

ORDINANCE NO. 03-02
BURNETT COUNTY LAND RECREATION ORDINANCE
Regulating fires, camping, littering, trail use, and destruction of public property on
County Lands.

An ordinance to establish regulation in the recreation areas owned and maintained by Burnett County, Wisconsin, pursuant to authorities and purposes of Chapter 28.11 (3) (b) and 59.07(64).

WHEREAS, the County of Burnett has established many recreation areas throughout the County for use of the general public, and

WHEREAS, these recreational areas were developed for different purposes and therefore the facilities constructed differ from area to area, and

WHEREAS, there is a need to protect and to provide regulations for such recreation areas,

NOW, THEREFORE, the County Board of Supervisors of the County of Burnett, State of Wisconsin, does ordain as follows:

SECTION 1. The recreation areas within Burnett County shall be classified as follows:

- a. **CLASS 1** Recreation Areas include the following:
 - Clam Dam Park
 - Clam Lake Narrows Park
 - Meenon Park
 - Jefferies Park and Boat Landing
 - Yellow Lake Narrows Landing
 - Clam Flowage Boat Landing
 - Devils Lake Park and Landing
 - Eagle Lake Boat Landing
 - Lake 26 Park and Boat Landing
 - Deer Lake Boat Landing
 - Little McGraw Boat Landing
 - Ralph Larabee Park
 - Ray & Evelyn Pardun Memorial Access
 - Godfrey Park and Boat Landing
 - Thorsen American Legion Park and Boat Landing
 - Riverside CCC Camp
 - Cemeteries or Burial Grounds on County Owned Lands
 - Historic sites on County Owned Lands
- b. **CLASS 2** Recreation Areas include the following:
 - Camp Burnett Youth Camp

- c. **CLASS 3** Recreation areas shall be call the “WILD RIVERWAY ZONE” and defined as all County lands within 412 feet of the Namekagon and St. Croix Rivers’ edge and islands.
- d. **CLASS 4** Recreation Areas include the following:
 - Gandy Dancer Trail
 - Timberland Hills Ski Area
 - Webb Lake Ski Area.
- e. **CLASS 5** Recreation Areas shall be as follows:

All other County Owned and County Forest lands not designated as Class 1, Class 2, Class 3, or Class 4. This class shall include all other maintained state-approved and funded recreation trails, regardless of whether they are on public or private property, and any other maintained recreational trail on County Land.
- f. In the event an area falls under more then one classification, the lower numerical classification shall be the applicable class for such area.

SECTION 2 All recreation areas hereinafter created by Burnett County Board of Supervisors shall be designated either a Class 1, 2, 3, 4, or 5 recreation area and upon such classification the conditions and restrictions imposed by this ordinance shall apply to such area.

SECTION 3 No person or persons shall, within a Class 1 Recreation Area:

- a. Use or be within a recreation area for any purpose, except for boat launching and fishing, between the hours of 10 p.m. and 6 a.m. of each day.
- b. Use such area as a campsite for overnight camping.
- c. Litter, or deposit trash or rubbish in any manner other than depositing it in containers that MAY be provided by the County.
- d. Dispose of trash or rubbish, which was not generated by the use of the recreation area being visited.
- e. Discharge, or keep an uncased or loaded firearm or bow within the boundaries of such area except while transporting an unloaded firearm or bow between a vehicle and a hunting site.
- f. Ignite an open fire within such area unless such fire is within a fire ring or fireplace provided by the County or is in a grill.
- g. Leave an open fire (meaning wood, charcoal, or solid fuel) unless it has no smoke and entire coal or ash bed is cool enough to touch with hand.

