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WOOD COUNTY ORDINANCE #500
WOOD COUNTY FORESTRY ORDINANCE

500.1 AUTHORITY & PURPOSE

This ordinance is enacted to prescribe the rules and regulations for the establishment, protection, development, and management of the County Forest as provided in Chapters 26, 28, 29, 59, 75, and 77 of the Wisconsin Statutes, so as to provide a sustained yield of forest products for commercial use and the associated benefits of soil and water conservation, scenic value, recreational benefit, and fish and game resources, all in cooperation with the Department of Natural Resources.

500.2 DEFINITIONS

- (1) **Agent.** The Wood County Forest Administrator or designee.
- (2) **All-terrain vehicle.** A commercially designed and manufactured motor-driven device that has a weight, without fluids, of 900 pounds or less, has a width of 50 inches or less, is equipped with a seat designed to be straddled by the operator and on three or more low-pressure or non-pneumatic tires. A low-pressure tire is a tire which has a minimum width of 6 inches, which is designed to be mounted on a rim with a maximum diameter of 12 inches and which is designed to be inflated with an operating pressure not to exceed 6 pounds per square inch as recommended by the manufacturer.
- (3) **Beach.** Any water area or adjacent land area designated as a swim area by standard regulatory markers.
- (4) **Boat Landing.** Any site adjacent to water that provides public access to navigable waters.
- (5) **Board.** Wood County Board of Supervisors.
- (6) **Camp or Camping.** The use of a shelter such as a tent, trailer, Motor Vehicle, tarpaulin, bed roll or sleeping bag for temporary residence or sleeping purposes.
- (7) **Campsite.** A segment of a campground or Camping area which is designated for Camping use by a Camping unit or Camping Party.
- (8) **Camping Party.** Any individual, family, or individual group occupying a Campsite.
- (9) **Committee.** The Wood County Highway Infrastructure and Recreation Committee (HIRC) or its successor.

- (10) **County Land.** County Land or lands includes all lands acquired under supervision of the HIRC Committee and those lands under land use agreement with it, including Federal, State, Town and Private lands that provide forest, wildlife or recreational benefit.
- (11) **County Forest Lands.** The Wood County Forest shall include all lands now held or hereafter acquired for forestry or special use purposes and entered under the provisions of Chapter 28.11 of the Wisconsin Statutes.
- (12) **County Reserved and Other County Lands.** Includes all lands administered under the jurisdiction of the Committee and not specified in 500.06 of this chapter.
- (13) **Department.** The Wood County Parks and Forestry Office.
- (14) **DNR.** The Wisconsin Department of Natural Resources.
- (15) **Personnel.** Includes all individuals involved with the implementation of the Wood County Forest 15 Year Comprehensive Land Use Plan and under the direction of the HIRC Committee or the Forest Administrator.
- (16) **Picnic Area.** Any tract of land developed and maintained for picnicking including adjacent recreational areas.
- (17) **Plan.** The Wood County Forest 15 Year Comprehensive Land Use Plan and all other documents referenced therein.
- (18) **Motor Vehicle.** Any self-propelled device for moving persons or property or pulling implements from one place to another, excluding a self-propelled motorized wheelchair or similar device designed solely to aid the mobility of a physically disabled person.
- (19) **Snowmobile.** An engine-driven vehicle that is manufactured solely for snowmobiling that has an endless belt tread and sled-type runners or skis, to be used in contact with snow.
 - A snowmobile does **not** include a vehicle that is any of the following:
 - (a) A Vehicle that has inflatable tires.
 - (b) A Vehicle that is driven by a motor of 4 horsepower or less and that is operated in sanctioned races, derbies, competitions or exhibitions or only on private property.

A snowmobile cannot be over 48 inches wide if it was manufactured after May 7, 1994

500.3 COMMITTEE APPOINTMENT

The Wood County Board hereby assigns the administration of the County Forest and the Wood County State Wildlife Area to the Committee of this Board known as the Highway Infrastructure and Recreation (HIRC) Committee.

