

**Wisconsin Department of Natural Resources
Natural Resources Board Agenda Item**

SUBJECT: Request approval of the Department's recommendation to issue a Stewardship grant that will prohibit at least one nature-based outdoor activity (NBOA) on non-department land: Village of Osceola, Polk County

FOR: January 2015 Board meeting

TO BE PRESENTED BY: Lavane Hessler - Stewardship Grant Manager

SUMMARY:

The Department is requesting that the Board approve the Department's determination that the prohibition of one nature-based outdoor activity (gun hunting) is necessary to protect public safety on 1.71 acres in the Village of Osceola, Polk County. The future passive park will provide additional river access to Osceola Creek and new recreational trails. The public will be able to enjoy archery hunting, trapping, fishing, hiking, cross-country skiing, swimming, biking, picnicking, snowshoeing, bird watching, and nature observation.

The Department has made the determination that the prohibition on gun hunting is necessary to protect public safety because:

- Proximity to residential and municipal buildings.
- Proximity to village streets.
- The size, shape, and location of the parcel.
- The primary purpose of the property being a passive village park with a trail system.
- Village ordinances prohibiting the discharge of firearms within the village limits.

The proposed grant of \$89,500 will come from the Urban Rivers subprogram of the Stewardship program.

RECOMMENDATION: Approval of the Department decision to award a Stewardship grant that will prohibit gun hunting on 1.71 acres to be acquired by the Village of Osceola.

LIST OF ATTACHED MATERIALS (check all that are applicable):

- Background memo Type name of attachment if applicable
 Type name of attachment if applicable Type name of attachment if applicable

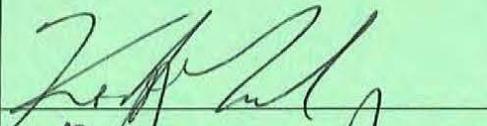
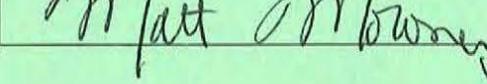
Approved by	Signature	Date
Steve Miller Bureau Director		12-15-14
Kurt Thiede, Land Division Administrator		1/5/15
Cathy Stepp, Secretary		1/8/15

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• Appendix B – Staff Analysis of NBOA Prohibitions The staffs’ analysis of any proposed NBOA prohibitions, including a signature from the regional Public Safety Warden who reviewed prohibitions proposed as necessary to protect public safety. The format of this analysis is a standard checklist, approved by DNR Legal Services, and completed for all Stewardship grant projects with an NBOA prohibition for safety reasons. Any relevant ordinances and statutes are also included.	7
• Appendix C – Public Comment Certification Memo This confirms that regional grant staff have completed the requirements for public notice set forth in s. NR 52.04 and summarizes any comment/s received.	19
• Appendix D – News Release. The Department is required by s. NR 52.04, Wis. Adm. Code, to give notice to the public of our intentions to award grant funds to purchase property on which any NBOAs will be prohibited. The news releases also follow an approved template. Because of the timing of these news releases in our grant cycle (often before appraisals have been completed and certified) and per the department’s obligations to protect the confidentiality of incomplete real estate transactions, news releases do not identify the exact location of the property, name of the seller, or any information about project financing.	20
• Appendix E – Driving Instructions	21

DATE: December 12, 2014

TO: Natural Resources Board

FROM: Cathy Stepp, Secretary

SUBJECT: REQUEST FOR RATIFICATION OF STEWARDSHIP GRANT FOR ACQUISITION WITH PROHIBITION

The Department requests that the Board approve a determination that the prohibition of one nature-based outdoor activity is necessary on 1.71 acres of land in the Village of Osceola, Polk County. The Department proposes to award a grant in the amount of \$89,500 to the Village of Osceola for the purchase of the land on which gun hunting will be prohibited by ordinance.

I. PROJECT DETAILS

Project Sponsor: Village of Osceola
Seller: Mannington Downs, LLC
Grant sub-program: Urban Rivers

Project Description: The property is approximately 1.71 acres with 754 feet of frontage along the south shoreline of Osceola Creek. This section of Osceola Creek feeds directly into the falls on the west side of State Highway 35 and borders the state owned and managed *Osceola Creek Fisheries Area*. The Village will develop the parcel into a passive village park with additional fishing access to Osceola Creek, a priority watershed trout stream. Maps are attached as Appendix A.

Project Goals: The Mill Pond Park Expansion acquisition project will provide public land for outdoor recreation, and meets the following community and regional goals:

- Provides new public land for nature-based outdoor recreation.
- Provides additional access to Osceola Creek, a priority trout stream.
- Implements recommendations from the Village of Osceola Outdoor Recreation & Trail Plan.
- Implements recommendations from the Village of Osceola Comprehensive Plan 2009-2029.
- Implements recommendations from the West Central Wisconsin Regional Comprehensive Plan.

