

## ORDINANCE NO. 2018-06

### An Ordinance Regulating Bow and Crossbow Hunting and Fishing in the City

The Common Council of the City of Cedarburg, Wisconsin, hereby ordains as follows:

SECTION 1. Section 11-2-1(f) of the Municipal Code of the City of Cedarburg is hereby repealed and recreated as follows:

- (f) **Hunting Generally Prohibited; Bow Hunting Permissible With Restrictions.** Hunting is prohibited within the corporate limits of the City of Cedarburg.
- (1) Exception for bow hunting. Notwithstanding the foregoing; hunting with a bow or crossbow is allowed within the City, but only if done in strict compliance with all of the following restrictions:
- (i) Discharge of any arrow or bolt of a weapon must be toward the ground.
- (ii) No person shall hunt with a bow or crossbow within 100 yards of a building used for human occupancy. This restriction does not apply if the person who owns the land on which the building is located has given prior permission for the hunter to hunt within 100 yards of the building.
- (iii) No person shall hunt by bow or crossbow while standing in, or by discharging an arrow or bolt into, any park or municipally owned land.
- (2) Other laws apply. To the extent hunting is permitted by this section, nothing in this section should be interpreted to conflict with or supersede any other law or administrative provision regulating hunting, including but not limited to licensing, tagging, seasons, manner of harvest, or species restrictions.
- (3) Definitions. The terms “bow” and “crossbow” have the meanings set forth in Wis. Stat. § 29.001.

SECTION 2. Section 11-2-3 of the Municipal Code of the City of Cedarburg is hereby amended by creating subsections (a), (b), (c), (d) as set forth below:

#### **SEC. 11-2-3 THROWING OR SHOOTING OF ARROWS, STONES AND OTHER MISSILES PROHIBITED.**

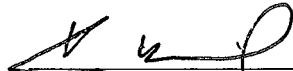
It shall be unlawful for any person to discharge or throw by any means any dangerous missile, object, arrow, stone, snowball or other missile within the City of Cedarburg, provided, however, upon written application to the Chief of Police, a person may be granted permission by the Common Council, upon the advisory recommendation of the Chief of Police, to construct and maintain supervised archery ranges if, in the opinion of the Common Council, the construction or maintenance of such ranges will not endanger the public health and safety.

- (a) **Exception for hunting.** Notwithstanding the foregoing, a person may use a bow and arrow or crossbow for hunting if permitted by Section 11-2-1(f) of the Municipal Code.
- (b) **Exception for bowfishing.** Notwithstanding the foregoing, a person may use a bow or crossbow for fishing if such use meets all of the following criteria:
1. The person is engaged in bowfishing from a boat freely floating on a navigable body of water;

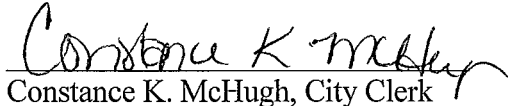
2. The arrow or bolt is specific to the task of bowfishing;
  3. The arrow or bolt is attached to the bow or crossbow by an appropriate cord or line not more than 100 feet in length;
  4. The person discharges the arrow or bolt on a downward trajectory;
  5. Any auxiliary lighting used is angled at least 45 degrees towards the water.
- (c) **Definitions.** The terms “bow” and “crossbow” have the meanings set forth in Wis. Stat. § 29.001.
- (d) **Other laws apply.** To the extend bowfishing is permitted by this section, nothing in this section should be interpreted to conflict with or supersede any other law or administrative provision regulating fishing or bowfishing, including but not limited to licensing, manner of harvest, seasons, or species restrictions.

SECTION 3. This ordinance shall take effect upon its passage and publication as provided by law.

Passed and adopted this 9<sup>th</sup> day of April, 2018.

  
Kip Kinzel, Mayor

Countersigned:

  
Constance K. McHugh, City Clerk

Approved as to form:

  
Michael P. Herbrand, City Attorney