

**9.32.024 Sale to minors.** It shall be unlawful for any person, firm or corporation to sell any type of pyrotechnic composition device, as described in section 9.32.010, subsections F, G, I, J, L, M, and N, to any minor under the age of 18 years. (Ord. 6691, 2006; Ord. 5437, 1994).

**9.32.025 Discharging fireworks.** No person shall discharge any fireworks within the city unless permitted under section 9.32.020. (Ord. 4738 §3, 1987).

**9.32.030 Discharging firearms.** A. For the purpose of this chapter, "firearms" means any rifle, shotgun, handgun, spring gun, pellet gun, air gun, bow and arrow device or any other weapon from which a shot is discharged by an explosive or propellant.

B. It is unlawful for any person to fire or discharge any type of firearm in the city. This section shall not apply to the following:

1. Law enforcement officers when acting in the normal course of their employment;
2. Any bona fide safety training course or practice firing held at a location approved by the chief of police or that person's designee, or other governmental agency;
3. Bow and arrow hunting of deer when it has been determined by the director of parks and recreation that such hunting is necessary for proper game management or to protect parks or other property. Additionally, a permit for such hunting must be issued by the chief of police stating that the activity would not pose a threat to health and safety in the area where such hunting shall take place.
4. Spearing carp or other rough fish by bow and arrow in any waters except Half Moon Lake, pursuant to NR 20.09, 20.20, and any other applicable Department of Natural Resources regulation.

The chief of police or that person's designee may also authorize other firing or discharge of firearms in the city under special circumstances, provided that it has been established that such conduct will not jeopardize the safety or welfare of the public. The decision of the chief of police shall be final. (Ord. 6545 §2, 2004; Ord 5266 §2, 1992; Ord. 4777, 1987; Ord. 4738 §1, 1987; Ord. 4488 §1, 1984; Ord. 4420 §1, 1984; Ord. 4327 §3, 1983; Ord. 4065 §3, 1980).

**9.32.040 Firearms restricted in certain buildings.** A. Definitions. The following definitions shall apply in the interpretation and the enforcement of this chapter:

1. "Firearm" means a weapon that acts by force of gunpowder.
2. "Law enforcement" means any person employed by the State of Wisconsin or any political subdivision of this state, for the purpose of detecting and preventing crime and enforcing laws or ordinances and who is authorized to make arrests for violations of the laws or ordinances he or she is employed to enforce.
3. "Weapon" means a handgun, an electronic weapon as defined at Wis. Stats. §941.295, a knife other than a switchblade under Wis. Stats. §941.24, or a billy club.
4. "Controlled-access facility" means a facility or area that has designated entrances for ingress and egress controlled by a door, gate, attendant or other means to limit entry while the facility is open and can be locked or secured when closed, or in the instance of temporary events of less than three weeks, designated entrances may be either secured when closed or the controlled-access facility removed at the termination of the temporary event.

B. In addition to the provisions of Wisconsin Statutes enumerating places where the carrying of a weapon or a firearm is prohibited, including exceptions thereto, it shall be unlawful for any person other than a law enforcement officer or other City officer or official designated by the Eau Claire Chief of Police to enter the following City of Eau Claire municipal buildings, facilities or locations while carrying a weapon or a firearm:

1. City Hall;
2. L.E. Phillips Memorial Public Library;
3. Fire Stations;
4. Police Station;
5. Fairfax Park Pool;
6. Carson Park football, softball, and baseball stadiums and facilities;
7. Chippewa Valley Museum and related buildings within Carson Park;
8. Paul Bunyan Museum and related buildings within Carson Park;

**9.76.110 Parks--Hazardous activities prohibited.** No person shall, in any park, fly a model engine-powered airplane, or shoot an air rifle, firearm, hard ball, such as in golf, except in appropriate areas designated therefor by the director of parks and recreation. (Ord. 3336 §1(part), 1973; Prior code §13.055(d)).

**9.76.120 Parks--Wildlife.** No person shall kill, injure, harm, worry or trap any fur-bearing animal, snake, frog, toad or bird, including water fowl, in any park or within Half Moon Lake or any other navigable water within the city, or destroy, injure or harm the dens, nest or nest contents of said creatures. This section shall not apply to any such activity when undertaken by, or with the permission of, the director of parks and recreation solely for the necessary and proper management of game and wildlife or to protect the parks or other property. (Ord. 3730, 1977; Ord. 3336 §1(part), 1973; Prior code §13.055(e)).

**9.76.130 Parks--Camping.** No person shall establish or maintain any temporary or permanent camp or other lodging place in any park except by prior permission of the city council. (Ord. 3336 §1(part), 1973; Prior code §13.055(f)).

**9.76.140 Parks--Swimming.** No person shall swim in any area other than those designated as public swimming areas and only during such hours as specified. (Ord. 3336 §1(part), 1973; Prior code §13.055(g)).