The project will also implement the following Statewide Comprehensive Outdoor Recreation Plan (SCORP) Goals:

- Assess, Understand, and Adapt to Growing Recreation Tourism Demands and Preferences
- Improve Integration of Outdoor Recreation Interests and Needs in Land Use and Other Relevant Planning Efforts
- Continue to Provide and Enhance Public Access to Wisconsin Recreational Lands and Waters
- Conserve Rural Landscapes and Forests through Partnerships and Incentives
- Promote Outdoor Recreation as a Means of Improving Public Health Among Wisconsinites
- Establish Great Urban Parks and Community Green Spaces

Current/Prior Use of Property: The property is a vacant parcel of land that is currently being operated as a mobile home park. The park has very low occupancy rate with only four sites out of seventeen rented. A driveway is crossing through the center of the property allows access to the sites. The remaining portion of the parcel is wooded.



Proposed Public Uses: The Mill Pond Park Expansion will be available to the public 24 hours per day, 7 days per week, and 365 days per year. Users will have additional access to Osceola Creek, and will be able to archery hunt, fish, trap, hike, cross-country ski, swim, bike, picnic, snowshoe, bird watch, and observe nature. The Village anticipates approximately 5,000 visitors will enjoy this property annually.

Public recreation opportunities include archery hunting, trapping, fishing, hiking, cross-country skiing, swimming, biking, picnicking, snowshoeing, bird watching, and nature observation. The Department's analysis of the permitted nature-based outdoor activities is attached in Appendix B.

Gun hunting will be prohibited on the property by village ordinance. The Department has determined that the prohibition of this one nature-based outdoor activity is necessary to protect public safety.

Property Management: Mill Pond Park will be operated and maintained by the Village of Osceola's Parks and Recreation Department, consistent with their management policy.

Timetable: The Village plans to close on this property in late 2014.

II. NBOA DETERMINATION

Nature-based outdoor activities (NBOAs) are defined in s. NR 52.02(7), Wis. Adm. Code, as hunting, trapping, fishing, hiking, or cross-country skiing. The Village of Osceola proposes to prohibit gun hunting in Mill Pond Park. The Northern Region Public Safety Team determined that the prohibition on this activity is necessary to protect public safety. This determination is based the following factors:

- The primary purpose of the project (passive village park).
- Village ordinances prohibiting the discharge of firearms.
- The size, shape, and location of the parcel.
- Proximity to residential homes, municipal buildings, and roads.

The Department posted public notice about this determination on GovDelivery on October 31, 2014. Two comments were received on the project.

- One comment was neutral and requested a clarification of the archery and trapping activities on the site.
- One comment opposed the project citing the proposal was a waste of money with little recreational value.

The public notice and summary of the comments submitted may be found in Appendix C and D attached to this Green Sheet.

III. PROJECT FINANCES

A. Partnerships

- Village of Osceola: Responsible for 50% of the financial portion, the land management, operation, and maintenance of the property
- Mannington Downs, LLC: Seller of property
- Department of Natural Resources: Provides financial assistance
- Lion's Club: Provides financial assistance

B. Appraisals

As required by s. 23.0917(7)(e)2., Wis. Stats., one appraisal was used to determine the fair market value of the land.

Appraisal 1	\$175,000
Value certified by Department	\$175,000

The purchase price is \$175,000.

C. Grant Calculation

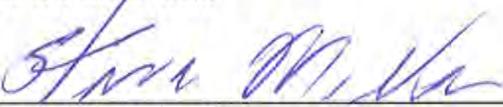
As required by s. NR 51.006(1), Wis. Adm. Code, financial assistance is limited to 50% of the acquisition cost.

Certified appraised value	\$175,000
Associated eligible real estate costs	<u>\$ 4,000</u>
Total Maximum Project Costs	\$179,000

D. Funding Sources

Village of Osceola	\$67,125
Lion's Club Donation	\$22,375
Stewardship Grant Award	\$89,500 (50%)

IV. RECOMMENDED



Steve Miller, Director
Bureau of Facilities and Lands

12-15-14
Date



Kurt Thiede, Administrator
Land Division

1-5-15
Date

MAP 5-?

