

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

SUPERVISOR BRIAN  
KNUDSON  
INITIATED BY



JEFFREY S. KUGLITSCH  
DRAFTED BY

DECEMBER 30, 2015  
DATE DRAFTED

COUNTY BOARD STAFF  
COMMITTEE  
SUBMITTED BY

TO REQUEST THE DEPARTMENT OF NATURAL RESOURCES AND THE STATE  
LEGISLATURE INCLUDE ROCK COUNTY UNDER WISCONSIN  
ADMINISTRATIVE CODE § NR 45.09(5)

1 WHEREAS, there have been complaints of semi-automatic gunfire occurring on the state lands in  
2 the Town of Avon; and

3  
4 WHEREAS, the Sheriff's Office is unable to act because the shootings occur on state land where  
5 they have no jurisdiction; and

6  
7 WHEREAS, there are concerns about personal safety of nearby residents; and

8  
9 WHEREAS, the DNR wardens are also limited in what they can enforce; and

10  
11 WHEREAS, Wisconsin Administrative Code § NR 45.09(5) states:

12  
13 “(5) No person may possess any loaded or uncased firearm or air gun while within the  
14 exterior boundary of state-owned lands posted with department signs in Dane, Dodge,  
15 Fond du Lac, Jefferson, Juneau, Kenosha, La Crosse, Manitowoc, Milwaukee, Outagamie,  
16 Ozaukee, Racine, Sauk, Sheboygan, Walworth, Washington, Waukesha and Winnebago  
17 counties or on state forest lands in the Kettle Moraine or Point Beach state forests, state  
18 recreation areas, state natural areas or on state trails established on railroad grades, except  
19 as follows:

20 (a) While engaged in hunting in accordance with the open seasons established in  
21 s. NR 10.01 on the portions of properties where hunting is authorized.

22 (b) At target ranges designated by the department.

23 (c) While engaged in dog trials under department permit.

24 (d) While training dogs in designated areas under department permit.

25 (e) When paintball guns are approved pursuant to s. NR 45.04 (3) (u);”

26 and

27  
28 WHEREAS, if Rock County were included in § NR 45.09(5), the indiscriminate shooting  
29 occurring in Rock County would not be allowed on state lands.

30  
31 NOW, THEREFORE, BE IT RESOLVED by the Rock County Board of Supervisors in session  
32 this 25<sup>th</sup> day of February, 2016 that they request the Department of Natural Resources and the  
33 Wisconsin State Legislature take steps to add Rock County to the list of counties included under  
34 Administrative Code § NR 45.09(5).

35  
36 BE IT FURTHER RESOLVED, a copy of this resolution be provided to all Rock County State  
37 Legislators, Governor Walker and Secretary of Natural Resources, Cathy L. Stepp.

16-2B-491

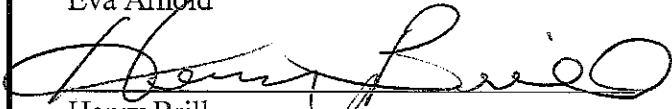
Respectfully submitted:


COUNTY BOARD STAFF COMMITTEE

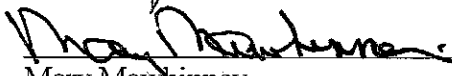
  
J. Russell Podzilni, Chair

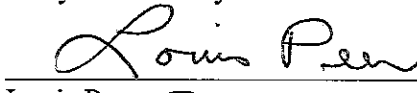
  
Sandra Kraft, Vice Chair

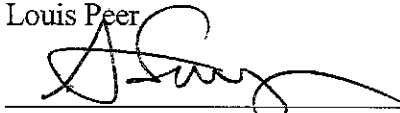
  
Eva Arnold

  
Henry Brill

  
Betty Jo Bussie

  
Mary Mawhinney

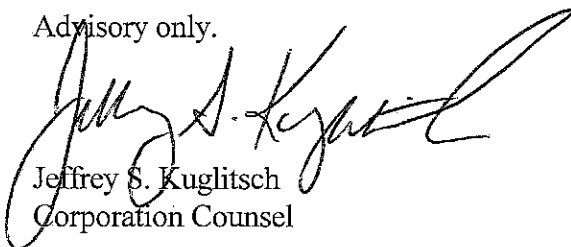
  
Louis Peer

  
Alan Sweeney

  
Terry Thomas

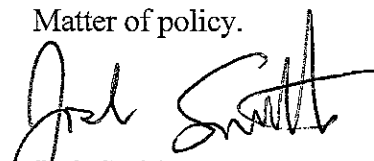
LEGAL NOTE:

Advisory only.

  
Jeffrey S. Kuglitsch  
Corporation Counsel

ADMINISTRATIVE NOTE:

Matter of policy.

  
Josh Smith  
County Administrator

FISCAL NOTE:

This resolution is advisory only and has no direct fiscal impact on Rock County operations in and by itself.

  
Sherry Oja  
Finance Director

### Executive Summary

Over the last several years there have been increasing instances of nuisance/indiscriminate target shooting on lands owned by the Wisconsin Department of Natural Resources and the State of Wisconsin in Rock County. In particular, the Town of Avon has been frustrated by the amount of indiscriminate target shooting on state owned lands.

Rock County has over 6,300 acres of land owned by the Wisconsin Department of Natural Resources. Most of these acres are available for the public's use for recreation to hike, hunt, bird watch, fish, and camp. Safety concerns for those people utilizing the state owned lands for recreation are a top priority of Rock County.

Concerns have been raised about people entering state owned lands to discharge weapons, with no particular targets. Trees are shot up, and often times junk (old appliances, tvs, etc.) are used as targets. Trees that have aesthetic value for bird watchers and wildlife nesting are left shredded and destroyed. Neighbors have been complaining because as target shooters start random target practice at no particular objects other than trees, bullets could potentially be making their way past the line-of-sight from the people shooting. Often times there are tree-lines or brushy areas that limit the visibility of the target shooters. Beyond the limited sight lines of the people discharging their weapons often times reside buildings (houses, barns, machine sheds), people hunting, hikers, pastured livestock, or children playing in yards.

The Sheriff's Office is unable to specifically address target shooting on state owned land when complaints are filed. DNR is limited to what they can enforce on lands owned by the State of Wisconsin in Rock County. Rock County is currently excluded from Wisconsin Administrative Code NR 45.09(5) which covers target shooting on state owned lands. If Rock County were included, all areas in Rock County owned by the State of Wisconsin would be included. These lands would include (but not limited to) the Evansville, Turtle Creek, Hanover, Lima Marsh, Storr's Lake, and Avon Bottoms Wildlife Areas.

By including Rock County in Wisconsin Administrative Code NR 45.09(5) the Sheriff's Office will have options of enforcement available to them to address indiscriminate target shooting on state owned land.