- h. Cause damage to natural features, resources, trails, or facilities owned and/or operated by the County or damage, deface, obstruct, move, remove, or possess any signs or intentionally interface with the effective operation of such signs.
- i. Refuse to leave such area when directed to leave by Forest Administrator, Sheriff, or their designees.
- j. Discharge, possess, or use any form of fireworks.
- k. Take or keep within such area a pet unless the same is kept at all times on a leash which prevents the pet from running at large, No pets allowed on beach areas.
- l. Operate any motor vehicle other than licensed street legal vehicles within recreation area boundary without written permission from the Administrator.
- m. Use or possess any glass bottles or containers in a recreation area posted "NO GLASS CONTAINERS".
- n. Dig, disturb, or remove any artifact or historical article without written permission of the Forest Administrator or designee.
- o. Create noise with electric, mechanical, or manually operated devices, which can be heard from a distance of more than 50 feet.

SECTION 4 No person or persons shall within a Class 2 Recreation Area:

- a. Use or be within a recreational area for any purpose between the hours of 10 p.m. and 6 a.m. of each day, unless such person is a registered camper or otherwise has permission of the person who reserves the camp.
- b. Camp at any sites other than an established site for camping.
- c. Dispose of trash or rubbish in any manner other than depositing it in provided containers.
- d. Dispose of trash or rubbish which was not generated by the use of the recreation area being visited.
- e. Ignite an open fire within such area unless such fire is within a fire ring or fireplace provided by the County or is in a grill.
- f. Discharge, possess, or use any form of fireworks.

- g. Refuse to leave such area when directed to leave by Forest Administrator, Sheriff, or their designees.
- h. Take or keep within such area a pet unless the same is kept at all times on a leash, which prevents the pet from running at large.
- i. Cause damage to natural features, resources, trails, or facilities owned and operated by the County or damage, deface, obstruct, move, remove, or possess any signs or intentionally interface with the effective operation of such signs.
- j. Use or possess any glass bottles or containers in a recreation area posted "NO GLASS CONTAINERS."
- k. Operate any motor vehicle other than licensed street legal vehicles within recreation area boundary and on designated roads.

SECTION 5 No person or persons shall, within a Class 3 Recreation Area:

- a. Camp at any site other than designated sites. (Designated sites are those where steel camp fire rings are provided by the County or the National Parks Service.)
- b. Ignite an open fire (meaning wood, charcoal, or solid fuel unless it is within a steel camp fire ring provided by the County or the National Park Service or within a grill.
- c. Leave an open fire (meaning wood, charcoal, or solid fuel) unless it has no smoke and entire coal or ash bed is cool enough to touch with hand.
- d. Occupy single site for a period exceeding three (3) consecutive days.
- e. Refuse to leave an area when directed to leave by Forest Administrator, Sheriff, or their designees.
- f. Dispose of trash or rubbish in any manner other than depositing it in trash containers, which may be provided by County or National Parks Service. When trash containers are not present, all trash must be removed and carried out for proper disposal.
- g. Deposit trash or rubbish, which was not generated by the use of the recreation area being visited.
- h. Cause damage to natural features, resources, trails, or facilities owned and operated by the County or National Parks Service, damage, deface, obstruct, move, remove, or possess any signs or intentionally interface with the effective operation of such signs.

- i. Operate an ATV, ORV, snowmobile, or other motorized vehicle within this area unless used on a trail designated and marked as allowing that use.
- j. Discharge, possess, or use any form of fireworks.

SECTION 6 No person or persons shall within a Class 4 Recreation Area:

- a. Operate a motorized vehicle or ride horses on the Gandy Dancer Trail and adjacent right of way between April 1 and December 1 south of Hwy. 77 without permission of the County Forest Administrator or designee.
- b. Operate a bicycle or other non-motorized vehicle on the trail south of Hwy. 77 without possessing and displaying a valid Wisconsin State Trail Bike Pass unless covered by one of the following exemptions:
 - 1. Person less than 16 years of age.
 - 2. Handicapped/disabled person in wheel chair or accompanying another trail user.
 - 3. Persons possessing a valid Wisconsin Department of Natural Resources Conservation Patron license or valid Wisconsin Department of Natural Resources Senior Citizens Card.
 - 4. Person issued special written permission by Burnett County.
 - 5. Law enforcement and other emergency personnel responding to an accident
 - 6. County Forest staff and personnel.
- c. Use the Gandy Dancer Trail or right of way for overnight camping.
- d. Litter or deposit trash or rubbish in any manner other than depositing it in containers that MAY be provided by the County.
- e. Install signs or other forms of advertisement along the trail or right of way without written permission from Burnett County.
- f. Install, develop, use, or operate driveways or access trails to the Gandy Dancer Trail or right of way without written permission from Burnett County.
- g. Discharge, possess, or use any form of fireworks.
- h. Disturb or harass other trail users or refuse to leave an area when directed to leave by the Forest Administrator, Sheriff, or their designees.
- i. Operate a motor vehicle on County designated ski trails or other trails designated and posted by the Forestry Committee without special permission of the Forest Administrator or designee.