PARKS

Village of Osceola
Polk County
Wisconsin

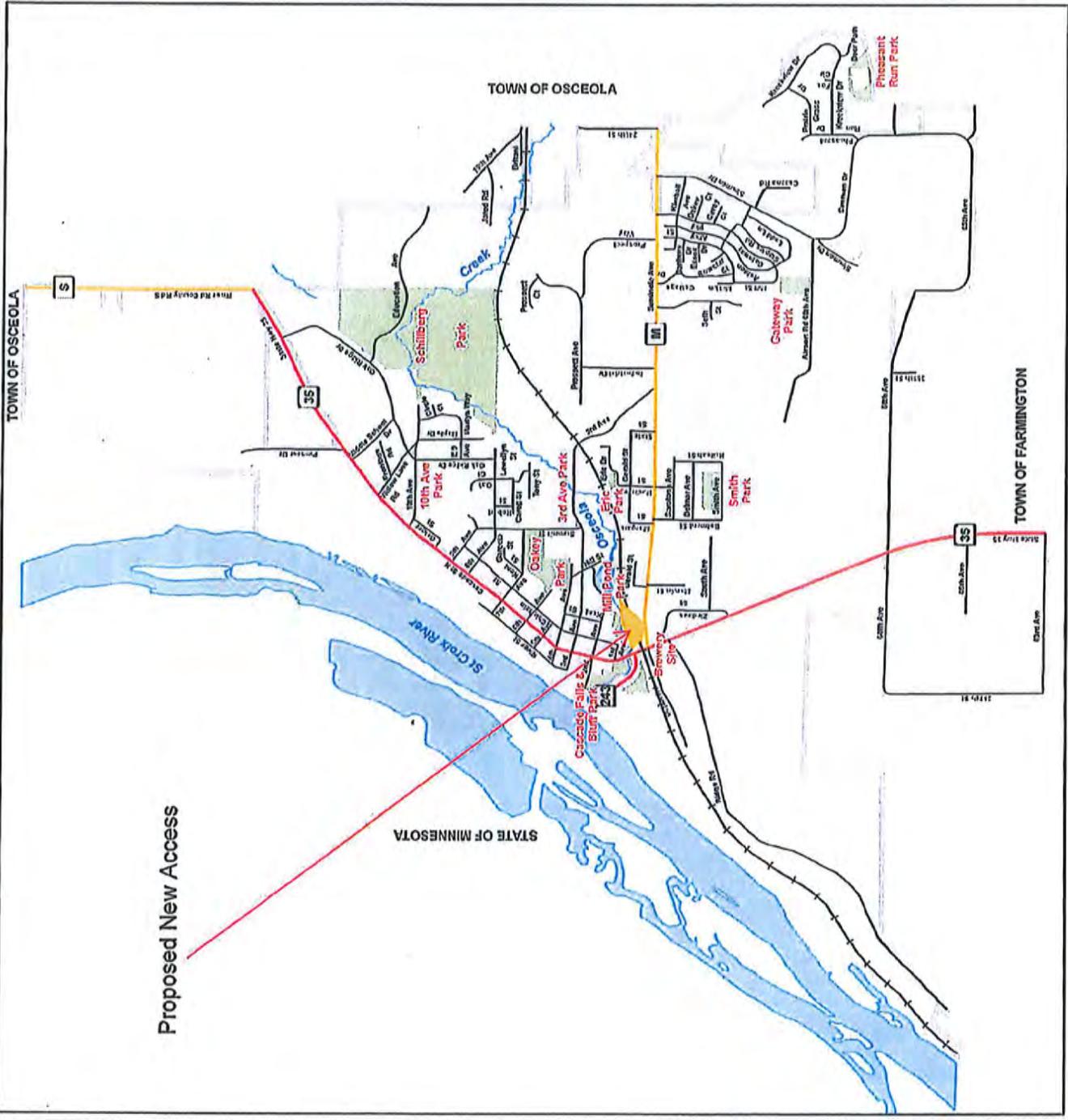


- STATE HIGHWAY SHIELD
- COUNTY HIGHWAY SHIELD
- STATE HIGHWAY
- COUNTY ROAD
- TOWNSHIP ROAD
- VILLAGE ROAD
- PRIVATE ROAD
- RAILROAD
- HYDRO STREAM
- HYDRO BODY
- PARKS
- VILLAGE BOUNDARY



Created by: Land Information Department
Geographic Information Systems Division
100 Polk County Plaza, Suite 130
Balsam Lake, WI 54810
Ph: 715.465.5279
Fax: 715.465.0266
www.co.polk.wi.us 11/13/08

This drawing is the result of a compilation and reproduction of land records as they appear in various Polk County Offices. The drawing should be used for reference purposes only. Polk County is not responsible for any inaccuracies which exist.



Appendix B

Knowles-Nelson Stewardship Grant Program



Public Safety Team Analysis of Nature Based Outdoor Activities on Projects Purchased with Stewardship Grant Funds

Rev. August 2012

NOTE TO DNR STAFF: This completed form will be attached to the NBOA notice that the DNR will publish when considering a request for Stewardship grant funding. Do not list location information for the subject property or the seller's name because WI courts have held that this information is confidential until land ownership has changed hands. CF Staff completes the project proposal section prior to submitting to public safety team for review.

PUBLIC SAFETY REVIEW TEAM

Mark Little  Regional Recreational Safety Warden Date: 09-09-14	Dave Zebro  Regional Warden Supervisor Date: 9-9-14
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PROJECT DESCRIPTION

Applicant/ Sponsor: Village of Osceola		Year of Application: 2014
Project Name: Mill Pond Park Expansion	Primary Purpose: <input type="checkbox"/> Habitat Areas <input type="checkbox"/> Local Parks <input type="checkbox"/> Natural Areas <input type="checkbox"/> Urban Rivers <input type="checkbox"/> State Trails <input type="checkbox"/> Urban Greenspace <input type="checkbox"/> Streambank Protection	

Project Description:
 The project is the acquisition of 1.71 acres along Osceola Creek to expand the existing Mill Pond Park within the Village of Osceola. The proposed use of the property is to provide more river access and to create additional outdoor recreational opportunities within the Village. Future development considerations are to provide additional hiking and biking trails as well as educational signing along Osceola Creek, which is a trout stream.

FINDINGS OF FACT:

The facts are clear that the parcel is 1.7 acres and within the Village of Osceola. The parcel would expand the western edge of Mill Pond Park also within the Village with future plans to also expand hiking and biking opportunities in the area with an integrated community-wide trail system. Improvements to the property were made beginning in 2003 and in 2006, a box culvert was installed to re-establish the mill pond which was damaged in prior flooding. It is clear that multiple users will be attracted to the property throughout the year and conflicts between users should be kept to a minimum for the enjoyment of all. The Village has prohibited hunting with firearms within their boundaries as a practical safeguard to that end.