500.4 POWERS AND DUTIES OF THE COMMITTEE

- (1) **Policies.** The Wood County Forest 15 year Comprehensive Land Use Plan and all documents referenced therein, shall serve as policy for the operation of the Department.
- (2) **Lands and Facilities.** Management and regulatory control of all lands and facilities designated in this chapter, or not specifically designated to another Committee of the Wood County Board of Supervisors, are delegated to the Committee.
- (3) **Scope.** The provisions of this Ordinance shall apply to all lands, structures and property owned, leased, controlled or administered by Wood County as determined in Sec. 500.06 (1) of this chapter. All such lands shall be shown on an official map or listing, at the Parks and Forestry Office located at the Wood County River Block Building, 111 W. Jackson Street, Wisconsin Rapids, Wisconsin and in accord with the records in the office of the Register of Deeds.
- (4) **County Forest Lands.** The Wood County Forest shall include all lands now held or hereafter acquired for forestry or special use purposes and entered under the provisions of Chapter 28.11 of the Wisconsin Statutes.
- (5) **County Reserved and Other County Lands.** Includes all lands administered under the jurisdiction of the Committee and not specified in 500.06 (1) of this chapter.
- (6) **Annual Operations.** The Committee shall prepare an annual work plan and budget for each ensuing year for the Department and its operations. The work plan and budget approved by the County Board shall establish the limits as well as purpose for which expenditures may be made.
- (7) **Personnel.** The Committee shall direct and supervise the County Parks and Forestry Office, subject to the approval of the County Board. It shall employ a County Forest Administrator as its Agent and such other competent Personnel as the Board may authorize to direct, perform, and enforce the administration and management functions of this chapter.
- (8) **Headquarters.** 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.

(9) **Equipment and Supplies.** The Committee may purchase, sell, trade, or dispose of equipment and supplies required for the operations of the Department within the limits contained in the annual budget.

(10) **Land Acquisition.** The Committee may negotiate for the acquisition of lands and easements within the County Forest, blocking boundary by purchase, gift, bequest, or by exchange of County owned lands outside the boundary for the purpose of blocking the forest for better administration or for recreational purposes. Any acquisition of lands must be presented to the County Board for its approval. Any lands proposed to be enrolled in the County Forest Law, or lands proposed to be withdrawn shall be subject to provisions contained in 28.11 Wis. Stats.

(11) **Administration of County Forest Lands.** Applications for entry of County owned lands under 28.11 of Wisconsin Statutes, shall be prepared by the Wood County Forest Administrator, approved by the Committee, and signed by the County Board Chairman and the County Clerk. The County Forest Administrator will forward the applications to the DNR within the time limits prescribed by the DNR. Withdrawal of lands entered under the County Forest Law shall be in the manner prescribed by 28.11(11), Wisconsin Statutes. No deed to land so withdrawn shall be issued prior to recording the County Board Resolution and the DNR order of withdrawal with the Register of Deeds.

(12) **Protection.** The Committee shall do all things reasonably necessary within the Department's budget for the protection of the forest, whether from fire, insects, disease, trespass or from damage by animals or from other causes, in cooperation with the Department of Natural Resources.

(13) **Surveys.** The Committee shall direct activities of surveyors in locating survey lines and appropriately monumenting corners of County Forest Lands and reserved lands.

(14) **Roads.** The Committee may construct, improve and maintain a system of forest roads, trails and firebreaks and purchase secure easements for access ways required to cross privately owned lands, within the parameters of the Plan and the Department's budget.

(15) **Forest Improvements.** The Committee may conduct forest improvement work, including reforestation, release cuttings, thinnings, pruning, weeding, and any other approved silvicultural practice.

(16) **Fish and Game.** The Committee shall work with the Department of Natural Resources on all matters relating to game and fish management.

(17) **Sale of Forest Products.** The Committee may sell timber stumpage in accordance with the guidelines in the 15 Year Comprehensive Land Use Plan.

(18) **Cooperation.** The Committee may enter agreements with the U.S. Forest Service, Lake States Forest Experiment Station, the University of Wisconsin and the Department of Natural Resources for the use of County Lands, labor, materials and equipment for conducting forest research.

