

**TOWN OF TREMPEALEAU SCARE GUN ORDINANCE
2017-001**

The Town Board of the Town of Trempealeau, Trempealeau County, Wisconsin does hereby ordain as follows:

SECTION 1 – TITLE/PURPOSE.

The Title of this Ordinance is the “Town of Trempealeau Scare Gun Ordinance.” The purpose of the Ordinance is to ban the use of scare guns within the Town of Trempealeau.

SECTION 2 – AUTHORITY.

The Town Board of the Town of Trempealeau (hereinafter “Town Board”) has adopted village powers pursuant to Wis. Stat. §60.10(2)(c). The Town Board has the specific authority under Wis. Stat. §61.34(1), 66.0101, and 66.0113 to adopt this Ordinance.

SECTION 3 – FINDINGS OF TOWN BOARD.

The use of scare guns within the Town of Trempealeau is harmful to the public health, safety and welfare of residents of the Town of Trempealeau. The use of scare guns within the Town of Trempealeau interferes with people’s interest in quiet enjoyment of their property, interferes with sleep, negatively affects business, has the potential to depress property values, leads to disputes between Town residents and damages the Town’s aesthetic as a quiet peaceful area. Sound emanating from scare guns travels significant distances within the Town in certain conditions.

SECTION 4 – REPEAL OF TOWN OF TREMPEALEAU ORDINANCE 2013-001.

The Town of Trempealeau Scare Gun Ordinance 2013-001 is hereby repealed.

SECTION 5 – ADOPTION OF ORDINANCE.

The Town Board, by this Ordinance, adopted on proper notice with a quorum and by a roll call vote by a majority of the Town Board present and voting has adopted this Ordinance.

SECTION 6 – DEFINITION.

The term “Scare Gun” as used in this Ordinance shall mean any device that is used to frighten birds and animals and which does so by producing a noise at regular or irregular intervals by mechanical means. Scare Gun does not include a device, such as a shotgun or similar firearm, that requires operator action for each individual sound discharge.

SECTION 7 – USE PROHIBITED.

The use of scare guns is prohibited within the Town of Trempealeau.

SECTION 8 – OWNER LIABILITY.

In addition to the person operating a scare gun, the owners of real property on which a violation of this ordinance occurs shall be subject to the penalty outlined in Section 9 herein.

SECTION 9 – PENALTY.

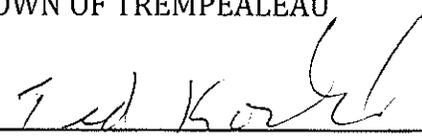
Any person violating this ordinance shall be subject to a forfeiture of not less than \$100.00 nor more than \$300.00. Each incident of violation shall be a separate offense and each day or part thereof during which a violation occurs shall be deemed a separate offense.

SECTION 10 - EFFECTIVE DATE.

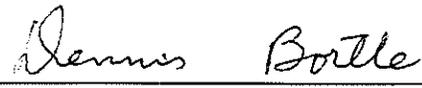
This Ordinance shall be effective upon publication as required under Wis. Stat. §60.80.

Adopted this 19th day of July, 2017.

TOWN OF TREMPÉALEAU

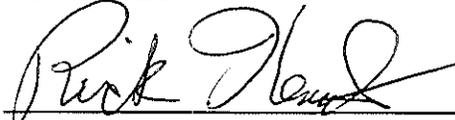


Ted Konkel, Supervisor One



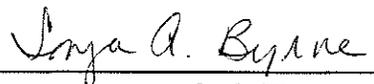
Dennis Bortle, Supervisor Two

ABSTAINED:



Rick Nemitz, Chairman

ATTESTED:



Sonja A. Byrne, Clerk/Treasurer

Adopted: July 19, 2017
Published: July 26, 2017
Effective: July 27, 2017