- j. Cause damage to natural features, resources, trails, or facilities owned and operated by the County or National Parks Service, damage, deface, obstruct, move, remove, or possess any signs or intentionally interfere with the effective operation of such signs.

SECTION 7 No person or persons shall within a Class 5 Recreation Area:

- a. Shall use such area as a campsite for overnight camping except:
 - 1. with a valid Burnett County Forest camping permit visibly displayed outside of each shelter used for overnight sleeping accommodations.
 - 2. that the number of persons covered by one permit not exceed six (6).
 - 3. at a site designated by the permit and with a tent, camper trailer, truck camper, or other camping unit less than 25 feet in length.
 - 4. that the camping shelter must be occupied daily and may not be vacated overnight or stored on the site.
 - 5. that the maximum camping period shall not exceed ten (10) consecutive days.
 - 6. that no camping is permitted on the shores or within 50 feet of the ordinary high water mark of any lake or navigable stream.
 - 7. that no camping is permitted within 200 feet of a state or county highway or within 200 feet of another valid camping permit without authorization from Burnett County.
 - 8. that camping shelters equipped with septic wastewater holding tanks shall dispose of wastewater at established dump stations.
- b. Litter or deposit trash, rubbish, or other non-natural materials in any manner other than depositing it in containers that MAY be provided by the County.
- c. Refuse to leave an area when directed to leave by Forest Administrator, Sheriff, or their designees.
- d. Cause damage to natural features, resources, trails, or facilities owned and operated by the County or National Parks Service, damage, deface, obstruct, move, remove, or possess any signs or intentionally interfere with the effective operation of such signs.
- e. To cut or harvest any vegetation, that is not to be eaten, without permission of Forest Administrator or designee. Persons shall be permitted to cut and use dead vegetation for campfires within the recreation area, but such dead vegetation may not be removed from the immediate area itself. This shall not be construed to permit harvest of vegetation otherwise controlled.
- f. Ignite an open fire (meaning wood, charcoal, or solid fuel) on County Forest Lands from April 1 through May 31. From June 1 through March 31, a 3-foot wide mineral soil break must surround an open fire when the ground is snow free.

- g. Leave an open fire (meaning wood, charcoal, or solid fuel) unless it has no smoke and entire coal or ash bed is cool enough to touch with hand.
- h. Operate a motor vehicle on state approved groomed snow trails from December 1 through March 31 without permission from the County Forest Administrator or designee unless the trail is designated and marked with signs as allowing such use.
- i. Operate an unregistered or unlicensed ATV, Snowmobile, ORV or two wheeled motorized off-road vehicle.
- j. Operate a motor vehicle other than an ATV or snowmobile on state approved groomed ATV trails from the Friday of Memorial Day Weekend through September 15 and from December 1 through March 31 without permission from the County Forest Administrator or designee unless the trail is designated and signed as allowing such use.
- k. Operate an ATV or other motorized off-road vehicle;
 - 1. on Burnett County Forest lands from April 1 until the Friday of Memorial Day weekend.
 - 2. away from state-funded summer use ATV trails from the Friday of Memorial Day weekend through September 15. (See Summer Use ATV Trail Map)
 - 3. away from designated snowmobile trails, fire lanes, and logging roads from September 16 through November 30. Logging roads must meet the minimum width of 8 feet.
 - 4. away from state-funded winter use ATV trails on the Burnett County Forest lands from December 1 through March 31. (See Winter Use ATV Trail Map)(Ground must be frozen before trails can be opened)
 - 5. without being equipped with a U.S. Forest Service tested, rated, and approved spark arrestor. This arrestor shall be properly maintained and in effective working order.
 - 6. in a reckless manner, without regard to other persons or their property, and such that injury and property damage is likely to occur or to pursue any wild animal with the intent of harassing such animal.
 - 7. in wetlands or within 50' of the ordinary high water mark of any surface water, unless on a designated trail.

