.

(Amendment Effective Date 10-4-01).

(q) **Jerry Jay Jolly Property Regulations.**

(1) **Purpose.**

- a. This subsection is established to regulate the county-owned property on Star Route in the E $\frac{1}{2}$ -NE $\frac{1}{4}$ Sec. 19-50-4 and the SW $\frac{1}{4}$ -NW $\frac{1}{4}$ Sec. 20-50-4, Town of Bayfield, Bayfield County, Wisconsin, donated to Bayfield County by Jerry Jay Jolly on August 24, 2005 ("the Jolly Property").
- b. The Jolly Property was transferred to Bayfield County for the purpose of developing and maintaining trails on the property for non-motorized, four season, recreational public use.
- c. The Tourism & Recreation Department has found a need for certain regulations governing the use of the Jolly Property.

(2) **Applicability.** This Section shall apply to all lands comprising the Jolly Property.

(3) **Vehicle Use Regulations.**

- a. 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 property boundaries, except in the designated parking area or for maintenance authorized by the County or in case of an emergency.
- b. No person may park a vehicle of any type overnight.
- c. Bicycles may only be ridden on trails designated for bicycles or in the parking area.

(4) **Personal Use Regulations**

- a. No person may ignite a fire

- b. No person may camp overnight
- c. No person may hunt
- d. All dogs must be on a leash in designated areas. All dogs must be licensed.

(Amendment Effective Date 06-04-09).

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 Forestry and Parks 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 and Parks 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 Forestry and Parks 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 Forestry and Parks 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 Forestry and Parks 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 Forestry and Parks 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 Forestry and Parks 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.

Sec. 12-1-5 Regulation of County Trail System

Purpose: The increasing use of all-terrain vehicles and snowmobiles within Bayfield County has generated safety, recreational and environmental issues which must be addressed. The purpose of this ordinance is to regulate the use of all-terrain vehicles and snowmobiles to ensure that their use is compatible with other recreational uses, to promote the health and safety of the operators of said vehicles and the general public by requiring adherence to certain rules and regulations designed to ensure the safe operation of such vehicles, to protect wildlife, vegetation and water quality, to prevent damage to private and public property, and to restrict the use of all-terrain vehicles and snowmobiles to areas where such use is appropriate and permitted.

(a) Authority; Statutory and Administrative Code Provisions Incorporated By Reference

- (1) This ordinance is enacted under the authority of Sections 23.33 [11] and 350.18 of the Wisconsin Statutes.

Except as otherwise specifically provided in this ordinances, the provisions of Section 23.33 and Chapter 350, Wisconsin Statutes 2003-2004 and Wisconsin Administrative Code NR 64, and any and all future amendments to the same, describing and defining regulations with respect to All-Terrain Vehicles and Snowmobiles exclusive of any regulations therein for which the statutory penalty is a term of imprisonment, are hereby adopted and by reference made a part of this ordinance as if fully set forth herein, Any action required to be performed or prohibited by any current or future statute or Administrative Code provision incorporated herein by reference is required or prohibited, as the case may be, by this ordinance.

The operator of an off-road vehicle, all-terrain vehicle or snowmobile upon a roadway shall, in addition to the provisions of Sec. 23.3 and Ch.350, be subject to Sections 346.04, 346.06, 346.06, 346.11, 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.38, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50(1), (b), 346.51, 346.52, 346.53, 346.54, 346.55,

346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1), and 346.94(1) and (9), Wis. Stats.

(b) Definition

Trail system: A marked corridor on public property or on private lands, subject to public easement or lease, designated for all-terrain vehicles or snowmobiles use by Bayfield County, but excluding roadways of highways, except those roadways which have been designated as ATV or snowmobile routes.

(c) Applicability

This Ordinance shall apply to all lands lying within the right-of-way of the Bayfield County Trail System which are subject to the ownership, maintenance or jurisdiction of Bayfield County unless otherwise specified.

(d) Operation of Vehicles

- (1) No person may operate a motor vehicle as defined by §340.01(35), Wis. Stats., an all-terrain vehicle or a snowmobile within the trail system right-of-way in excess of a speed, which is reasonable and prudent.
- (2) No person may operate a motor vehicle as defined by §340.01(35), Wis. Stats., anywhere within the traveled or untraveled portions of the trail system right-of-way.
- (3) No person may operate an all-terrain vehicle as defined by §340.01(2g), Wis. Stats., or a snowmobile as defined by §340.01(58a), Wis. Stats., on a portion of the trail system right-of-way not designated for travel.
- (4) No person shall operate an ATV at a speed greater than 40 miles per hour.
- (5) No person may manufacture, sell, rent or operate an all-terrain vehicle that is constructed or altered in a manner that noise emitted from the all-terrain vehicle exceeds 96 decibels on the A scale when measured in the manner prescribed in the reaffirmed 1998-07, Society of Automotive Engineers Standard J1287, entitled *Measurement of Exhaust Sound Levels of Stationary Motorcycles*.
- (6) No person shall operate a snowmobile at a speed greater than 55 miles per hour during the hours of darkness as defined in section 340.01 (23) Wis. Stats. Revised & Published 8-31-10)
- (7) Every snowmobile that is manufactured after July 1, 1975 and that is operated in Bayfield County is prohibited from emitting noise above 88 decibels when measured in accordance with the procedures required in the

