

DISCHARGING OF WEAPONS ORDINANCE

Section I. Title/Purpose. This ordinance is entitled “Discharging of Weapons Ordinance.” The purpose of this Ordinance is as follows:

To promote the safety, health and general welfare by regulating the use of weapons in the Town of Shelby.

Section II. Adoption of Ordinance. The Town Board of the Town of Shelby hereby adopts the following:

- A. All “Firearms” and “Bow and Arrows” are to be discharged in a safe and responsible manner as outlined in Wisconsin Statutes 941, Subchapter III.
- B. No person shall shoot, discharge any rifle, shotgun, pistol or other firearm, or any air, spring, or pellet gun or similar device; or shoot, release or discharge any chemically activated rocket or missile at any of the following places:
 - 1. Within 100 yards of a building devoted to human occupancy while on lands you do not own (including public lands) without the permission of the owner of that building.
 - 2. Across or within 50 feet of the center line of any Federal, State, County or Town highway, road or street.
- C. No person shall shoot, release or discharge any missile or arrow from any bow or crossbow at any of the following places:
 - 1. Across or within 50 feet of the center line of any Federal, State, County or Town highway, road or street.
- D. The provisions of Section II. A or B shall not apply to authorized rifle, trap or skeet ranges; peace officers while on duty or persons authorized by the Town of Shelby, to discharge firearms or bows as part of a deer management program.
- E. It shall be lawful for any person to establish a private shooting or target range in the basement of their own premises or entirely within the limits of their own land, providing they first obtain, from the Town Board, a license or permit for such shooting or target range. It shall be the duty of the Town Board to ascertain whether such permits may be issued without danger to adjoining premises and the public generally.

F. In all cases of conviction hereunder, any and all dangerous weapons found on the person of the convicted shall be confiscated and become the property of the Town of Shelby and shall be destroyed or disposed of as provided by the Court.

G. The provisions of Section II. A or B may be waived by the Town Board, at its discretion, and under circumstances that it deems appropriate. Said waiver may be subject to restrictions as established by the Board. Waiver of the provisions of Section II. A shall not relieve a person from the requirements of any other statute, ordinance or regulation issued by any governmental body regulating the activity.

Section III. Enforcement and Penalties. Any person who violates, disobeys or refuses to comply with or who resists the enforcement of any provisions of this Ordinance shall, upon conviction, be subject to a forfeiture of One Hundred Dollars (\$100.00) for each such offense.

Section IV. Severability. The provisions of this Ordinance shall be deemed severable, and it is expressly declared that the Town Board would have passed the provisions of the Ordinance irrespective of whether one or more provisions may be declared invalid, and if any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the Ordinance and the application of such provision to other person or circumstances shall not be affected thereby.

Section V. Effective Date. This Ordinance shall take effect upon passage and publication. The provisions of this Ordinance shall prevail over any previous Ordinances of the Town of Shelby that are or may be in conflict therewith.

Date passed: March 22, 2010

Lynnetta P. Kopp, Town Chair

Randall R. Knapp, Town Supervisor

John O. Zahn, Town Supervisor

ATTEST:

Catherine Brott, Town Clerk