

COUNTY FOREST COMPREHENSIVE LAND USE PLAN

TABLE OF CONTENTS

Revised 05/21/2019

CHAPTER 1000

APPENDIX

<u>Section</u>	<u>Description</u>	<u>Page</u>
1000	RESOURCE MAPS AND TABLES.....	3
1000.1	MAP OF COUNTY FOREST LOCATION	3
1000.2	OFFICIAL COUNTY FOREST BOUNDARY MAP *	4
1005	LAWS AND ORDINANCES	5
1005.1	COUNTY FOREST LAW (S. 28.11, WIS. STATS) *	5
1005.2	COUNTY ORDINANCES.....	13
1005.2.1	County Forestry Ordinance *	13
	Article I Timber Theft.....	13
	Article II General Regulations	14
	Article III Forest Products Gathering.....	24
	Article IV Tree Stands, Elevated Devices and Ground Blinds	25
1005.2.2	County ATV Ordinance*	26
900.3.1	Article IV All-Terrain Vehicle Routes	26
1005.2.3	Shoreland Zoning Ordinance	30
1005.2.4	Other	30
1010	PERMITS, USE AGREEMENTS, POLICIES AND CONTRACTS	31
1010.1	TIMBER SALE CONTRACT*	31
1010.2	TIMBER SALE EXTENSION / RENEWAL POLICY*	39
1010.3	FIREWOOD PERMIT	39
FAX: 715-339-3027; PH: 715-339-6371; E-MAIL: PCFOREST@CO.PRICE.WI.US		39
1010.4	PRIVATE ACCESS – LAND USE PERMIT	41
SECTION THREE – DURATION AND PURPOSES OF ACCESS		41
1010.5	CAMPING POLICY / PERMIT	44
1010.6	TREE STAND POLICY	45
1010.7	OTHER.....	46
1015	FACILITIES AND REPORTS	47

**Mandatory inclusions*

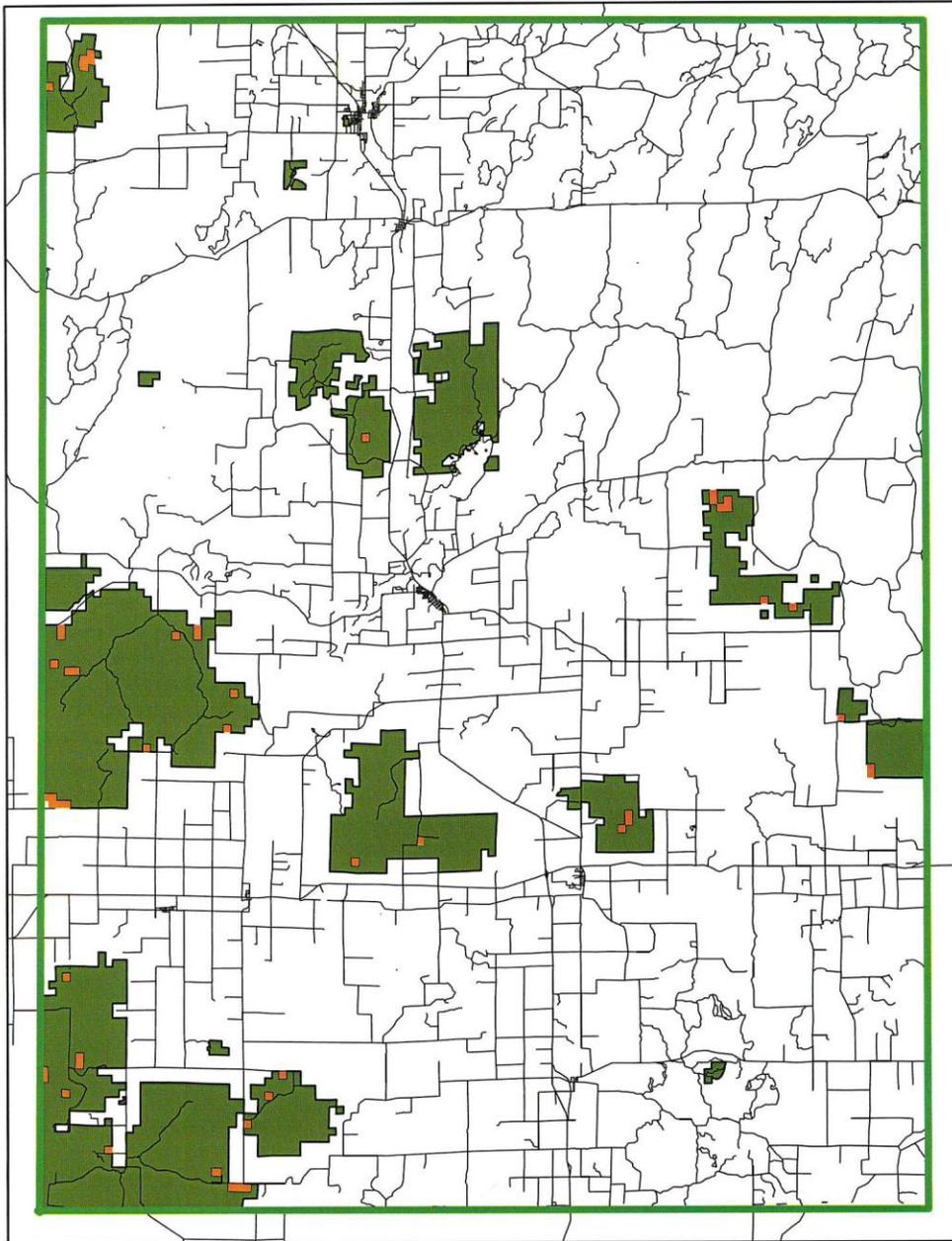
1015.1 RECREATIONAL INVENTORY*	47
1015.2 STATEMENT OF COUNTY FOREST LOAN *	48
1020 MISCELLANEOUS MAPS AND BROCHURES	49
1020.1 COUNTY SNOWMOBILE MAP.....	49
1020.2 COUNTY ATV TRAILS	49
1020.3 COUNTY NON-MOTORIZED RECREATIONAL TRAILS.....	49
1020.4 CERTIFIED COUNTY FOREST ROAD MAP	50

