

Chapter 129

FIREARMS

[HISTORY: Adopted by the Town Board of the Town of Summit 11-5-1990 by Ord. No. 165. Amendments noted where applicable.]

GENERAL REFERENCES

Peace and good order — See Ch. 178.

§ 129-1. Declaration of policy.

It is hereby determined and declared necessary in the interest of public health, public safety and public welfare of the Town that the discharge of firearms be regulated within the Town.

§ 129-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

DEVELOPED LANDS — An area of land of the following density: an area consisting of three or more residential dwellings situated on adjacent parcels of individual size of five acres or less.

FIREARMS — A rifle of any caliber, air rifle, shotgun of any gauge, pistol or revolver of any caliber.

PERMISSION OF LANDOWNER — Written permission.

RECORDED DEVELOPED SUBDIVISION — Any developed subdivision of land within the Town laid out and established in accordance with the provisions of Ch. 236, Wis. Stats., and existing ordinances of the Town relating to land divisions. For purposes of this chapter, a subdivision shall be deemed developed at the time of commencement of visible improvement of the property, including but not being limited to grading, foundation work, construction of roads.

RECORDED UNDEVELOPED SUBDIVISION — Any subdivision of land within the Town laid out and established in accordance with the provisions of Ch. 236, Wis. Stats., and existing ordinances of the Town relating to land divisions but in which actual development has not commenced.

§ 129-3. Prohibited use of firearms.

- A. No person shall, in the Town of Summit, discharge any firearm in any recorded developed subdivision or developed lands as defined by this chapter or within 600 feet thereof.

- B. No person shall, while in an area not classified as a developed lands or recorded subdivision, while on the lands of another, without the express written permission of the owner or occupant of the building, discharge any firearm within:
 - (1) 600 feet of any building devoted to human occupancy situated on and attached to the lands of another if the firearm is loaded with a slug or single ball;
 - (2) 300 feet of any building devoted to human occupancy situated on and attached to the lands of another if the firearm is loaded with shot.
- C. No person shall discharge any firearm so that the projection of shot or shell is above or into another's land or traveled roadway.

§ 129-4. Rifle prohibition.

No person shall discharge nor cause the discharge of any rifle firearm, larger than .22 rimfire caliber, within the territorial limits of the Town. A "rifle firearm" shall be construed as any firearm having a grooved barrel and upon discharge projecting a solid missile or slug subject to the exception that this section does not apply to the discharge of:

- A. A handgun as defined in the Ch. 175, Wis. Stats., or any subsequent amendments thereto.
- B. A muzzle-loader defined as any smooth bore muzzle loading firearm or any rifled muzzle-loading firearm discharged from the shoulder.

§ 129-5. Exceptions.

Unless otherwise indicated, the prohibitions of § 129-4 shall not pertain to:

- A. Law officers designated and authorized by the Town, county, state and federal authority.
- B. Activities upon any bona fide target range approved in writing by the Department of Natural Resources.
- C. Rodent control activities provided that Police Department permission, within the Department's discretion, be procured upon written application prior to such activities; such permission, if granted to be of a temporary nature only.

§ 129-6. Parental responsibility.

If a minor shall violate this chapter, his or her parent or guardian may be held responsible for such violation in the same manner as if such parent or guardian had violated the same, and ignorance of such violation shall not be a defense. Prosecution of such parent or guardian shall not be a bar to prosecution of such minor.

§ 129-7. Violations and penalties.¹

In addition to any other penalties, any person violating this chapter shall, upon conviction, be subject to the penalties set forth in Chapter 1, General Provisions, Article I, Penalties, of the Code of the Town of Summit.

§ 129-8. Enforcement.

The provisions of this chapter shall be enforced as provided by this chapter and state law including, but not excluding because of enumeration, Chs. 66, 345, 751, 757 and 800, Wis. Stats.

¹. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).