Parcel Size, Shape, and Topography: Describe the size, shape, and topography of the parcel and how it relates to public safety for this activity on this site. The property is a linear parcel which sits between Osceola Creek to the north, a railroad to the south and State Highway 35 to the west. Topography is mostly flat and the parcel size is 1.71 acres.

Proposed NBOA Prohibition or Restrictions

HUNTING			
	Gun Prohibition/Restriction	Archery Prohibition/Restriction	List Dates/Seasons (opening and closing)
Waterfowl	yes		
Small Game	yes		
Turkey	yes		
Large Game	yes		

Public Safety Team Narrative:
The proposed acquisition is 1.71 acres and is located within the boundaries of the Village of Osceola which has a city ordinance restricting discharging or carrying a weapon and hunting within a park. The parcel is adjacent to homes and municipal buildings. The grant project access and acceptable uses proposed would accommodate multiple "user group" activities. However, absent the city ordinance, allowance of hunting would create a user conflict and a public safety issue due to the physical characteristics and size of the property, especially given that the property is bordered by the Osceola Creek to the North and the Wisconsin Central Railroad grade to its south and its proposed improvements. It is also reasonable to assume that the public is accustomed to and would reasonably expect continued and consistent application of this city wide ordinance on parcels, located wholly within the city limits.

It is clear that the intent of the Village of Osceola's Ordinance is to provide reasonable safeguards of persons and property and is consistent with other municipalities throughout Wisconsin. Given the factors of proximity of buildings, that it is located within a municipal boundary, the size of the parcel, and the village ordinance prohibiting the use of firearms, it is my professional opinion that restricting firearm hunting is necessary to further public safety.

Public Safety Factors Considered: Check all that apply.

- The sponsor is within its own municipality boundary
- Parcel is within 100 yards of building devoted to human occupancy
- Parcel is within 50 feet of the center line of highways & roads
- Parcel is within 1700 feet of school grounds, hospital, or sanatorium
- Ordinance exists -
 - Discharge or carrying a weapon
 - Hunting within a park
 - Throwing or shooting missiles, arrows, spears, etc.
- Parcel is subjected to a non-sponsor ordinance
- Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists.
- Parcel is adjacent to a public waterway.
- Visitor's expectations of safety at the site, which includes user conflicts that may create public safety issues and impact one or more NBOA's activities. Describe:
- Other _____

Prohibition or Restriction Necessary to Protect Public Safety: Yes No

TRAPPING		
Location	Prohibition/Restriction	List Dates/Seasons (opening and closing)
Upland	no	
Water	no	
Public Safety Team Narrative: Not prohibited on this property.		
<input type="checkbox"/> No Water On Site Public Safety Factors Considered: Check all that apply. <input type="checkbox"/> The sponsor is within its own municipality boundary. <input type="checkbox"/> Parcel is within 100 yards of building devoted to human occupancy and per s. NR 10.13(1)(b)(12)(c), the following traps are prohibited: conibear body gripping traps (with jaws wider than 60 sq. inches) and cable restraints. <input type="checkbox"/> Ordinance exists that prohibits trapping or some type of trapping. <input type="checkbox"/> Parcel is subjected to a non-sponsor ordinance <input type="checkbox"/> Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists. <input type="checkbox"/> Parcel is adjacent to a public waterway. <input type="checkbox"/> Visitor's expectations of safety at the site, which includes user conflicts that may create public safety issues and impact one or more NBOA's activities. Describe: <input type="checkbox"/> Other _____		
Prohibition or Restriction Necessary to Protect Public Safety: <input type="checkbox"/> Yes <input type="checkbox"/> No		

FISHING		
Method	Prohibition/Restriction	List Dates/Seasons (opening and closing)
Shore	no	
Boat	no	
Public Safety Team Narrative: Not prohibited on this property.		
<input type="checkbox"/> No Water on Site <input type="checkbox"/> Public Safety Factors Considered: Check all that apply. <input type="checkbox"/> Ordinance exists – <input type="checkbox"/> _____ <input type="checkbox"/> Parcel is subjected to a non-sponsor ordinance <input type="checkbox"/> Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists. <input type="checkbox"/> Parcel is adjacent to a public waterway. <input type="checkbox"/> Visitor's expectations of safety at the site, which includes user conflicts that may create public safety issues and impact one or more NBOA's activities. Describe: <input type="checkbox"/> Other _____		
Prohibition or Restriction Necessary to Protect Public Safety: <input type="checkbox"/> Yes <input type="checkbox"/> No		

HIKING		
Location	Prohibition/Restriction	List Dates (opening and closing)
On-Trail	no	
Off-Trail	no	
Public Safety Team Narrative: Not prohibited on this property.		
Public Safety Factors Considered: Check all that apply. <input type="checkbox"/> Parcel is subjected to a non-sponsor ordinance <input type="checkbox"/> Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists. <input type="checkbox"/> Parcel is adjacent to a public waterway. <input type="checkbox"/> Visitor's expectations of safety at the site, which includes user conflicts that may create public safety issues and impact one or more NBOA's activities. Describe: <input type="checkbox"/> Other _____		
Prohibition or Restriction Necessary to Protect Public Safety:		<input type="checkbox"/> Yes <input type="checkbox"/> No