**Mandatory inclusions*

1000 RESOURCE MAPS AND TABLES

1000.1 MAP OF COUNTY FOREST LOCATION*

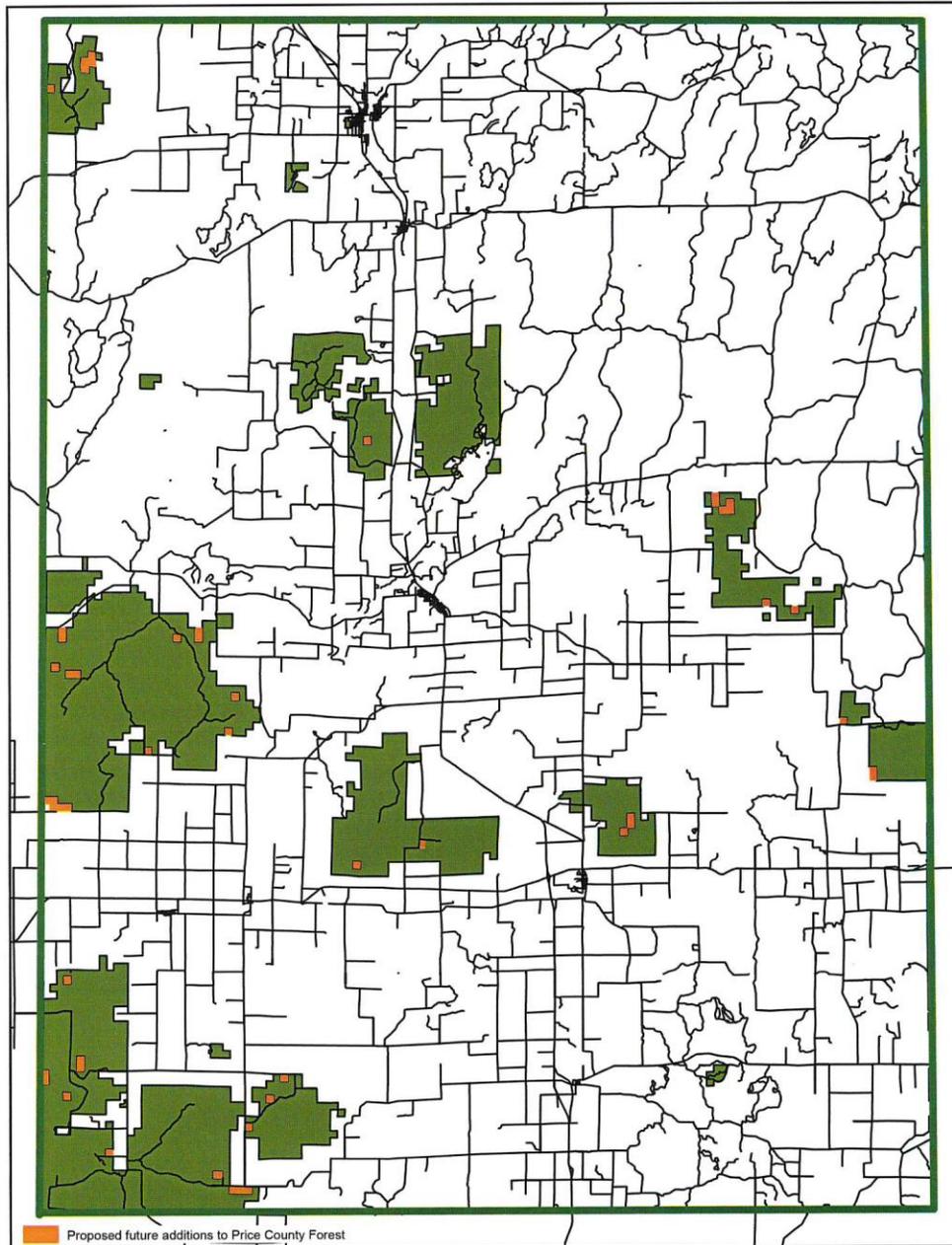
MAP OF COUNTY FOREST LOCATION



**Mandatory inclusions*

1000.2 OFFICAL COUNTY FOREST BOUNDARY MAP *

PRICE COUNTY FOREST BOUNDARY MAP



1005 LAWS AND ORDINANCES

1005.1 COUNTY FOREST LAW (s. 28.11, Wis. Stats) *

28.11 ADMINISTRATION OF COUNTY FORESTS

28.11(1) PURPOSE. The purpose of this section is to provide the basis for a permanent program of county forests and to enable and encourage the planned development and management of the county forests for optimum production of forest products together with recreational opportunities, wildlife, watershed protection and stabilization of stream flow, giving full recognition to the concept of multiple-use to assure maximum public benefits; to protect the public rights, interests and investments in such lands; and to compensate the counties for the public uses, benefits and privileges these lands provide; all in a manner which will provide a reasonable revenue to the towns in which such lands lie.

28.11(2) DEFINED. "County forests" include all county lands entered under and participating under Ch. 77 on October 2, 1963, and all county lands designated as county forests by the county board or the forestry committee and entered under the county forest law and designated as "county forest lands" or "county special-use lands" as hereinafter provided.

28.11(3) POWERS OF COUNTY BOARD. The county board of any such county may:

28.11(3)(a) Enact an ordinance designating a committee to have charge of the county forests and specifying the powers, duties, procedures and functions of such committee. The members of such committee shall be appointed pursuant to s. 59.13 and may include well-qualified residents of the county who are not members of the county board.

28.11(3)(b) Establish regulations for the use of the county forests by the public and to provide penalties for their enforcement.

28.11(3)(c) Appropriate funds for the purchase, development, protection and maintenance of such forests and to exchange other county-owned lands for the purpose of consolidating and blocking county forest holdings.

28.11(3)(d) Enter into cooperative agreements with the department for protection of county forests from fire.

28.11(3)(e) Establish aesthetic management zones along roads and waters and enter into long-term cooperative leases and agreements with the department and other state agencies or federal agencies for the use of the county forests for natural resources research.

28.11(3)(f) Establish transplant nurseries for growing seedlings, from the state forest nurseries, to larger size for planting in county forests, but no ornamental or landscape stock shall be produced in such nurseries.

28.11(3)(g) Establish forest plantations and engage in silviculture, forest management and timber sales.

28.11(3)(h) Engage in other projects designed to achieve optimum development of the forest.

28.11(3)(i) Enter into leases or agreements, for terms not exceeding 10 years, to explore and prospect for ore, minerals, gas or oil upon any county forest lands. These leases or agreements shall contain proper covenants to safeguard the public interests in the lands involved and to guard against trespass and waste. The county board shall require proper security to ensure that the person engaged in exploration or prospecting fully informs the county of every discovery of ore, minerals, gas or oil and restores the land surface to an acceptable condition and value if no discovery of valuable deposit is made or if county forest lands are not withdrawn from entry under this section. Before a lease or agreement under this paragraph is effective, approval of the lease or agreement by the department is required. If the department finds that the proposed lease or agreement fully complies with the law and contains the proper safeguards, it shall approve the lease or agreement.

28.11(3)(j) Enter into leases for the extraction of valuable deposits of ore, minerals, gas or oil upon any county forest land. If the extraction can be accomplished without permanently affecting the surface of the land, extraction leases may be entered into and extraction may occur while the land remains county forest lands. If the extraction cannot be accomplished without permanently affecting the surface of the land, extraction may not commence until the land is withdrawn as county forest land. Before an extraction lease under this paragraph is effective, approval of the lease by the department is required.

