

**TOWN OF FOUNTAIN PRAIRIE ORDINANCE NO. 11-01**  
**CHAPTER 12 – PARKS, RECREATION AND WATERWAYS**  
**Article I – Ice Fishing Structures**

**SECTION I – TITLE AND PURPOSE**

The title of this ordinance is the Town of Fountain Prairie Ice Fishing Structures Ordinance. The purpose of this ordinance is for the Town of Fountain Prairie to regulate the use of and deadlines for the use of ice fishing structures on Lazy Lake.

**SECTION II – AUTHORITY**

The Town Board of the Town of Fountain Prairie, Columbia County, Wisconsin has the specific authority under s.289.22, WI Statutes and general authority under its village powers under s.60.22, WI Statutes to adopt this ordinance.

**SECTION III – ADOPTION OF ORDINANCE**

The Town Board of the Town of Fountain Prairie, Columbia County, Wisconsin, by this ordinance, adopted on proper notice with a quorum and by a roll call vote by a majority of the Town Board present and voting, provides the authority for the Town to regulate the use and deadlines for removal of ice fishing structures on Lazy Lake in the Town of Fountain Prairie.

**SECTION IV – OWNERS IDENTIFYING SIGN**

No person shall place any fishing shanty or structure upon the ice of the Lazy Lake in the Town of Fountain Prairie unless the name and address of the owner, thereof is painted with oil paint in block letters no less than two inches square upon the structure itself, above the door and on the bottom exterior of said structure. It shall not be sufficient compliance with this section for the owner to place such name upon separate wood, metal or plastic and attach the same to said structure.

**SECTION V – DEADLINE FOR REMOVAL FROM ICE**

Every fishing shanty or structure placed upon the ice of said lake shall annually be removed therefrom by the owner, or his agent, on or before 12:00 midnight of March 16. Ice fishing shanties or structures removed from the ice may only be placed on shore at the east side of the Sleepy Hollow Boat Landing.

**SECTION VI – DESTRUCTION OF STRUCTURES ON ICE OR SHORE PROHIBITED**

No fishing shanty or other structure placed upon said ice shall be intentionally burned or destroyed in any way upon the ice or the shore of said lake within the Town of Fountain Prairie.

## SECTION VII – RESPONSIBILITY FOR REMOVAL OF DEBRIS

In the event that any fishing shanty or structure shall be burned or destroyed upon the ice or shore of said lake, the owner of the shanty or structure shall be responsible for the removal of the remains and the cleaning of any debris left from the burning or destruction of such shanty or structure. Such cleaning and removal shall be finished within 48 hours of the burning or destruction.

## SECTION VIII – DEADLINE FOR REMOVAL FROM LAKE SHORE

Every fishing shanty or structure shall be removed from the lake shore or privately owned lands and from all public land and public rights-of-way on or before the first Sunday following March 1; however, this section shall not be construed to mean that the owner of a lake lot may not leave his own fishing shanty or structure upon his own property.

## SECTION IX – STRUCTURES IN VIOLATION; IMPOUNDING

In the event that any fishing shanty or structure shall be found upon the ice or lake shore without the name and address of the owner thereof painted thereon, as provided in section I, or in the event that any such shanty or structure is not removed from the lake, or from the shore, or from private or public land or right-of-way, within the time limit in Section V, then in any such case, such shanty may be removed by the Town of Fountain Prairie and impounded and shall not be released until due proof of ownership is presented by the owner of said shanty and payment of the costs of removal and impounding. In the event no person presents proof of the ownership within 30 days, the Town of Fountain Prairie may sell or otherwise dispose of said shanty without liability to the owner thereof.

## SECTION X - RESPONSIBILITY FOR DAMAGES

In the event that any fishing shanty or structure is burned or destroyed upon the ice or shore, the owner thereof shall be responsible in damages to any person injured or damaged by the remains or debris.

## SECTION XI – SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision of application and to this end, the provisions of this ordinance are severable.

## SECTION XII – EFFECTIVE DATE

This ordinance is effective upon publication and adoption by the Town Board.

The Town Clerk shall properly post this ordinance as required under s.60.80, WI Statutes.

Adopted this nineteenth day of May, 2011.

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Steven D. Rubert, Chairman

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David Liebenthal, Supervisor

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Steven R. Jacob, Supervisor

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William Gretzinger, Supervisor

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Ron Huebner, Supervisor

Attest:

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Linda Henning, Clerk/Treasurer