CROSS COUNTRY SKIING		
Type of Trail	Prohibition/Restriction	List Dates (opening and closing)
Off-Trail (un-groomed)	no	
On-Trail (un-groomed)	no	
On-Trail (groomed)	No-but no trails at this time	
Public Safety Team Narrative: Not prohibited on this property.		
Public Safety Factors Considered: Check all that apply. <input type="checkbox"/> Parcel is subjected to a non-sponsor ordinance <input type="checkbox"/> Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists. <input type="checkbox"/> Parcel is adjacent to a public waterway. <input type="checkbox"/> Visitor's expectations of safety at the site, which includes user conflicts that may create public safety issues and impact one or more NBOA's activities. Describe: <input type="checkbox"/> Other _____		
Prohibition or Restriction Necessary to Protect Public Safety:		<input type="checkbox"/> Yes <input type="checkbox"/> No

Village of Osceola, WI
Wednesday, April 30, 2014

Chapter 168. PEACE AND GOOD ORDER

§ 168-2. Firearms.

[Amended 1-13-2004 by Ord. No. 04-02; 11-8-2011 by Ord. No. 11-14]

- A. In accordance with § 66.0409 Wis. Stats. (Local regulation of firearms), § 941.23, Wis. Stats., pertaining to concealed weapons and all amendments thereto is adopted by reference.
- B. It shall be unlawful for any person, other than those identified as a "licensee" or "out-of-state licensee" as defined in § 175.60, Wis. Stats., and all amendments thereto, to carry on his or her person a hidden, or concealed, dangerous weapon, within the corporate limits of the Village of Osceola. This section applies to all dangerous weapons unless they are unloaded, or disassembled, and completely encased.
- C. It shall be unlawful for any person to carry or wear any dangerous weapon, concealed or hidden on his or her person, in any building owned, occupied, or controlled by the Village of Osceola, Wisconsin, to the extent of § 943.13(1m)(c)4, Wis. Stats. All entrances to such buildings shall be posted with signs no smaller than five inches by seven inches stating that all weapons are banned from the premises. Further instruction on proper signage shall be found in § 943.13(2)(bm)(2)c, Wis. Stats., and all amendments thereto.
- D. It shall be unlawful for any person to carry, concealed or hidden, any dangerous weapon at any special event as defined by § 943.13(1e)(h), Wis. Stats., and all amendments thereto held in the Village of Osceola, Wisconsin. All entrances to such special events shall be posted with a sign at least five inches by seven inches stating that weapons are banned from the event.
- E. Nothing in this section shall be construed to apply to prohibit a peace officer or military personnel armed in the line of duty, or other person defined by § 175.49, Wis. Stats., or any person duly authorized by the Chief of Police, to possess a firearm within the corporate limits of the Village of Osceola or public buildings located therein.
- F. No person, except a police officer, sheriff, or their deputies, shall discharge or fire any firearm, black powder gun, or air gun within the corporate limits of the Village of Osceola, Wisconsin, unless the Chief of Police has granted permission for such use for a lawful purpose. Lawful purposes include, but are not limited to, pest extermination, wildlife management as authorized by the Village Board, or the Wisconsin Department of Natural Resources, and the starting of athletic events.

§ 168-3. Throwing or shooting of arrows, stones and other

ORDINANCE # 14 – 04

AN ORDINANCE AMENDING VLLAGE CODE CHAPTER 168-3
Throwing or shooting of arrows, stones and other missiles

The Village Board of the Village of Osceola, Polk County, Wisconsin, do ordain as follows:

SECTION A.

§ 168-3 Throwing or shooting of arrows, stones and other missiles.

A. No person shall throw or shoot any object, arrow, stone, snowball or other missile or projectile, by hand or by any other means, at any person or at, in or into any building, street, sidewalk, alley, highway, park, playground or other public place within the Village, except as otherwise provided by law, for example pursuant to Wis. Stat. 29.038, 939.45 or 939.48 and the following provisions of this Section.

B. No person shall hunt within the Village or, in the territory adjacent to the Village, cause any object, arrow, stone, snowball, or other missile or projectile to fall into any building, street, sidewalks, alley, highway, park, playground or other public place within the Village, except as otherwise provided by law, for example pursuant to Wis. Stat. 29.038, and the following provisions of this Section.

[Added 1-13-2004 by Ord. No. 04-02; amended 12-8-2009 by Ord. No. 09-17]

C. Permitted hunting or discharges; restrictions.

[Added 12-8-2009 by Ord. No. 09-17]

(1) A person may hunt on private land with a bow and arrow or a crossbow pursuant to Wis. Stat. 29.038, except such hunting is prohibited within 100 yards from a building used for human occupancy located on another person's land, unless the hunter has the permission of the person who owns the land on which the building is located. Persons hunting pursuant to this provision must discharge the arrow or bolt toward the ground, such as from a tree stand. Hunting is prohibited in Village parks or other Village owned land, except by special written permission of the Village Board.