28.11(3)(k) Establish energy conservation projects which permit individual members of the public to remove up to 10 standard cords of wood without charge from county forest lands for individual home heating purposes. The county board shall limit removal of wood for energy conservation projects to wood that is unsuitable for commercial sale. The county board may require a permit to remove wood for energy conservation projects and may charge a fee for the permit to administer projects established under this paragraph. A county board shall restrict participation in projects established under this paragraph to residents, as defined under s. 29.001 (69), but may not restrict participation to residents of the county. No timber sale contract is required for wood removed under this paragraph.

28.11(4) ENTRY OF COUNTY FOREST LANDS

28.11(4)(a) A county may file with the department an application for entry of county-owned land under this section. Such application shall include the description of the land and a statement of the purposes for which the lands are best suited. Upon the filing of such application the department shall investigate the same and it may conduct a public hearing thereon if it deems it advisable to do so at such time and place as it sees fit.

28.11(4)(b) If after such investigation the department finds that the lands constitute a well blocked county forest unit or that they block in with other established county forest lands and are otherwise suitable for the purposes of this section it shall make an order of entry designating such lands as county forest lands. All county lands entered under and participating under ch. 77 on October 2, 1963 shall be designated "county forest lands" without further order of entry.

28.11(4)(c) If the department finds that the lands are not suited primarily for timber production and do not otherwise qualify for entry under par. (b) but that they are suitable for scenic, outdoor recreation, public hunting and fishing, water conservation and other multiple-use purposes it shall make an order of entry designating such lands as "county special-use lands".

**Mandatory inclusions*

28.11(4)(d) A copy of the order of entry shall be filed with the county clerk and the county forestry committee, and the order shall also be recorded with the register of deeds.

28.11(4)(e) From and after the filing of such order of entry, the lands therein described shall be "county forest lands" or "county special-use lands", as the case may be, and shall so remain until withdrawn as hereinafter provided.

28.11(4)(f) The department may construct and use forest fire lookout towers, telephone lines and fire lanes or other forest protection structures on any lands entered under this section and the county clerk of such county shall execute any easement on or over such lands which the department may require for forest protection. The general public shall enjoy the privilege of entering such lands for the purpose of hunting, fishing, trapping and other recreation pursuits subject to such regulation and restrictions as may be established by lawful authority.

28.11(5) (5) MANAGEMENT.

28.11(5)(a) On or before December 31, 2005, a comprehensive county forest land use plan shall be prepared for a 15-year period by the county forestry committee with the assistance of technical personnel from the department and other interested agencies, and shall be approved by the county board and the department. The plan shall include land use designations, land acquisition, forest protection, annual allowable timber harvests, recreational developments, fish and wildlife management activities, roads, silvicultural operations and operating policies and procedures; it shall include a complete inventory of the county forest and shall be documented with maps, records and priorities showing in detail the various projects to be undertaken during the plan period. The plan may include an application for aids under s. 23.09 (17m). The application will be considered an annual application for these aids during the 15-year period of the plan. The initial plan may be revised as changing conditions require. Upon the expiration of the initial 15-year plan period, and upon expiration of each subsequent 15-year plan period, the plan shall be revised and shall be in effect for another 15-year period. If a plan under this paragraph is not revised upon expiration of the 15-year plan period, or if a plan under s. 28.11 (5) (a), 2003 stats., is not revised on or before December 31, 2005, that plan shall remain in effect until such time as that plan is revised and the revised plan takes effect.

28.11(5)(b) An annual work plan and budget based upon the comprehensive plan shall be prepared by the county forestry committee with the assistance of a forester of the department. The plan shall include a schedule of compartments to be harvested and a listing by location of management projects for the forthcoming year. In addition the plan shall include other multiple-use projects where appropriate. A budget, listing estimated expenditures for work projects, administration and protection of the forest, shall accompany the annual plan both to be submitted to the county board for approval at the November meeting.

28.11(5m) COUNTY FOREST ADMINISTRATION GRANTS.

28.11(5m)(a)The department may make grants, from the appropriation under s. 20.370 (5) (bw), to counties having lands entered under sub. (4) to fund all of the following for one professional forester in the position of county forest administrator or assistant county forest administrator:

28.11(5m)(a)1. Up to 50 percent of the forester's salary.

**Mandatory inclusions*

28.11(5m)(a)2. Up to 50 percent of the forester's fringe benefits, except that the fringe benefits may not exceed 40 percent of the forester's salary.

28.11(5m)(am) The department may make grants, from the appropriation under s. 20.370 (5) (bw), to counties having lands entered under sub. (4) to fund up to 50 percent of the costs of a county's annual dues to a nonprofit organization that provides leadership and counsel to that county's forest administrator and that functions as an organizational liaison to the department. The total amount that the department may award in grants under this paragraph in any fiscal year may not exceed \$50,000.

28.11(5m)(b) The department may not make a grant under this subsection for a year for which the department has not approved the annual work plan that was approved by the county board under sub. (5) (b). The department may not base the amount of a county's grant on the acreage of the county's forest land.

28.11(5m)(c) The department may choose not to make a grant to a county under this subsection if the county board for that county is more than one year delinquent in approving a comprehensive county forest land use plan or revised plan under sub. (5) (a).

28.11(5r) Sustainable forestry grants.

28.11(5r)(a) In this subsection, "sustainable forestry" has the meaning given in s. 28.04 (1) (e).

28.11(5r)(b) The department may make grants, from the appropriation under s. 20.370 (5) (bw), to counties having lands entered under sub. (4) to fund the cost of activities designed to improve sustainable forestry on the lands.

28.11(5r)(c) The department may choose not to make a grant to a county under this subsection if the county board for that county is more than one year delinquent in approving a comprehensive county forest land use plan or revised plan under sub. (5) (a).

28.11(6) TIMBER SALES AND CULTURAL CUTTINGS.

28.11(6)(a) Limitations. The county forestry committee is authorized to sell merchantable timber designated in timber sale contracts and products removed in cultural or salvage cuttings. All timber sales shall be based on tree scale or on the scale, measure or count of the cut products; the Scribner Decimal C log rule shall be used in log scaling. All cuttings shall be limited to trees marked or designated for cutting by qualified personnel recognized as such by the department.

28.11(6)(b) PROCEDURES.

28.11(6)(b)1. Any timber sale with an estimated value of \$3,000 or more shall be by sealed bid or public sale after publication of a classified advertisement announcing the sale in a newspaper having general circulation in the county in which the timber to be sold is located. Any timber sale with an estimated value below \$3,000 may be made without prior advertising. Any timber sale with an estimated value of \$3,000 or more requires approval of the secretary.

28.11(6)(b)2. Timber sales shall be subject to presale appraisals by qualified personnel recognized as such by the department to establish minimum sales value. Appraisal methods and procedures shall be approved by the department.

28.11(6)(b)3. No merchantable wood products may be cut on any lands entered under this section unless a cutting notice on forms furnished by the department is filed with and approved by the department. Any unauthorized cutting shall render the county liable to the state in an amount equal to double the stumpage value of the cut products which amount shall be paid by the county to the state. If the county does not pay the amount of such penalty to the state, the department may withhold such amount from future state contributions to the county.