**9.76.150 Parks--Dogs and horses.** Dogs shall be restrained at all times and shall not be permitted to run at large. Horses shall be permitted only on roadways or pathways in parks designated by the director of parks and recreation for such purpose. (Ord. 3336 §1(part), 1973; Prior code §13.055(h)).

**9.76.165 Parks--Intoxicants.** A. No person shall possess or consume any fermented malt beverage, as defined in Section 125.02(6) of the Wisconsin Statutes, or intoxicating liquor, as defined in Section 125.02(8) of the Wisconsin Statutes, in any park other than Carson Park, Lower Mount Simon Park, Riverview Park, or Rod and Gun Park. The city council may, by resolution, limit or prohibit the possession or consumption of fermented malt beverages or intoxicating liquor within all or any part of Carson Park, Lower Mount Simon Park, Riverview Park or Rod and Gun Park during such times as are specified by the council.

B. No person or group of persons may possess any receptacle containing fermented malt beverages in excess of one gallon in volume in any city park without first securing a permit from the director of parks and recreation or that person's designee. Denial of such a permit may be appealed to the city council.

C. 1. A person may possess or consume any fermented malt beverage, as defined in Section 125.02(6) of the Wisconsin Statutes, or intoxicating liquor, as defined in Section 125.02(8) of the Wisconsin Statutes, in Phoenix Park, only within the amphitheater or pavilion, and only during times when an event is occurring that has been approved by the Director of Parks and Recreation. No person or group may possess any receptacle containing a fermented malt beverage or intoxicating liquor in excess of one gallon within the amphitheater or pavilion in Phoenix Park.

2. A person may possess or consume any fermented malt beverage, as defined in Section 125.02(6) of the Wisconsin Statutes, or intoxicating liquor, as defined in Section 125.02(8) of the Wisconsin Statutes, in the Phoenix Park pavilion if a license is issued under s. 9.76.100 or if a permit is issued under subsection B.

3. Possession of said intoxicants shall be further limited to the hours of 11:00 a.m. to sunset. (Ord. 6755 §1, 2007; Ord. 5345, 1993; Ord. 5263, 1992; Ord. 4627 §5, 1986; Ord. 4404 §2, 1980; Ord. 3769, 1977).

**9.76.167 Parks--Hours.** All parks, including all parking lots and park drives therein, excepting public streets, shall remain open daily to the public only between the hours of four a.m. and eleven p.m. of each day, and the director of parks and recreation is authorized to post appropriate signs giving notice thereof. It is unlawful for any person, other than city personnel conducting city business therein, to occupy or be present in a park during the hours the park is not open to the public. Such prohibition shall not apply to athletic facilities, regularly scheduled athletic events authorized and approved by the director of parks and recreation, or to public celebrations or events authorized or sponsored by the city. (Ord. 4044 §3, 1980).

Chapter 6.20

SQUIRRELS\*

Sections:

- 6.20.010 Protection.
- 6.20.020 Nest--Molesting unlawful.
- 6.20.030 Dogs--Hunting squirrels prohibited.
- 6.20.040 Traps--Unlawful.

**6.20.010 Protection.** No person shall at any time or place within the city kill or injure any squirrel of any kind, except for the activities undertaken by, or with permission of, the director of parks and recreation pursuant to Section 9.76.120, with required permission having been obtained from appropriate authorities. (Ord. 3827, 1977; Ord. 3462 §1, 1974; Prior code §12.08(a)).

**6.20.020 Nest--Molesting unlawful.** No person shall at any time destroy, injure or in any manner interfere with the nest, whether natural or artificial, or the box or house of any squirrel of any kind. (Prior code §12.08(b)).

**6.20.030 Dogs--Hunting squirrels prohibited.** No person shall knowingly permit any dog, within his charge or control, to hunt, worry, injure or in any manner molest any squirrel of any kind within the city. (Prior code §12.08(c)).

**6.20.040 Traps--Unlawful.** No person shall at any time set, lay or prepare any trap or other contrivance or device whatever with the intent to kill any squirrel of any kind within the city, whether the same are caught or not. (Ord. 3462 §2, 1974; Prior code §12.08(d)).

Chapter 6.25

HUNTING

Sections:

- 6.25.010 Hunting.

**6.25.010 Hunting.** No person shall hunt any fur-bearing animal or bird within the city limits. This section shall not apply to bow and arrow hunting of deer when it has been determined by the director of parks and recreation that such hunting is necessary for proper game management or to protect parks or other property. Additionally, a permit for such hunting must be issued by the chief of police stating that the activity would not pose a threat to health and safety in the area where such hunting shall take place. (Ord. 5222, 1992).

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\* For statutory provisions punishing cruelty to animals, see WSA 948.