~~(1) Permit to hunt deer.~~

~~(a) Permit required. A seasonal archery deer hunting permit is required by the Village for the discharge of bow in designated areas of the Village. A map of the designated areas is on file in the office of the Village Clerk for public use and inspection. Said map and the language contained and stated on the map shall become part of this section.~~

~~(b) Discharge of bow in these areas requires an archery deer hunting permit and shall occur no closer than 1/4 mile from any urban development, park or institutional use.~~

~~(2) Restrictions.~~

~~(a) An individual with an archery deer hunting permit issued by the Village may discharge a bow.~~

~~(b) Hunters cannot carry an uncased bow within 200 feet of any residence or within 75 feet of any trail, road or building.~~

~~(c) When discharging a bow, the projectile shall not carry beyond the property line.~~

~~(d) Hunters must take all shots from stand elevated a minimum of six feet and shoot no farther than 75 feet. All stands on Village property must be used daily.~~

~~(e) Consent of property owners. A request for such permit shall be accompanied by written permission from person(s) owning at least 50% of the land. Written permission by the property owner shall be given to any person prior to the discharge of a firearm or bow on his/her property, must be presented at the time a permit application is made.~~

~~(f) Conditions of issuance. Such permit shall only be issued under the terms consistent with this section and all applicable state and federal laws and regulations concerning the hunting in such zone.~~

SECTION B.

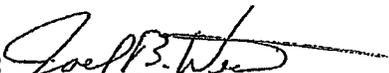
That this Ordinance shall be effective upon its adoption and publication as required by law.

Adopted: August 12, 2014

Published: September 24, 2014

Village of Osceola

Signed: 
Gary Beckmann, President

Attested: 
Joel B. West, Administrator



July 31, 2014

Mr. Edward Slaminski
Land & Water Conservation Specialist
WI Department of Natural Resources
810 West Maple Street
Spooner, WI 54801

RE: Clarification of Hunting within the Village of Osceola

Dear Ed:

This letter is in response to your inquiry regarding Osceola Village Code regarding hunting. I have been advised by our Village Attorney that, as it is currently written, our ordinance 168-3 does not comply with state law and is void. I have attached a copy of our existing code for your reference. Both the permit and some of the restrictions are not valid due to the recently passed 2013 Wisconsin Act 71, and our code needs to be updated. So, bow hunting would be permitted in the Village and on any land acquired through the Stewardship Program.

The Village Attorney has drafted new language to amend our code to be in compliance with State Statutes. Attached is a draft of an update to 168-3, which would bring it into compliance with current law on bow hunting within the Village. I will be presenting this code revision to the Village Board for adoption at their next meeting on August 12, 2014.

If you have any questions, please feel free to contact me at 715-294-3498 or joelwest@myosceola.com.

Sincerely;

Joel B. West
Village Administrator

Enclosures (2)

Village of Osceola, Municipal Offices, 310 Chieftain Street, P.O. Box 217, Osceola, WI 54020-0217

Phone: 715-294-3498 Fax: 715-294-2210

Existing Village Code

§ 168-3. Throwing or shooting of arrows, stones and other missiles.

- A. No person shall throw or shoot any object, arrow, stone, snowball or other missile or projectile, by hand or by any other means, at any person or at, in or into any building, street, sidewalk, alley, highway, park, playground or other public place within the Village.
- B. No person shall hunt within the Village or, in the territory adjacent to the Village, cause any object, arrow, stone, snowball, or other missile or projectile to fall into any building, street, sidewalks, alley, highway, park, playground or other public place within the Village. [Added 1-13-2004 by Ord. No. 04-02; amended 12-8-2009 by Ord. No. 09-17]
- C. Permitted discharges; restrictions. [Added 12-8-2009 by Ord. No. 09-17]
 - (1) Permit to hunt deer.
 - (a) Permit required. A seasonal archery deer-hunting permit is required by the Village for the discharge of bow in designated areas of the Village. A map of the designated areas is on file in the office of the Village Clerk for public use and inspection. Said map and the language contained and stated on the map shall become part of this section.
 - (b) Discharge of bow in these areas requires an archery deer-hunting permit and shall occur no closer than 1/4 mile from any urban development, park or institutional use.
 - (2) Restrictions.
 - (a) An individual with an archery deer-hunting permit issued by the Village may discharge a bow.
 - (b) Hunters cannot carry an uncased bow within 200 feet of any residence or within 75 feet of any trail, road or building.
 - (c) When discharging a bow, the projectile shall not carry beyond the property line.
 - (d) Hunters must take all shots from stand elevated a minimum of six feet and shoot no farther than 75 feet. All stands on Village property must be used daily.
 - (e) Consent of property owners. A request for such permit shall be accompanied by written permission from person(s) owning at least 50% of the land. Written permission by the property owner shall be given to any person prior to the discharge of a firearm or bow on his/her property, must be presented at the time a permit application is made.
 - (f) Conditions of issuance. Such permit shall only be issued under the terms consistent with this section and all applicable state and federal laws and regulations concerning the hunting in such zone.

Village of Osceola – Proposed Ordinance Revision

§ 168-3 Throwing or shooting of arrows, stones and other missiles.

A.