28.11(6)(b)4. Within 90 days after completion of any cutting operation, including timber trespass, but not more than 2 years after filing the cutting notice, the county shall transmit to the department on forms furnished by the department, a report of merchantable wood products cut. The department may conduct any investigations on timber cutting operations that it considers to be advisable, including the holding of public hearings on the timber cutting operations, and may assess severance share payments accordingly.

28.11(6)(c) Exception. Paragraph (b) 1. does not apply to any sale of timber that has been damaged by fire, snow, hail, ice, insects, disease, or wind. Timber damaged in that manner that is located in a county forest may be sold by the county forestry committee for that county on such terms and in such manner as the committee determines is in the best interest of the county.

28.11(7) County forest credit. The department shall set up an account for each county showing the lands entered; the sums previously paid under s. 28.14, 1961 stats.; the sums hereafter paid under this section; the sums previously received in the form of four-fifths severance tax collected pursuant to s. 77.06 (5), 1961 stats.; the sums received as forestry fund severance share under this section; and the sums previously reimbursed to the state on withdrawn lands pursuant to s. 28.12 (4), 1961 stats. Whenever the forestry fund account of any county shows an overpayment of such severance tax or severance share as of June 30 of any year, the department shall return such overpayment to the county. All severance taxes previously paid by any county and deposited in the general fund shall be credited to the forestry fund account of the county. If such credit exceeds the balance due to the forestry fund account from such county, the overpayment shall be credited to the county and applied in lieu of future severance shares due to the state until the county account is balanced.

28.11(8) STATE CONTRIBUTION.

28.11(8)(a) (a) Acreage payments. As soon after April 20 of each year as feasible, the department shall pay to each town treasurer 30 cents per acre, based on the acreage of such lands as of the preceding June 30, as a grant out of the appropriation made by s. 20.370 (5) (bv) on each acre of county lands entered under this section.

28.11(8)(b) FORESTRY FUND ACCOUNT.

28.11(8)(b)1. A county having established and maintaining a county forest under this section is eligible to receive from the state from the appropriations under s. 20.370 (5) (bq) and (bs) an annual payment as a noninterest bearing loan to be used for the purchase, development, preservation and maintenance of the county forest lands and the payment shall be credited to a county account to be known as the county forestry aid fund. A county board may, by a resolution adopted during the year and transmitted to the department by December 31, request to receive a payment of not more than 50 cents for each acre of land entered and designated as "county forest land". The department shall review the request and approve the request if the request is found to be consistent with the

**Mandatory inclusions*

comprehensive county forest land use plan. If any lands purchased from the fund are sold, the county shall restore the purchase price to the county forestry aid fund. The department shall pay to the county the amount due to it on or before March 31 of each year, based on the acreage of the lands as of the preceding June 30. If the amounts in the appropriations under s. 20.370 (5) (bq) and (bs) are not sufficient to pay all of the amounts approved by the department under this subdivision, the department shall pay eligible counties on a prorated basis.

28.11(8)(b)2. The department may allot additional interest free forestry aid loans on a project basis to individual counties to permit the counties to undertake meritorious and economically productive forestry operations, including land acquisitions. These additional aids may not be used for the construction of recreational facilities or for fish and game management projects. Application shall be made in the manner and on forms prescribed by the department and specify the purpose for which the additional aids will be used. The department shall make an investigation as it deems necessary to satisfy itself that the project is feasible, desirable and consistent with the comprehensive plan. If the department so finds, it may make allotments in such amounts as it determines to be reasonable and proper and charge the allotments to the forestry fund account of the county. These allotments shall be credited by the county to the county forestry aid fund. After determining the loans as required under subd. 1., the department shall make the remainder of the amounts appropriated under s. 20.370 (5) (bq) and (bs) for that fiscal year available for loans under this subdivision. The department shall also make loans under this subdivision from the appropriations under s. 20.370 (5) (bt) and (bu).

28.11(8)(b)3. All payments made under this paragraph shall be known as the "forestry fund account".

28.11(9) COUNTY FOREST SEVERANCE SHARE.

28.11(9)(a) Except as provided under pars. (b) and (c), on timber cut from lands entered as "county forest lands" the county shall pay a severance share of not less than 20 percent of the actual stumpage sales value of the timber. A higher rate of payment may be applied when agreed upon by the department and the county. When cutting is done by the county and timber is not sold or is sold as cut forest products the severance share shall be 20 percent of the severance tax schedule in effect under s. 77.06 (2).

28.11(9)(ag) The severance share paid by a county to the state shall be credited to the forestry fund account of the county and shall be divided into 2 payments as follows:

28.11(9)(ag)1. An acreage loan severance share payment that is equal to the product of multiplying the amount of the severance share paid by the county by the percentage of the balance due in the forestry fund account of the county that is attributable to loans made under sub. (8) (b) 1.

28.11(9)(ag)2. A project loan severance share payment that is equal to the product of multiplying the amount of the severance share paid by the county by the percentage of the balance due that is attributable to loans made under sub. (8) (b) 2.

28.11(9)(am) The acreage loan severance share payments shall be deposited in the conservation fund and credited to the appropriation under s. 20.370 (5) (bq), and the project loan

**Mandatory inclusions*

severance share payments shall be deposited in the conservation fund and credited to the appropriation under s. 20.370 (5) (bu).

28.11(9)(ar)1. Notwithstanding s. 20.001 (3) (c), if the sum of the unencumbered balances in the appropriations under s. 20.370 (5) (bq), (bt) and (bu) exceeds \$400,000 on June 30 of any fiscal year, the amount in excess of \$400,000 shall lapse from the appropriation under s. 20.370 (5) (bq) to the conservation fund, except as provided in subd. 2.

28.11(9)(ar)2. Notwithstanding s. 20.001 (3) (c), if the amount in the appropriation under s. 20.370 (5) (bq) is insufficient for the amount that must lapse under subd. 1., the remainder that is necessary for the lapse shall lapse from the appropriation under s. 20.370 (5) (bu).

28.11(9)(b) No severance share payment is required if there is no balance due in the forestry fund account of the county. A severance share payment shall not exceed the balance due in the forestry fund account of the county.

28.11(9)(c) No severance share payment is required for wood removed from county forest lands for energy conservation projects established under sub. (3) (k).

28.11(9)(d) Of the gross receipts from all timber sales on the county forests 10 percent shall be paid annually by the county to the towns having county forest lands on the basis of acreage of such lands in the towns.

28.11(11) WITHDRAWALS.

28.11(11)(a)1. The county board may by resolution adopted by not less than two-thirds of its membership make application to the department to withdraw lands entered under this section. The county board shall first refer the resolution to the county forestry committee, which shall consult with an authorized representative of the department in formulating its withdrawal proposal. The county board shall not take final action on the application until 90 days after referral of the application to the forestry committee or until the report of the forestry committee regarding the application has been filed with the board. The application shall include the land description, a statement of the reasons for withdrawal, and any restrictions or other conditions of use attached to the land proposed for withdrawal.

