

9.02 - DISCHARGING AND CARRYING WEAPONS. (Rep. & recr. #10-0776)

(1)

[PROHIBITED.] No person, except an authorized police officer, shall discharge any firearm, spring gun or air gun within the City. This prohibition shall not apply to a shotgun, muzzle loader, bow, crossbow, or other like weapons or instruments, air rifle, pellet gun, or like instruments, provided the use thereof complies with the requirements of subsection (4)(a) through (c) below.

(2)

[PERMITTED.] Any person may openly possess, carry or bear any firearm or facsimile firearm, or have under his or her control any firearm or facsimile firearm, on any public street, sidewalk, boulevard, boardwalk, alley, public parking lot if he or she complies with this section or the Wisconsin Statutes and Administrative Code sections specifically adopted under this section, with the exception of the following:

(a)

On any land located in City parks or within any public building owned by the City, which is similar to §§29.089(2) and 941.235, Wis. Stats.

(b)

Within any public building or athletic field owned by the Oconomowoc Area School District, which is similar to §948.605, Wis. Stats.

(c)

Within any premises for which a Class "B" or "Class B" license or permit has been issued by the City pursuant to Ch. 125, Wis. Stats., which is similar to §941.237, Wis. Stats.

(d)

In or on school grounds or within 1,000 feet from the grounds of a school, which is similar to §948.605, Wis. Stats.

(e)

While any such person is under the influence of an intoxicant or a detectable amount of a restricted controlled substance, which is similar to §941.20(1)(b) and (1)(bm), Wis. Stats.

(f)

Giving or providing a firearm to a person under the age of 18 unless for target practice under adult supervision, which is similar to §948.60, Wis. Stats.

(g)

If the firearm is a facsimile firearm, no person may openly possess, carry, or display any facsimile firearm under circumstances that could reasonably be expected to alarm, intimidate, threaten or terrify another person, which is similar to §941.2965, Wis. Stats.

(3)

[REMOVAL FROM PROPERTY.] If a property owner or tenant objects to any individual carrying a weapon or firearm and does not wish to allow

individuals to exercise the right to openly carry weapons or firearms within their establishment and makes a complaint to the Police Department to remove the individual from the property and the individual refuses, the individual may be removed against their will pursuant to §9.15 of the Municipal Code.

(4)

CONDITIONS OF DISCHARGE WITHIN THE BOUNDARIES OF THE CITY.

A shotgun, muzzle loader, bow or crossbow, or other like weapon or instrument may be discharged within the boundaries of the City, but only under the following conditions and regulations:

(a)

Shotguns, muzzle loaders, or like weapons or instruments designed and used to propel a single slug, multiple pellets or "shot" may only be discharged in the City where not prohibited by this ordinance, and then according to the following regulations. No such weapons or instruments shall be discharged on or onto lands less than 200 yards from the boundary of an adjacent platted subdivision. In addition, no such weapons or instruments shall be discharged within 100 yards from a habitable building on any other adjacent property, unless the owner of such adjacent property or habitable building has given written permission to be closer. In no case shall such weapons or instruments be discharged in a direction that could result in the projectile landing on or flying over any adjacent properties unless the owner(s) of such adjacent properties have given written permission to do so.

(b)

Bows, crossbows, or other like weapons or instruments designed and used to propel an arrow, dart or other similar missiles may only be discharged in the City where not prohibited by this section, and then only within the following regulations. No such weapons or instruments shall be discharged on or onto land less than 100 yards from the boundary of an adjacent platted subdivision. In addition, no such weapons or instruments shall be discharged within 100 yards from a habitable building on any other adjacent property, unless the owner of such adjacent property or habitable building has given written permission to be closer. In no case shall such weapons or instruments be discharged in a direction that could result in the projectile landing on or flying over any adjacent properties unless the owner(s) of such adjacent properties have given written permission to do so.

(c)

Prohibited Areas. No instrument referred to in subsections (3)(a) and (b) above shall be discharged in the following areas of the City:

1.

On parkland and land owned by the City.

2.

On land not owned by the person unless written permission has been obtained.

3.

The following described property: The South half of Section 5 and the North half of Section 8.

(5)

**POSSESSION OF FIREARMS AND WEAPONS BY MINORS PROHIBITED.**  
No parent, guardian, or other adult person having legal custody of a child under the age of 16 years shall permit such minor to have in his/her possession and control for use within the City any firearm or other dangerous weapon as enumerated in subsection (1).

(6)

**SALE OF FIREARMS AND WEAPONS.**

(a)

Sale to Minors. No person shall sell or give away to any child under the age of 16 any sling shot, blow gun, bean shooter, air gun, pellet gun, dart gun, bow and arrow, switchblade knife or jackknife having a blade 3½ inches or longer without permission from both his/her parents or legal guardian and the Police Department.

(b)

Records. Any person selling firearms or other deadly weapons shall keep a record of the sale thereof, and such list shall be open to inspection by the Police Department. Such record shall include the name, address, age and birth date of the purchaser and the article purchased.

(7)

[STATE PROVISIONS ADOPTED.] The City adopts those provisions of the Wisconsin Statutes and the Administrative Code enumerated under subsection (2) above, as from time to time amended by the Wisconsin Legislature, together with all definitions of relevant terms and all exceptions contained in such provisions, as if fully set forth at length in this section.

**9.03 - THROWING OR SHOOTING OF ARROWS, STONES AND OTHER MISSILES PROHIBITED.**

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 City.

**9.19 - USE OF ANIMAL TRAPS RESTRICTED. (Rep. & recr. #03-0584)**

(1)

**PROHIBITED TRAPS.** No person shall operate, set or maintain any steel-jawed, dry set trap or similar device for the purpose of catching, trapping or destroying any domestic or nondomestic animals in the City of Oconomowoc.

(2)

**EXCEPTIONS.**

(a)

The provisions of §9.19(1) do not apply to the use of any traps specifically designed to kill rats, mice, gophers or moles.

(b)

The provisions of §9.19(1) do not apply to areas of the City that are zoned conservancy or rural agricultural or in or adjacent to stormwater retention or detention ponds. (Am. #11-O799)

(3)

PERMITTED TRAPS. Cage-type live traps are permitted for the purpose of trapping and removing nondomestic animals from the City. Release of trapped nondomestic animals on another's property shall be done only with the permission of the property owner.

**21.091 - HORSES IN PARKS AND OTHER PUBLIC AREAS PROHIBITED.**  
(Cr. #80-53; Am. #06-O655)

No person shall ride, lead, graze, tie up, or drive a horse within any public park or parking lot within the City, or upon any property of the Oconomowoc Area School District, except while performing in authorized civic affairs or events or by permit issued by the Parks, Recreation and Forestry Department after approval by the Parks and Recreation Board.