8. when County or State emergency fire regulations are in effect or when WDNR wild fire danger is posted at the Red Flag Alert.
9. on trails or roads that have been gated, signed or bermed as closed to motorized vehicles.
- k. Construct, occupy, or use elevated platform and steps attached to a tree(s) unless the structure is attached to the tree(s) in such manner as not to damage the trees and are completely removed each day at the close of hunting hours.
- m. Build or use any permanent blind on the ground for hunting unless it is built entirely with natural, dead, non-manufactured materials. Any portable blinds must be removed at the end of hunting hours.
- n. Cause damage to any standing or cut forest products or possess any metallic, chemical, ceramic, or biological devices to hinder the logging or processing of timber.
- o. Organize, promote, or hold a group/business sponsored event without prior written authorization from Burnett County.

SECTION 8 That the Forest Administrator shall be and is hereby directed to post signs in each of the above listed CLASS 1 and CLASS 2 areas, which signs shall summarize the regulations set forth in this Ordinance and shall recite that the regulations are imposed pursuant to Burnett County Ordinance. All other signs, advertisements, or other informational displays posted on County Owned and Managed lands must have prior written approval of the Burnett County Forest Administrator.

SECTION 9 In addition to the foregoing restrictions set forth for each class, all five classes may be subject to additional regulations and restrictions as may be approved by the County Board. Such additional regulations/restrictions shall be posted in the manner set forth in section 8 and be enforced in the same manner as the regulations/restrictions enumerated above.

SECTION 10 Penalties for violation of sections 3,4,5,6,7, and 8

- a. Any person who violates, disobeys, neglects, or omits or refuses to comply with any of the provisions of this Ordinance shall forfeit an amount as set by the Burnett County Uniform Citation Ordinance.

The provisions of this ordinance may be enforced through issuance of a citation. The Forest Administrator, the Assistant Forest Administrator, County Conservationist, Sheriff or designees are hereby delegated

authority to issue such citations, and they may in turn delegate or revoke in writing such authority as to any employee under their supervision.

- b. In addition to the penalties specified in paragraph a. and c., any person violating any of the provisions of this ordinance shall be liable for any damages caused by such violation to the injured party.
- c. REWARD. A reward of (\$50-\$100) is offered for information leading to the conviction of anyone violating this ordinance.
- d. EXCEPTIONS. This section shall not apply to any employee of Burnett County or its agents or representatives conducting County Business.

SECTION 11 Should any sub-section, clause, or provision of this ordinance be declared by the Court to be invalid, the same shall not affect the validity of the section as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 12 This ordinance shall take effect and be in force after passage and publication as required by law. Ordinance 90-5 (Aug 1990), 96-2(April 16, 1996) and Resolutions #2(Feb 20, 1986) and #12(Nov 15, 1977) which govern the recreational uses and protection of lands owned and/or managed by Burnett County are hereby rescinded and replaced by this ordinance.

ABBREVIATIONS

ATV- All Terrain Vehicle. State Definition
ORV- Off Road Vehicle
WDNR- Wisconsin Department of Natural Resources

State of Wisconsin
County of Burnett

I, Helen Steffen, County Clerk, do hereby certify that the foregoing is a true and correct copy of Ordinance 03-02 enacted by the County Board of Supervisors at a legal meeting held on the 14th day of August, 2003.



Helen Steffen, Burnett County Clerk