28.11(11)(a)2. Upon the filing of an application to withdraw lands under subd. 1., the department shall investigate the application. During the course of its investigation the department shall make an examination of the character of the land, the volume of timber, improvements, and any other special values. In the case of withdrawal for the purpose of sale to any purchaser other than the state or a local unit of government, the department shall establish a minimum value on the lands to be withdrawn. In making its investigation the department shall give full weight and consideration to the purposes and principles set forth in sub. (1), and it shall also weigh and consider the benefits to the people of the state as a whole, as well as to the county, from the proposed use against the benefits accruing to the people of the state as a whole and to the county under the continued entry of the lands to be withdrawn. The department may conduct a public hearing on the application, if it considers it advisable, at a time and place that it determines, except that if the county requests a public hearing in writing, the department shall hold a public hearing.

28.11(11)(a)3. If the department finds that the benefits after withdrawal of the lands described in the application under subd. 2. outweigh the benefits under continued entry of the lands and that

the lands will be put to a better and higher use, it shall make an order withdrawing the lands from entry; otherwise it shall deny the application.

28.11(11)(a)4. If the application is denied, the county board may, by resolution adopted by not less than two-thirds of its membership, appeal to a review committee. The department shall submit the findings of its investigation and of any hearing on a proposed withdrawal to the committee, which shall be composed of the following members:

- a. One member appointed by the county board submitting the application for withdrawal.
- b. One member who is appointed by the governor, who is from another county that has land enrolled under the county forest law, and who shall be chairperson of the review committee.
- c. One member appointed by the department.
- d. One member appointed by the University of Wisconsin from the College of Agricultural and Life Sciences.
- e. One member to be selected by unanimous vote of the appointed members or, if the appointed members fail to achieve unanimity, by the governor.

28.11(11)(a)5. 5. The review committee appointed under subd. 4. shall, by majority vote within 60 days after receiving the findings of the department, do one of the following:

- a. Approve the application for withdrawal if it finds the proposed use to be of a greater benefit considering all losses and benefits to the people of the state as a whole, as well as to the people of the county.
- b. Provisionally deny the application for withdrawal giving specific reasons why it finds the proposal deficient and making any suggestions for revising the application to reduce the conflict of the proposed use with the public interest.

28.11(11)(a)6. If the committee approves a withdrawal under subd. 5., it shall notify the county board of its approval stating, as necessary, specific procedures to be followed by the county relating to the withdrawal. The county board may then by a resolution approved by not less than two-thirds of its membership, withdraw the lands from the county forest law and shall send copies of this resolution to the department and to the county register of deeds who shall record the resolution.

28.11(11)(a)7. If the committee provisionally denies the proposed withdrawal under subd. 5., it may consider an amended application for withdrawal upon presentation of the application and supporting information, or it may require additional investigation of the amended application by the department before reconsidering the application. Any additional investigation shall include additional public hearings if requested by the county, the department, or the committee.

28.11(11)(b) If the application is approved the county shall reimburse the state the amounts previously paid to the county pursuant to sub. (8) (b) which reimbursement shall be credited to the county forestry fund account; except that the department may waive all or part of such reimbursement if it finds that the lands are withdrawn for a higher public use or that the amount of such reimbursement is unreasonable when compared to the value of the land. If the department has waived any portion of such reimbursement and if at any subsequent time the land ceases to be used for the purpose designated in the application for withdrawal, the full amount of reimbursement due

**Mandatory inclusions*

the forestry fund account on the lands withdrawn shall immediately become due and payable to the department and shall be credited to the forestry fund account, unless the department finds and determines that the lands will continue to be put to another higher public use in which case payments of such reimbursement may be deferred by the department so long as the lands are devoted to a higher public use. If payment is not made prior to the time of the next forestry aid payment to the county, forestry aid payments in an amount to be determined by the department shall be withheld until the amount due the forestry fund account is reimbursed.

28.11(12) ENFORCEMENT. If at any time it appears to the department that the lands are not being managed in accordance with this section it shall so advise the county forestry committee and the county clerk. If the condition persists the department may proceed against the persons responsible for such noncompliance under s. 30.03 (4).

28.11(13) REVIEW. All orders of the department made under this section may be reviewed under ss. 227.52 to 227.58.

28.11 History: 1971 c. 215; 1975 c. 39 s. 734; 1975 c. 342; 1977 c. 29; 1979 c. 34 ss. 723 to 725, 2102 (39) (a); 1983 a. 27; 1983 a. 192 s. 304; 1983 a. 424 ss. 2 to 5; 1985 a. 29 ss. 655ce to 655cg, 3202 (39); 1985 a. 182 s. 57; 1987 a. 27; 1989 a. 31, 79; 1993 a. 16, 184, 301; 1995 a. 27, 201; 1997 a. 237, 248; 1999 a. 9; 2001 a. 16, 103; 2003 a. 242; 2005 a. 48; 2007 a. 20.

28.11 Cross-reference: See also ch. NR 48 and ss. NR 1.24, 47.60 to 47.75, and 302.03, Wis. adm. code.

A county forest withdrawal appeal review committee under sub. (11) (a) is not a state agency whose decisions are reviewable under ch. 227. *Allen v. Juneau County*, 98 Wis. 2d 103, 295 N.W.2d 218 (Ct. App. 1980).

County boards cannot sell or exchange county forest lands without first withdrawing them from the county forest program under sub. (11). 66 Atty. Gen. 109.

Conservation easements and restrictive covenants are permissible in county forests as long as they are consistent with and do not interfere with the purposes of county forests and the management plans properly developed for them under the county forest law. OAG 08-10.

1005.2 COUNTY ORDINANCES

1005.2.1 County Forestry Ordinance *

Chapter 398 Parks and Forests

[HISTORY: Adopted by the Board of Supervisors of Price County as indicated in article histories. Amendments noted where applicable.]

Article I

Timber Theft

[Adopted 4-17-1984 by Ord. No. 3-84]

§ 398-1 Definitions.

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

RAW FOREST PRODUCTS

Forest products not altered by a manufacturing process off the land from which they are taken. This term includes, but is not limited to, seedlings, saplings, shrubs, whole-tree chips, boughs, logs, pilings, posts, poles, cordwood products, pulpwood, fuel wood, and Christmas trees.

§ 398-2 Consent of owner required.

No person may cut, remove or transport raw forest products or direct the cutting, removal or transportation of raw forest products without the consent of the owner.

§ 398-3 Violations and penalties.

Whoever violates any of the terms of this article shall incur a forfeiture as provided in Chapter 290 of the County Code plus court costs and any applicable penalty assessments.

Article II

General Regulations

[Adopted 11-12-1986 by Ord. No. 5-86]

§ 398-4 Purpose.