(19) **Special Uses.** The Committee may establish, construct and maintain recreation and interpretation facilities, Boat Landings, wild resource zones, aesthetic, management zones, special use areas and wildlife habitat.

(20) **Prospecting.** The Committee may enter into agreements to mine for minerals and other natural resources upon County Lands under the Department's jurisdiction, subject to the approval by the Board and the Department of Natural Resources.

(21) **Use Permits.** The Committee may authorize special uses of County Land by written permit. Any such permit shall be revocable for cause by written notice. The Committee may establish and charge fees for special use permits.

(22) **Sand and Gravel Permits.** The Committee may issue permits to municipalities within Wood County for removal of sand and gravel from County Land under the Department's jurisdiction, consistent with Chapter 28.11, Wisconsin State Statutes.

(23) **Plan.** The Committee shall cooperate with the Department of Natural Resources in the establishment and maintenance of the Wood County 15 Year Comprehensive Land Use Plan. In addition, the Wood County Forest Administrator will participate in the determination of the allowable annual cut, an inventory of growing stock and increment acreage control, establishment of compartments and other necessary items for such Plan.

(24) **Special Recreation Area.** The Committee may create and update rules and regulations for the use of the shooting ranges, , ATV Area, disabled hunter blinds and surrounding areas, and any other special recreation areas.

(25) **Additional Rules.** Rules and regulations may be made from time to time, by the Committee, governing the further use and enjoyment of property administered by the Committee. Any person who shall violate such rules or regulations, or who refuses to subject himself thereto, may be excluded from the use of such facility and be subject to penalties.

500.5 FOREST FINANCES

(1) **County Forest Land Fund.** If in the event that County Forest Land is sold or traded, all proceeds from the sale or trade of the Lands, entered under Chapter 28.11 of the Wisconsin Statutes, shall be credited to a non-lapsing account entitled the County Forest Land Fund. These funds are to be used for the purchase of property to be added to the County Forest.

(2) **Town and State Severance Accounts.** Ten percent of the gross timber sale revenue shall be deposited in a segregated non-lapsing account to be paid proportionally to the towns containing County Forest Lands, as per Wisconsin Statute 28.11 (9) (d). In addition, 20% of the gross timber sale revenue shall be deposited in a segregated non-lapsing account to be paid to the Department of Natural Resources when there is an outstanding debt, as per Wisconsin Statute 28.11 (9) (a).

(3) **General Fund.** All monies received from the sale of 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 revenues received by the Committee will be deposited in the General Fund at the end of the year unless otherwise specified under 500.05 of this chapter.

(4) **State Funds.** All allotments from state funds under s.28.11 (8)(b) State Forest Aid Fund, s.86.315 Road Aids, s. 23.09 (17) (m) Habitat Development Grant, s.23.09 (12) County Fish and Game Fund, s.23.09 (26) Snowmobile Aids, and s. 23.09 (25) Motorcycle Aids Program, of the Wisconsin Statutes, shall be deposited in their respective funds and shall be non-lapsing.

(5) **Bond Deposit Account.** All deposits for timber sale bid bonds and performance bonds shall be deposited in the Bond Deposit Fund and such fund shall be non-lapsing.

500.6 FOREST LAND USE REGULATIONS

(1) **Designation of Forest Lands.** All County Lands and facilities thereon owned, leased, controlled, or operated by the Committee, and not designated under Ch. 27 Wisconsin Statutes, except Dexter Park, shall be considered forest lands and regulated by this chapter.

(2) **Forest Products Harvest and Theft.**

A. **Timber Cutting.** Commercial cutting, salvage cuttings and cultural cuttings on lands designated in this chapter, shall be by written permit or contract, approved by the Committee.

B. Firewood and Special Products. Commercial harvest of firewood and specialty products shall be by contract or written permit by the Wood County Forest Administrator or designee(s).

