



Legislation Text

File #: 32694, Version: 1

**Fiscal Note**

No appropriation is required.

**Title**

Creating Section 25.25(2)(f) of the Madison General Ordinances to allow bow hunting on private property, subject to certain conditions.

**Body**

DRAFTER'S ANALYSIS: This ordinance amendment to is necessary to comply with 2013 Wis. Act 71, enacted December 14, 2013. This Act limited the authority of municipalities to restrict bow hunting within the municipal limits. Under our current law, the use of bows and arrows outside within the City is generally prohibited unless at an archery range or during authorized competitions. There is no exception for the use of bows and arrows for hunting. Hence, the current ordinance would not be enforceable against someone bow hunting within the City since the State has limited our authority to regulate such behavior. However, Act 71 does allow municipalities to enact or adopt a restriction on the use of bows and arrows for hunting within 100 yards of a residence located on another person's land without that person's permission, and to require that any such discharge be toward the ground. Moreover, Wis. Stat. Sec. 29.038(2)(b) allows municipalities to restrict or prohibit hunting on municipally owned or leased lands. By creating this exception to the ordinance, the City will be exercising the maximum regulatory authority permitted and will bring our bow and arrow ordinance, Section 25.25, into compliance with the new State law. The end result will likely limit such hunting activity to privately owned agricultural lands on the City's periphery.

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The Common Council of the City of Madison do hereby ordain as follows:

Subdivision (f) of Subsection (2) of Section 25.25 entitled "Bows and Arrows" of the Madison General Ordinances is created to read as follows:

- "(f) To persons hunting on land not owned by the City, under the following conditions:
  1. That they are no closer than one hundred (100) yards from any building used for human occupancy located on another person's land unless they have that person's permission; and,
  2. That the discharge of any arrow or bolt from the respective weapon be toward the ground."