No person shall throw or shoot any object, arrow, stone, snowball or other missile or projectile, by hand or by any other means, at any person or at, in or into any building, street, sidewalk, alley, highway, park, playground or other public place within the Village, except as otherwise provided by law, for example pursuant to Wis. Stat. 29.038, 939.45 or 939.48 and the following provisions of this Section.

B.

No person shall hunt within the Village or, in the territory adjacent to the Village, cause any object, arrow, stone, snowball, or other missile or projectile to fall into any building, street, sidewalks, alley, highway, park, playground or other public place within the Village, except as otherwise provided by law, for example pursuant to Wis. Stat. 29.038, and the following provisions of this Section.

[Added 1-13-2004 by Ord. No. 04-02; amended 12-8-2009 by Ord. No. 09-17]

C.

Permitted hunting or discharges; restrictions.

[Added 12-8-2009 by Ord. No. 09-17]

(1)

A person may hunt on private land with a bow and arrow or a crossbow pursuant to Wis. Stat. 29.038, except such hunting is prohibited within 100 yards from a building used for human occupancy located on another person's land, unless the hunter has the permission of the person who owns the land on which the building is located. Persons hunting pursuant to this provision must discharge the arrow or bolt toward the ground, such as from a tree stand. Hunting is prohibited in Village parks or other Village owned land, except by special written permission of the Village Board.

Permit to hunt deer.

~~(a)~~

~~Permit required. A seasonal archery deer hunting permit is required by the Village for the discharge of bow in designated areas of the Village. A map of the designated areas is on file in the office of the Village Clerk for public use and inspection. Said map and the language contained and stated on the map shall become part of this section.~~

~~(b)~~

~~Discharge of bow in these areas requires an archery deer hunting permit and shall occur no closer than 1/4 mile from any urban development, park or institutional use.~~

~~(2)~~

~~Restrictions:~~

~~(a)~~

~~An individual with an archery deer hunting permit issued by the Village may discharge a bow.~~

~~(b)~~

~~Hunters cannot carry an uncased bow within 200 feet of any residence or within 75 feet of any trail, road or building.~~

~~(c)~~

~~When discharging a bow, the projectile shall not carry beyond the property line.~~

~~(d)~~

~~Hunters must take all shots from stand elevated a minimum of six feet and shoot no farther than 75 feet. All stands on Village property must be used daily.~~

~~(e)~~

~~Consent of property owners. A request for such permit shall be accompanied by written permission from person(s) owning at least 50% of the land. Written permission by the property owner shall be given to any person prior to the discharge of a firearm or bow on his/her property, must be presented at the time a permit application is made.~~

~~(f)~~

~~Conditions of issuance. Such permit shall only be issued under the terms consistent with this section and all applicable state and federal laws and regulations concerning the hunting in such zone.~~

CORRESPONDENCE/MEMORANDUM

DATE: December 2, 2014

TO: Steve Miller – LF/6

FROM: Lavane Hessler – LF/6 *Lavane*

SUBJECT: NBOA News Release/Announcement Comment Period Closure and Approval

PROJECT NAME: Village of Osceola, Polk County – Mill Pond Park Expansion

The Mill Pond Park Expansion land acquisition Stewardship grant proposal was required to meet the public notice requirements in ch. NR 52.04. The public notice was posted on GovDelivery on October 31, 2014 and the fifteen day public review period ended on November 21, 2014.

The Department received 2 comments concerning this proposal, which is summarized below:

Summary of comments:

One general comment was neutral on the project. They were seeking a clarification of the archery and trapping activities allowed on the property.

One comment was opposed to the project. They felt it was a waste of money with little recreational opportunity.

In conclusion, the Department has met the public notice requirements for Stewardship land acquisition grant proposals.

Ed Slaminski

12/2/14

Signature of Regional Staff

Date

Appendix D

Wisconsin Department of Natural Resources

Village of Osceola seeks grant to create new recreational trails

News Release Published: October 31, 2014 by the Central Office

Contact(s): Ed Slaminski, DNR community services specialist, 715-635-4130

OSCEOLA, Wis. - To expand access to Osceola Creek and create new recreational trails, the Village of Osceola has applied to the Wisconsin Department of Natural Resources for a 50 percent matching grant from the Urban Rivers subprogram of the Knowles-Nelson Stewardship Program. The grant will assist with the purchase of 1.71 acres of land in the Village of Osceola in Polk County. The village will provide match to the grant award.

Under the proposed project, the village will acquire approximately 1.71 acres to expand Mill Pond Park on Osceola Creek. The property will expand access to Osceola Creek and create recreational activities including archery, hunting, fishing, trapping, hiking, cross-county skiing, swimming, biking, picnicking, snowshoeing, bird watching and nature observation.

The DNR is proposing to make the determination that the prohibition of gun hunting is necessary to protect public safety because of a village ordinance prohibiting the discharge of firearms; the size, shape, and location of the property; and the proximity to residences, municipal buildings and streets.

The DNR's initial assessment of the allowed Nature Based Outdoor Activities may be downloaded from: <http://dnr.wi.gov/topic/stewardship/grants/News.html>, or you may request a hard copy by contacting the project contact listed below. Written comments on the proposed acquisition can be mailed to Ed Slaminski, community services specialist, 810 West Maple Street, Spooner, WI 54801, or sent by email to Edward.Slaminski@wisconsin.gov. If you have questions about this project, please contact him at 715-635-4130.