C. Product Theft. No person shall remove any plant, tree, parts of a tree or other forest products from any County Lands designated in this chapter except as authorized by the Committee or its Agent by written permit, contract or policy. Picking fruit, berries, nuts and mushrooms is permitted, unless determined otherwise by the Forest Administrator.

(3) County Property Destruction and Entry.

A. Destruction. No person shall disturb, vandalize, damage, deface, remove or destroy any trees, shrubs, plants, other natural growth, sand or gravel; carve on any rocks, archaeological or geological features, signs, walls, tables or structures; drive nails into trees; or remove injure or deface in any manner any structures including buildings, signs, gates, fences, tables or other County property. The picking of edible fruits, berries, nuts and mushrooms is permitted.

B. Entry. No person shall enter or be in any building, installation, area, or trail that may be locked or closed to public use or contrary to public or posted notice without a written permit from the Forest Administrator.

C. Tampering. No person shall tamper with any building, installation, or area which may be under construction, locked or closed to public use, and/or tamper with, use, or damage any water control structure, device, dam, or culvert, or act contrary to posted or public notice.

D. Damage by Vehicle. No person shall, and no owner shall allow, the operation of a vehicle for recreational use or other purpose in or on any property administered by the Committee in such a manner as to cause soil erosion, pollution or other damage.

(4) Sporting and Recreational Use of Forest Lands.

A. Recreation Use Permits. Written permits, approved by the Committee, and issued by its Agent, to organizations are required for recreational use of specified areas of County Lands, including ski clubs, Snowmobile clubs, and other organizations and organized horse trail rides. Permits may be issued for up to one year.

B. Abandoned Vehicles. As used in this section, vehicle means any Motor Vehicle, trailer, semi-trailer, or mobile home. No person shall leave, nor shall any owner allow any vehicle to be left unattended, without prior authority from the Forest Administrator, under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. An abandoned vehicle shall constitute a public nuisance and be subject to removal at the owner's expense. Removal of the vehicle shall not relieve the owner or the operator of the vehicle from any

penalty incurred because of such violation.

C. Camping. Camping is permitted on County Forest Lands not designated as formal recreational areas, excluding those areas adjacent to existing County park camping facilities and areas posted as "No Camping Allowed." Camping in excess of 14 consecutive days is not permitted without a permit from the Forest Administrator.

D. Elevated blinds. No person shall construct, maintain, occupy, or use on County Land any elevated scaffold or other elevated device, except that portable stands may be used provided they are completely removed each day at the close of hunting hours and provided such devices do no damage to any tree, or to other County property.

E. Ground Blinds. No person may construct, occupy, or use on County Land any ground blind unless the following conditions are met:

1. The blind shall be constructed only of natural materials found lying dead and down in the immediate area, and cause no damage to trees or other County property. Portable ground blinds may be used provided they are completely removed each day at the close of hunting hours.
2. The total area enclosed shall be no more than 36 square feet.
3. The blind is to be constructed so as it will not interfere with the movement of authorized vehicles or equipment and constructed in such a manner that it blends in with the surrounding area.
4. All objects that are not in a form found naturally within the immediate area shall be removed from the blind each day at the close of hunting hours.

F. Vehicular Traffic.

1. No person shall operate any vehicle at a speed, or in a manner contrary to official traffic signs on County Lands.
2. No person shall operate a Motor Vehicle in an abusive, boisterous,

unreasonably loud or otherwise disorderly manner under circumstances which tend to cause a disturbance. Such conduct shall include, but not be limited to: conduct which tends to disturb, annoy or endanger one or more persons because of unnecessary or deliberate spinning of wheels, squealing of tires, revving of engine, blowing the horn, causing the engine to backfire, or causing the vehicle while commencing to move or in motion to raise one or more of its wheels, tracks or skis off the ground, or operate at an unreasonable or imprudent speed on any County Lands.