This article shall prescribe the rules and regulations for the establishment, protection, development and management of County parks and forests so as to provide a sustained yield of forest products for commercial use and the associated benefits of soil and water conservation, scenic value, recreational benefit, and fish and game resources, all in cooperation with the Department of Natural Resources.

§ 398-5 Scope.

Except as provided otherwise herein, the provisions of this article shall apply to all lands, structures, and property owned, leased or administered by Price County for forest, park, wayside and special use purpose under the management, supervision and control of the Committee.

§ 398-6 Definitions.

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

CAMPGROUND

Any tract of land designated by the County exclusively for camping purposes.

CAMPING

The use of any shelter such as a tent, trailer, motor vehicle, tarpaulin, bed roll or sleeping bag for temporary residence or sleeping purposes.

CAMPING PARTY

Any individual, family, unorganized group or juvenile group occupying a campsite.

CAMPING SEASON

That period from April 1 to December 1.

CAMPING UNIT

**Mandatory inclusions*

A single shelter used for camping by a camping party, except those used exclusively for dining purposes.

CAMPSITE

A portion of a campground which is designated for use by a camping unit.

CANOE CAMPGROUND

A campground along a waterway for use by persons traveling by water.

CLOSED SHELTER

Any building or structure capable of being closed to public access and reserved for public or private group activities.

COMMITTEE

The Committee on Parks and Forests.

COUNTY FOREST

All lands owned or leased by the County that are managed under Ch. 28, Wis. Stats.

DEPARTMENT

The County Parks and Forests Department.

DNR

Department of Natural Resources.

EMERGENCY

A state of exigency which requires that immediate action be taken to protect life or property.

FAMILY

A parent or parents with their unmarried children and not more than two lineal relatives or two guests.

GROUP CAMPGROUND

A campground which is designated for use by organizational groups.

JUVENILE GROUP

A group composed of juvenile members of an established organization and under the leadership of at least one competent, mature adult for each 10 juveniles in the group.

PARK

Includes all lands and water heretofore and hereafter acquired by the County for park or recreational purposes and placed under the jurisdiction of the Committee and includes parks on County land managed under Ch. 28, Wis. Stats.

PERSON

Includes any individual, firm, partnership, corporation and association of persons, both singular and plural.

PRIMITIVE CAMPGROUND

A campground or area with minimal or no improvements, where camping may be permitted, accessible by hiking or by watercraft.

SPECIAL USE AREAS AND WAYSIDES

**Mandatory inclusions*

Includes all lands and waters, other than parks, heretofore and hereafter acquired by the County for special recreational or other purposes.

UNORGANIZED GROUP

A camping party composed of a group of five or fewer persons who are seven years of age or older.

§ 398-7 Designation of boundaries; applicability.

A. The boundaries of all parks, special use areas and waysides shall be designated by the Board which shall maintain a legal description of each such parcel in the Department office.

B. The parks subject to this section are:

- (1) Solberg Lake Park.
- (2) Big Falls Park.
- (3) Timm's Hill Park.
- (4) Wisconsin Concrete Park.
- (5) Park Falls Tuscobia Trailhead Park.
- (6) Smith Lake Park.

C. The special use areas subject to this section are:

- (1) Hunter walking trails.
- (2) Cross-country ski trails.
- (3) Snowmobile trails.
- (4) Holy Cross Ruffed Grouse Management Area.
- (5) Pine Line Trail.
- (6) All-terrain vehicle (ATV) trails.

§ 398-8 Designation of County forests.

All County-owned lands now held or hereafter acquired for forestry purposes, established and designated as County forests, shall be shown on an official County forest map to be maintained in the Department office and shall be entered as County forest lands pursuant to § 28.11(4), Wis. Stats. In addition thereto, the official County forest map shall designate the boundaries of a well-blocked County forest. It is the intent of the Board to acquire lands within, or bordering, the County forest boundaries as they become available and upon a determination by the Committee that County ownership of the land is beneficial to the residents of Price County and of the state.

§ 398-9 Park use regulations.

- A. All parks, special use areas and waysides shall be open to the public throughout the year according to posted hours. No person may enter or be on such lands outside of those hours except for campers in or those who are en route to designated campgrounds or persons transporting watercraft to and from designated boat landings. For purposes of this subsection, the time shall be computed under §§ 175.09 and 175.095, Wis. Stats., whichever is applicable.
- B. The facilities in all parks, special use areas and waysides shall be maintained by the Department during the camping season, as defined in § 398-10. Outside of that season, the only facilities that will be maintained by the Department shall be ski trails and County snowmobile and all-terrain vehicle (ATV) trails.
- C. Camping and the use of the campground facilities shall be in accord with Subsection A.
- D. No refunds shall be given for camping, shelter or clubhouse reservations.

§ 398-10 Fees and charges.

- A. Fee administration. It is unlawful for any person to use any facility, shelter or area for which a fee or charge has been established by ordinance without payment of the fee or charge.
- B. Fees. Fees shall be established each year by Committee action.

§ 398-11 Emergency actions.

In the event of a natural or man-made disaster or emergency which necessitates, in the public interest, that all or a part of any land subject to this article be restricted to public access, the Committee shall have the power to close such lands or restrict their use or provide for emergency timber sales. Any actions under this section shall be subject to Board review and approval at its next scheduled meeting.

§ 398-12 Permit issuance.

All permits which are issued by the Forest Administrator or other authorized park personnel shall be subject to all of the provisions of this article.

§ 398-13 Utilities.

The location of all public and private utilities, structures, lines and pipes within any park, wayside or special use area shall be subject to the control of the Committee, and their construction, erection, repair or relocation shall be undertaken only after written consent thereto is received from the Committee and the Board.

§ 398-14 Peddling and soliciting.

It is unlawful for any person to peddle or solicit business of any nature, to distribute handbills or other advertising matter, or to post signs, posters or decorations on any lands or structures under the jurisdiction of the Committee, for any purposes whatsoever, unless first authorized by the Committee or its duly authorized agent.

§ 398-15 Personal conduct.

It is unlawful for any person to engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance.

§ 398-16 Property of others.

It is unlawful for any person to disturb, destroy, vandalize, damage or remove the property or personal effects of others in parks, waysides or special use areas.

§ 398-17 Unnecessary noises.

It is unlawful for any person to operate sound trucks, loudspeakers, motors, motorboats, motor vehicles or any other mechanical devices or engage in any activities which produce sound levels which are objectionable due to intermittence, duration, beat frequency, impulse character or shrillness.

§ 398-18 Destruction and unlawful entry.

- A. Destruction, defacement or removal. It is unlawful for any person to disturb, vandalize, damage, deface, remove or destroy any trees, shrubs, plants or other natural growth, to carve on any rocks, archaeological or geological features, signs, walls or structures, to drive nails into trees, or to move, injure or deface in any manner any structure, including buildings, signs, fences, tables or other County property, except with the approval of the Committee. This prohibition shall not include the picking of edible fruits, nuts and fungi.
- B. Trespass and tampering. It is unlawful for any person to enter any building, installation or area which may be under construction, locked or closed to public use and/or to tamper with, use or damage any water control structure, dam or culvert, or to enter or be upon any building, installation, or area after the posted closing time, or before the posted opening time, or contrary to other posted notices in any park, wayside or special use area.