January 2004 Society of Automotive Engineers Standard J2567. Revised & Published 8-31-10)

Every snowmobile manufactured after July 1, 1972 and before July 2, 1975 and that is operated in Bayfield County is prohibited from emitting noise above 90 decibels when measured in accordance with the procedures required in the January 2004 Society of Automotive Engineers Standard J2567.

Sections (6) and (7) do not apply to snowmobiles competing in a sanctioned race or derby or to snowmobiles being tested by manufacturers, distributors or dealers on lands under their control

- (8) No other vehicular traffic is permissible on any portion of the Bayfield County trail system by any other means than vehicles specifically authorized. Only snowmobiles are authorized on maintained snowmobile trails and only ATV's are authorized on maintained ATV trails. A vehicle being used for trail grooming and or other maintenance and emergency vehicles are exceptions. A landowner, or any person authorized in writing by the landowner is exempted from this section with respect to those portions of the trail on the said landowner's property.
- (9) No person shall operate a motor vehicle as defined in Wisconsin Statutes 340.01(35), a motorcycle as defined in 340.01(32) or any other vehicle as defined in 340.01(74) on any portion of the Bayfield County Trail System unless such portion is posted open to all motor vehicles. A landowner, or any person authorized by the landowner, is exempted from this section with respect to those portions of the trail on the said landowner's property.
- (10) No person shall operate any snowmobile or ATV on any approved snowmobile or ATV trail after trail is officially closed by the County Snowmobile and ATV Coordinator, except for law enforcement officials, club trail maintenance activities or private landowners' use of their property.
- (11) Snowmobiles or ATVs shall not be operated on the frozen surface of public waters within 100 feet of a person not in or upon a vehicle or within 100 feet of a fishing shanty unless operated at a speed less than 10 mph.
- (12) No one may operate an ATV or snowmobile with a blood-alcohol content of .08 or more.
- (13) No one under 18 may operate an ATV without protective headgear.
- (14) The Bayfield County Board of Supervisors or Forestry & Parks Committee may rescind operation of ATV's or snowmobiles on any County Trail System or portion thereof, with appropriate notice being given to the public. .
(Revised 4-16-13)

- (15) The Bayfield County Snowmobile & ATV Coordinator shall notify local law enforcement agencies, including DNR and County and City law enforcement personnel, and all Chambers of commerce within Bayfield County, of all trail openings and closures. Said notification shall be accomplished in a timely manner.

(e) Conduct on public trails

No person shall do any of the following on lands within the trail system right-of-way:

- (1) Camp overnight in areas not designated for said purpose or not in accordance with posted camping rules;
- (2) 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 100% snow covered;
- (3) No open fire during Department of Natural Resources Red Flag Fire Ban periods or on a site otherwise posted for not open fires;
- (4) Cut or remove forest products. Exceptions to ordinance terms include landowners or Bayfield County ATV or Snowmobile Club designated members performing approved maintenance;
- (5) Cause damage to any natural feature, resource, trail, gate, berm, barrier, sign, or facility;
- (6) Remove fill, soil, ore, gravel, or any mineral;
- (7) Litter or dispose of trash or rubbish in any manner other than depositing in provided container;
- (8) Disturb or remove any artifact or historical article;
- (9) Move or remove any posting or sign;
- (10) Post or cause to be posted any sign, picture, or advertisement or informational device without prior authorization as provided in this Ordinance.
- (11) Harassment of any tame or wild animal is not allowed.

(f) Authorizations

Prior authorizations, required by the terms of this ordinance, may be granted by the Forestry & Parks Department. *(Revised 4-16-13)*

(g) Penalties

- (1) Persons who violating this ordinance may be subject to not less than Fifty Dollars (\$50.00), nor more than One Thousand Dollars (\$1,000.00) plus costs. Acts that results in damage to the trail system or property located thereon, may result in legal action against the liable party for restitution
- (2) Any law enforcement officer as defined by §165.85(2)(c), Wis. Stats., acting with his or her jurisdiction is authorized to enforce the terms of this Ordinance and shall be exempt from Section 12-1-5 (d) when necessary to enforce this Ordinance.

(h) Severability.

Should any provision of this Ordinance be found or held to be invalid, such invalidity shall not affect the remaining provisions, which shall continue in full force and effect.

(i) Effective Date:

This Ordinance shall take effect upon adoption by the Bayfield County Board of Supervisors and publication.

Adopted this 13th day of December, 2005, by the Bayfield County Board of Supervisors.