3. No person shall, and no owner shall allow, operation of any Motor Vehicle on any County Forest Lands, or on any Secondary Forest Road as identified in the Wood County Forest 15-Year Comprehensive Land Use Plan, or on any forest road or trail closed by a gate, soil berm, boulders, barricade, or other device designed to block vehicular access to such area or road, or posted as closed, unless such party is authorized by permit or contract issued pursuant to this chapter. Limited off-road use of motor vehicles may be permitted for holders of valid firewood cutting permits within designated firewood cutting areas. The Committee or its Agent may authorize special Motor Vehicle use areas or trails and establish rules and regulations for use thereof by the general public. The Committee or its Agent may authorize by Disabled Access Permit, persons with physical disabilities to use a designated Motor Vehicle as a mode of personal conveyance. Disabled access permits may only be issued to those persons eligible to receive, and able to present a Wisconsin disabled hunter permit, or other similar acceptable proof of disability. A permit is not required for disabled persons using a motorized wheelchair. Agents of the County doing official business are exempted from this rule.

G. Parking.

- 1.** No person shall, and no owner shall allow parking, stopping, or leave standing, whether attended or unattended any vehicle, watercraft, or obstruction:
 - a.** In any manner as to block, obstruct, or limit the use of any road, trail, parking lot, Boat Landing, waterway, or recreational facility.
 - b.** Outside of any area provided for such purposes when it is practical to use such areas.
 - c.** Contrary to posted notice.
- 2.** No person shall, and no owner shall allow parking, stopping, or leave standing, whether attended or unattended, any vehicle in areas reserved, by official traffic signs indicating the restriction, for vehicles

displaying registration plates or identification cards which designate the vehicle as a vehicle used by a physically disabled person as defined in s.346.505 Wis. Statutes, unless said vehicle has properly displayed said registration.

3. Agents of the County doing official business are exempted from this rule.

H. Snowmobiles. No person shall, and no owner shall allow operation or parking of any Snowmobile on any blocked road, trail or designated ski trail. Agents of the County doing official business are exempted from this rule.

I.

J. Special Use Areas. In addition to rules and regulations set forth in this ordinance, rules and regulations of the Parks Ordinance will also apply to the ATV area, shooting ranges, and other developed recreation areas.

(5) **Special Use.** Special use of specific areas of County Lands shall be authorized only by written permit issued by the Committee.

(6) **Refuse.** No person shall leave or dump any litter, rubbish, debris, dirt, stone or other materials on any County Lands. When garbage receptacles are provided by the County only garbage generated on the site, and associated with the special activity for which purpose the receptacle was provided, may be placed in the receptacle. No personal or private garbage or materials may be deposited in the receptacles.

(7) **Fires.** No person shall burn trash, slash or litter on County Land except as authorized by written permit or policy, or specific authorization of the Forest Administrator.

(8) **Prospecting.** No person shall prospect on County Land without written permit issued by the Committee.

(9) **Access.** No person shall block or restrict access to any trail, road, parking area, recreational facility, or intentionally interfere with the use of lands and facilities under the management and regulatory control of the Committee. Agents of the County doing official business are exempted from this rule.

(10) **Public Meetings and Sales.** Any person desiring to hold a public meeting of any

kind whatsoever, on any property administered by the Committee, shall first obtain a permit from the Committee or its duly authorized Agent. The permit must be applied for not less than 48 hours prior to the scheduled event.

(11) **Peddling and Soliciting.** It is unlawful for any person to peddle or solicit business of any nature, to distribute handbills or other advertising matter, or to post signs, posters, or decorations on any lands or structures under the jurisdiction of the Committee, for any purpose whatsoever, unless first authorized by the Committee or its duly authorized Agent in writing.

(12) **Signs.** It is unlawful for any person to place unauthorized signs on any property administered by the Committee.

(13) **Survey Monuments.** No person shall remove, cover, bury, destroy or deface any survey monument, corner post, monument accessory, witness tree, bearing tree, or survey accessory on any lands within Wood County, without following applicable statutory provisions.

(14) **Installation, Public Utilities, and Private Construction.** The location of all public and private utilities, structures, lines, and pipes within any property administered by the Committee shall be subject to the control of the Committee and their construction, erection, repair, or relocation shall be undertaken only after written consent thereto is received from the Committee or its Agent.

