

**TOWN OF GIBRALTAR**  
**ORDINANCE 2024-04**  
**WATERFOWL FEEDING PROHIBITED**

---

**Ordinance 2024-04 shall repeal and replace any previous ordinance(s) in whole or part, or any other ordinances contradicting this new ordinance.**

The Town Board of Gibraltar, in the County of Door, State of Wisconsin, does hereby ordain as follows:

**Purpose** – to protect the public health, welfare, peace, and safety of its citizens. Feeding of migratory and non-migratory waterfowl pose a threat to the public health and the environment because such feeding attracts large numbers of waterfowl whose droppings pollute surface waters and contain pathogens that can cause intestinal disorders and respiratory problems in persons frequenting the areas.

**State Statutes Adopted – Authority**

The Board of Supervisors of the Town of Gibraltar is granted authority for adopting this ordinance under its general 60.10(2)(c) and 60.22(3), Wisconsin Statutes. The Town Board Adopts this Ordinance under its general village powers authority and 66.1014 of the Wisconsin Statutes, 2917 Act 59.

**Definitions**

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Waterfowl** shall mean a swimming game bird such as duck, goose, or swan as distinguished from an upland game bird or shorebird.

**At large** not under immediate control.

**Public nuisance** means any waterfowl to which the following conditions apply:

Damages or fouls the property, are dangerous or vicious. Cause unsanitary conditions of enclosures or surroundings. Are diseased or dangerous to human health, that make prolonged and disturbing noises interfering with the peace and quietude of the neighboring property.

**Public property** includes all streets, sidewalks, boulevards, parks, beaches, and any public right-of-way located in the Town of Gibraltar. Public Property additionally includes streams, creeks, and waterways identified as navigable.

**GENERAL PROVISIONS**

## **Prohibition of waterfowl feeding in the Town of Gibraltar.**

1. Upon notice by the Town Board of the Town of Gibraltar, as recommended by the USDA and the Wisconsin Department of Natural Resources. The feeding of migratory and non-migratory waterfowl is hereby prohibited on any Town public property, or waterway.
2. For the purpose of this ordinance, migratory and non-migratory waterfowl shall be species defined by the Wisconsin Department of Natural Resources as any and all waterfowl in the family Anatidae ducks, geese, and swans, including native, non-native and domestic ducks, geese and or any crossbreeds or hybrids.
3. Feeding of waterfowl from private property into navigable waterways prohibited.

### **Penalty**

a. Any person found guilty of violating this ordinance or any part of this ordinance, shall be subject to a forfeiture of not less than \$50.00 or more than \$500.00 set by the Town of Gibraltar Board of supervisor's fee schedule. Together with the costs of prosecution and in rueful default of payment of such forfeiture and cost of prosecution, shall be imprisoned in the county jail until said forfeiture is paid, but not exceeding 60 days.

b. Any person, firm, or corporation, violating any of the sub-sections of this ordinance may stipulate guilt or no contest and may pay to the Clerk of Court a bond according to a schedule prescribed by the Circuit Court of Door County. Such stipulation will make it unnecessary for the subject charged to appear in court and will act as a basis for the court to enter judgment and order forfeiture of the bond.

Forfeitures, penalty assessments, costs and fees shall be disbursed as provided in Wisconsin Statutes, Section 66.12.

### **Enforcement**

a. Enforcement shall be by citation.

b. Schedule of Deposits. Deposits shall be made in cash, money orders, or certified check to the Clerk of Door County Circuit Court, who shall provide a receipt to the other office and the amount of the forfeiture schedule shall be stated above or such amount that the Circuit Court of Door County hereafter affixes.

c. Any person, firm, or corporation, violating any of the sub-sections of this ordinance may stipulate to the guilt or no contest and may pay to the Clerk of Court a bond according to a schedule prescribed by the Circuit Court of Door County. Such stipulation will make it unnecessary for the subject charged to appear in court and will act as a basis for the court to enter judgment and order forfeiture of the bond. Forfeitures, penalty assessments, costs and fees shall be disbursed as provided in Wisconsin Statutes, Section 66.12.

### **Reference to Statutes**

Reference to specific statutory sections whenever used in this ordinance, shall mean Wisconsin Statutes as amended, modified, repealed, or otherwise altered by the State Legislature.

**Severability**


If any of this Ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, such a decision shall not affect the validity of any other provisions of this ordinance.

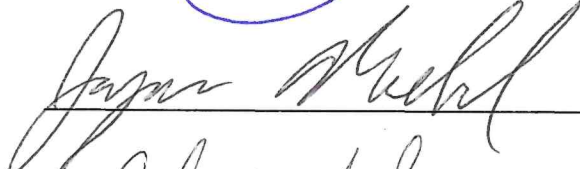
This ordinance shall take effect from and after its passage and publication as provided by law.

Adopted this 5<sup>th</sup> day of June, 2024, by the Town Board of Gibraltar

Town Chairman Steve Sohns 


Supervisor Chomeau \_\_\_\_\_

Supervisor Birmingham 

Supervisor Merkel 

Supervisor Selenica 

Attested By the Clerk of the Town of Gibraltar.

Laura Reetz   
Date 6-5-24

VOTE: AYES 4 NAYS 1

Published/posted this 6<sup>th</sup> day of June, 2024

ATTEST:   
Laura M. Reetz