§ 398-19 Cleaning and refuse.

- A. Washing. The washing of cars, persons, pets, cooking utensils or clothing, as well as the cleaning of fish and game, is prohibited in all of the lakes and streams, or any picnic grounds, playgrounds, recreation areas, boat landings, parking lots or roadways, or within 50 feet of any pump, fountain or drinking water outlet in any park, wayside or special use area.
- B. Refuse.
 - (1) It is unlawful to dispose of any trash, garbage, debris or other waste material not directly generated within the park, wayside or special use area or to dispose of the same in any manner other than designated receptacles.
 - (2) Charcoal residue shall not be discarded onto any grounds, nor into any containers other than those designated for such purposes.

§ 398-20 Vehicular traffic.

- A. No person shall operate any vehicle at a speed in excess of 10 miles per hour or contrary to official traffic signs in any park, wayside or special use area.
- B. No person shall operate any vehicle in any park, wayside or special use area in a manner contrary to the provisions of § 346.62, Wis. Stats.
- C. It is unlawful to operate or park any vehicle on other than established roads and parking areas. This prohibition includes but is not limited to ski trails, hiking trails, snowmobile and all-terrain vehicle

**Mandatory inclusions*

(ATV) trails, beach areas, playgrounds and picnic areas within the lands subject to the Committee's jurisdiction.

- D. It is unlawful to operate any snowmobile or other snow vehicle in any area or upon any trail in any park, wayside or special use area, except in areas or upon trails which have been specifically posted by the Department for utilization of snowmobiles or other snow vehicles.
- E. It is unlawful to operate any all-terrain vehicle or sport utility vehicle in any area signed, gated, bermed or rocked and as such prohibiting use or upon any trail in any park, wayside or special use area, except in areas or upon trails which have been specifically posted by the Department for utilization of all-terrain vehicles or sport utility vehicles.
- F. It is unlawful to operate any unlicensed motor bicycle or motor vehicle, as defined at § 340.01, Wis. Stats., in any park, wayside or special use area or for any person to operate a motorcycle without a valid operator's permit as and for motorcycle operations.

§ 398-21 Parking of vehicles and watercraft.

It is unlawful for any person to park, stop or leave standing, whether attended or unattended, any vehicle or watercraft in any manner which is:

- A. Blocking, obstructing or limiting the use of any road, trail, parking lot, boat landing, waterway or winter sport facility;
- B. Outside of any area provided for such purpose;
- C. Contrary to posted notice; or
- D. In any park area between the hours of 10:30 p.m. and the following 6:30 a.m., except that vehicles or watercraft owned by registered campers residing in adjacent campgrounds and vehicles at designated boat landings used to transport watercraft are permitted at any time.

§ 398-22 Fires.

It is unlawful within any park, wayside or special use area for any person to start, tend or maintain any fire or to burn any refuse, except at designated fireplaces, fire rings or grills, unless otherwise posted, and it is also unlawful for any person to leave unattended or abandon any fire or to discard any matches, cigarettes, cigars, pipe ashes or embers without first extinguishing them.

§ 398-23 Fireworks.

It is unlawful for any person to possess, fire, discharge, explode or set off any squib, cracker or other explosive or pyrotechnic device containing powder or other combustible or explosive material within the boundaries of any park, wayside or special use area, except by permission of the Committee or its duly authorized agent.

§ 398-24 Firearms.

It is unlawful for any person to have in his or her possession or under his or her control in any park, wayside or special use area any firearm or airgun as defined in § 939.22(2), Wis. Stats., or any bow, crossbow or slingshot, unless it is unstrung and enclosed in a carrying case. This prohibition shall not apply to the Holy

Cross Grouse Management Area, Pine Line Trail, hunter walking trails, ski trails, snowmobile trails or all-terrain vehicle (ATV) trails during established state hunting seasons.

§ 398-25 Pets.

It is unlawful for any person to allow pet animals to enter any public building, bathing beach, picnic ground or playground within any park, wayside or special use area, or to allow them to run at large at any time in parks, waysides or special use areas, or otherwise contrary to posting. Subject to the conditions expressed, such animals shall be permitted upon lands under the control of the Committee, provided that they are kept on a leash no longer than eight feet and under the owner's control at all times. Persons shall not allow their pet animals to deprive or disrupt the enjoyment or use of any area by other persons.

§ 398-26 Horses.

It is unlawful for any person to ride or possess a horse in any park, wayside or special use area except in designated places.

§ 398-27 Hunting and trapping.

It is unlawful for any person to take, catch, kill, hunt, trap, pursue or otherwise capture any wild animals or birds in any park, wayside or special use area, with the express exception that hunting or trapping shall be allowed during established state seasons at Holy Cross Grouse Management Area, Pine Line Trail, hunter walking trails, ski trails, snowmobile trails, or all-terrain vehicle (ATV) trails during established state hunting seasons.

§ 398-28 Athletics.

It is unlawful for any person to play or practice baseball, golf, tennis, archery or other games or sports upon or within any park, wayside or special use area, except upon ball fields, tennis courts, archery ranges or appropriate athletic grounds or driving ranges established by the Committee, unless such activity, in the opinion of the authorized agent, does not create any use problems for other purposes for which the area is provided.

§ 398-29 Boundary buoy.

It is unlawful to swim beyond, disturb, vandalize or damage a bathing beach boundary buoy, dam marker buoy or other markers or buoys in any swimming area, adjacent to any dam, or in any other such marked area in any park, wayside or special use area.

§ 398-30 Swimming.

Designated sites shall be maintained at Solberg Lake, Timm's Hill and Smith Lake Parks for public swimming. It is unlawful for any person to:

- A. Swim, wade or bathe in the water fronting upon any designated swimming site during electrical storms or in any other life-threatening weather;
- B. Swim, wade or bathe within 50 feet of any boat landing;
- C. Use any type of flotation device, except for life jackets and life vests, contrary to posted notice;
- D. Use or possess any glass containers on designated beach sites; or
- E. Bring pets or horses on designated beach sites.

§ 398-31 Beach athletics.

Except in locations designated for such purposes by the Department, it is unlawful for any person to engage in any athletic game or sport or in any activity upon any beach or in the water when, in the opinion of the authorized agent in charge, injury or inconvenience to others shall result therefrom.

§ 398-32 Bathing dress.

It is unlawful for any person to change clothing except in a beach house or other enclosed place.

§ 398-33 Campground regulations.