(15) **Personal Conduct.** It is unlawful for any person to engage in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance on any property administered by the Committee.

(16) **Property of Others.** It is unlawful for any person to disturb, destroy, vandalize, damage, or remove the property or personal effects of others on any property administered by the Committee. Personal effects left on property administered by the Committee may be removed by the Agent of the County.

500.7 VIOLATION OF THIS ORDINANCE

(1) Legal Action

A. Arrest Powers. Any law enforcement officer of Wood County or any of its municipal subdivisions, or law officers of the state, may issue a citation for the violation of any of the provisions of this chapter. Said citation shall be in the format set forth in Wis. Stats. S66.0113, which is incorporated herein by reference. Said law enforcement officers as well as Agents of the Parks & Forestry

Department shall have at all times the right to enter the premises of any County Land, building, structure, or enclosure in any park, wayside, or special recreation area, including such grounds, buildings, structures, or enclosures which may be leased or set aside for private or exclusive use of any individual or group of individuals, for the purpose of determining that there is compliance with this Ordinance and the rules and regulations made by the Committee, and may use all necessary means to attain that end.

B. Prosecution. Whenever an arrest shall have been made or any violation shall occur, the District Attorney or Corporation Counsel shall prosecute or proceed as provided by law.

C. Penalties. Any person, firm, company, or corporation who violates the regulations set forth in this Ordinance, or rules and regulations made by the Committee, shall be subject to a forfeiture of not less than \$25 or more than \$500, together with the costs of the action. Each day a violation exists shall constitute a distinct and separate violation of this Ordinance and as such, forfeitures shall apply accordingly.

(2) Notice of Violation

A. Notice Issuance Authority. Wood County Parks & Forestry Department personnel, designated in writing by the Forest Administrator, and peace officers described in 500.07 (1) A. shall have the authority to issue a “Notice of Violation” on forms approved by and pursuant to procedures established by the Forest Administrator and the Committee.

B. Penalties. Persons to whom a Notice of Violation has been issued for violating this Ordinance or rules and regulations made by the Committee may enter into a stipulation of guilt with Wood County by posting the sum (established in the fee schedule set by the Committee), within 5 days after the issuance of a Notice of Violation. Violators of this ordinance who do not timely post said sum as a fee shall be referred to Law Enforcement for the issuance of a citation as provided in Section 500.07 (1) of the Forestry Ordinance.

(3) Ejection From County Forest. Any person who has violated the terms of this Ordinance may be subject to the immediate ejection from the County Land by the Wood County Forest Administrator or his designee(s), Wood County Sheriff’s deputy or Wisconsin Department of Natural Resources law enforcement Personnel. Any person ejected from County Land may not reenter any County Land for a minimum of 24 hours.

(4) Seizure. Whenever forest products are found to have been unlawfully severed from County Lands, the sheriff shall, on satisfactory evidence, seize such materials pursuant to Section 26.06 of the Wisconsin Statutes for use by the County or for sale, as the

Committee may determine.

(5) **Damages.**

A. In addition to the penalties specified in paragraph 500.07 (2), any person violating any of the provisions of this Ordinance shall be liable for any damages.

B. Whenever evidence of unlawful cutting on County Lands is filed with the Corporation Counsel, he\she may, and on direction of the Committee shall, bring suit to recover damages as provided by Section 26.09, Wisconsin Statutes. Similarly, civil suit may be brought against parties responsible for forest fire damage under Section 26.21, Wisconsin Statutes.

500.8 SPECIAL EXCEPTIONS, EFFECTIVE DATE, AND REPEALS

(1) **Special Exceptions.** Special exceptions to this ordinance may be granted by prior written approval of the Committee and Forest Administrator.

(2) **Effective Date.** This Ordinance shall take effect and be in force from and after its passage and publication as required by law.

(3) **Repeals.** All ordinances and parts of ordinances in conflict herewith are hereby repealed.

(4) **Invalidation.** Invalidation of any one of the subsections of this Ordinance by judgment or court order shall in no way affect any of the other provisions thereof, which shall remain in full force and effect.