Written comments will be accepted through November 21, 2014. In accordance with s. NR 52.04 (2) (b), Wis. Adm. Code, objections about the prohibited activities on this property must show the proposed prohibition to be inconsistent with s. 23.0916 (2) (b), Stats., and s. NR 52.05, Wis. Adm. Code.

To receive e-mail notices of Stewardship Grant project news releases, please go to <http://dnr.wi.gov/topic/Stewardship/Grants/> and click on the link labeled "Subscribe to receive Stewardship News" and enter your email address.

The Official Internet site for the Wisconsin Department of Natural Resources

101 S. Webster Street . PO Box 7921 . Madison, Wisconsin 53707-7921 . 608.266.2621

Appendix E



Drive 264 miles, 4 h 10 min

Directions from 101 S Webster St to 105 Chieftain St



○ 101 S Webster St
Madison, WI 53703

Get on I-39 N/I-90 W/I-94 W in Burke from
E Washington Ave and US-51 N

9.1 mi / 15 min

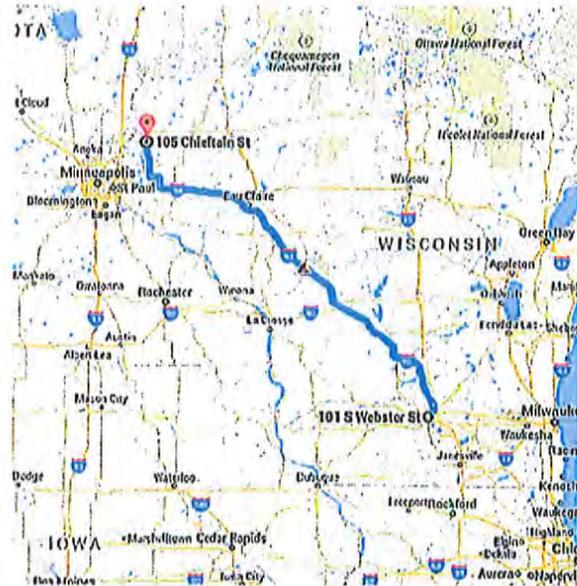
- ↑ 1. Head northwest on S Webster St toward E Main St 0.1 mi
- ➡ 2. Take the 2nd right onto E Washington Ave 4.0 mi
- ⬅ 3. Turn left onto US-51 N/N Stoughton Rd 4.4 mi
● Continue to follow US-51 N
- ⬆ 4. Take the ramp onto I-39 N/I-90 W/I-94 W 0.5 mi



Follow I-94 W to WI-65 N in St. Croix County. Take the WI-65 exit from I-94 W

223 mi / 3 h 16 min

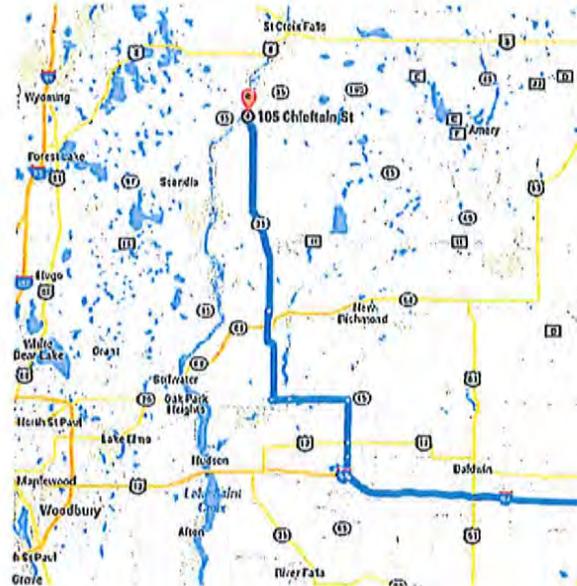
- 5. Merge onto I-39 N/I-90 W/I-94 W
1 Continue to follow I-90 W/I-94 W
 86.6 mi
- 6. Keep right at the fork to continue on I-94 W
 136 mi
- 7. Take the WI-65 exit toward New Richmond/River Falls
 0.3 mi



Take County Hwy E, Co Hwy I and WI-35 N to Chieftain St in Osceola

31.4 mi / 40 min

- 8. At the traffic circle, take the 1st exit onto WI-65 N
 1.2 mi
- 9. At the traffic circle, take the 2nd exit and stay on WI-65 N
 1.0 mi
- 10. At the traffic circle, continue straight onto 120th St
 3.0 mi
- 11. Turn left onto County Hwy E
 4.2 mi
- 12. Turn left onto Co Hwy A/County Hwy E/Co Hwy E
1 Continue to follow County Hwy E
 1.3 mi
- 13. Turn right onto Co Hwy I
 6.7 mi



- 14. Turn right onto Main St 0.1 mi
- ↶ 15. Turn left onto WI-35 N/Church Hill Rd 13.8 mi
 - 📍 Continue to follow WI-35 N
- 16. Turn right onto 1st Ave 253 ft
- ↑ 17. 1st Ave turns left and becomes Chieftain St 20 ft
 - 📍 Destination will be on the left

📍 105 Chieftain St

Osceola, WI 54020

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Map data ©2014 Google