- A. Permitted camping. Camping shall be allowed only at designated campsites in the campgrounds at Solberg Lake Park, Smith Lake Park and Big Falls Park. Camping shall be allowed in those parks and in the County forest subject to § 398-40A(1).
- B. Camping limit. No person shall camp and no camping unit shall remain in a campground for a period in excess of 14 nights in succession. Thereafter, the camping unit must be removed from the property for at least one night before the camping party is eligible to return.
- C. Campsite occupancy. It is unlawful for more than one camping party to occupy a single campsite, except that up to 10 members of a juvenile group may occupy a campsite, using any number of camping units, on properties which do not have a designated group campground area. Not more than one recreational trailer, motor home or pickup camper may occupy a campsite, unless each pays the required fee.
- D. Campsite changes. No registered camping party shall move from its assigned campsite to another campsite in a designated campground without prior approval of the caretaker.
- E. Camping permit expiration. All camping permits expire at 2:00 p.m. on the last day of the permit period.
- F. Campsite parking. It is unlawful to park any motor vehicle at any campsite except upon the gravel parking area therein provided, and no more than two motor vehicles shall be permitted at any one campsite, including the camping unit if said is a motor vehicle.
- G. Campsite use. Campsite use shall be on a first-come-first-served basis.
- H. Camping violations. The violation of any law or County ordinance by any member of a camping party shall constitute cause for revocation of the camping permit for the campsite in question.
- I. Campground hours. With the exception of registered campers, no person shall be allowed in the campground areas designated in § 398-11B during quiet hours (10:30 p.m. to 6:30 a.m.).

§ 398-34 Administration of forest lands.

Upon approval of applications by the Board for entry of lands under § 28.11(4), Wis. Stats., the County Clerk shall, after verifying County ownership of the listed lands, execute the applications and forward them to the DNR within the prescribed time limits for each year's applications. Withdrawal of lands so entered shall be perfected in the manner prescribed by § 28.11(11), Wis. Stats., upon adoption of a resolution via a two-thirds vote of the membership of the Board. No deed to any County forest land shall be issued prior to recording by the County of an order of withdrawal with the Register of Deeds.

§ 398-35 Forest financing.

All allotments from the DNR to the County under § 28.11(8)(b), Wis. Stats., for the purchase, development, preservation and maintenance of the County forest shall be deposited in the segregated state forest aid fund by the County Treasurer.

§ 398-36 Forest use regulations.

A. Recreational use.

- (1) Overnight camping may be permitted in the County forest without charge for a period not to exceed two weeks' time, provided that a dispersed camping permit is obtained. Dispersed camping is not allowed within 1/4 mile of campgrounds, day use areas and boat landings. Any camper or campers who violate the rules and regulations of this article or of good conduct, including cutting or defacing timber, carelessness with fire, and violation of game, fish and litter regulations, shall be subject to ejection from the County forest and subject to the penalties provided by ordinances and state law.
- (2) The dumping of rubbish, debris, dirt, stone or any other materials shall be prohibited on all County forest lands. Visitors, including berry pickers, hunters, fishermen and tourists, are forbidden to leave litter anywhere in the forest or in its lakes or streams.
- (3) It is unlawful for any person to have in his or her possession or under his or her control in any County forest any firearm or airgun as defined in § 939.22(2), Wis. Stats., or any bow, crossbow or slingshot in contravention of state law.
- (4) It is unlawful to construct, occupy or use any elevated scaffold or other elevated device on County forest lands other than portable tree stands or to cause damage to trees on County forest lands by the placement, erection or removal of tree stands or other means of gaining access to trees. Portable tree stands shall be removed at the end of each day's hunting hours.
- (5) It is unlawful to operate a vehicle for recreational use or other purposes in such a manner as to cause soil erosion or other damage to County forests.
- (6) It is unlawful to operate any unauthorized motor vehicle on roads or trails which are gated, bermed or posted to prohibit travel.
- (7) It is unlawful for any person to abandon or leave any fires unattended or to discard any matches, cigarettes, cigars, pipe ashes or any embers without first extinguishing them.
- (8) It is unlawful for any person to start or to possess any fires on a Department of Natural Resources designated red flag day, including but not limited to campfires, use of cooking grills, and smoking of cigarettes or pipes in the open. This prohibition includes all County-owned land.
- (9) It is unlawful to cross-country ski on any authorized snowmobile trail on County land.

B. Timber cutting.

- (1) Cultural cuttings shall include thinnings, release cuttings, sanitation cuttings and improvement cuttings to remove trees of inferior species, form, or condition for the purpose of stand improvement. All cultural cuttings in the County forest shall be approved of by the Committee, in accordance with

**Mandatory inclusions*

the County Forest Management Plan, and in cooperation with the staff of the DNR. Materials cut in such operations by County crews may be used by the Parks and Forests Department or given to other County agencies for their use or sold, as the Committee shall determine. When given, or sold, to other public agencies, the latter shall pay the County a sum not less than prevailing average stumpage rates.

- (2) Salvage cuttings shall include the cutting of timber damaged by fire, storm, insect or disease. Salvage cutting shall be done under the procedure specified for cultural cutting or for commercial cutting, as the Committee may decide.
 - (3) Commercial cuttings shall include all cuttings where stumpage is sold under contract in which the primary objective of the cutting is the marketing of the timber products, including logs, ties, poles, posts, pulpwood, piling, Christmas trees and boughs, or other forest products.
 - (a) Timber sales shall be managed in accordance with County forest law, § 28.10, Wis. Stats.
 - (b) Contract specifications for each cutting operation pertaining to payment and financial responsibility of the bidder shall be determined by the Committee in consultation with the Forest Administrator and the DNR Forester.
 - (c) After approval of any sales by the Committee, a notice of intention to cut shall be prepared under § 28.11(6)(b)(3), Wis. Stats., and DNR rules. Cutting operations shall not be started until cutting notice approval is received by the Department.
 - (d) All timber sales shall conform to the provisions of § 28.11, Wis. Stats., and shall follow the procedure as provided for in the DNR Timber Sales Handbook 2461.
 - (e) Payment for forest products shall be made promptly after billing. Prepayment and other payment arrangements may be arranged with the approval of the Committee.
- C. Firewood permits.
- (1) Each person who desires to purchase downed or standing trees in forests or parks for firewood must acquire a permit for that purpose from the Forest Administrator.
 - (2) The issuance of and use of permits shall be subject to the following conditions:
 - (a) No more than one permit shall be issued per household.
 - (b) Permits are not transferable.
 - (c) Wood cut shall be used for personal firewood needs only and may not be resold.
 - (d) Firewood may be collected only in the area designated on the permit.
 - (e) The permit holder must collect the firewood within the time period stated on the permit. Upon the expiration date of the permit, all rights are to be revoked.

**Mandatory inclusions*

- (f) The Forest Administrator reserves the right to cancel or revoke permits, and the use of permits will be suspended during periods of emergency burning restrictions.
 - (g) The permit holder shall personally or in conjunction with members of his or her household collect the firewood under the permit.
 - (h) Permit holders shall hold the County harmless from any injuries or property damage which they might incur in the process of wood collection and shall be held responsible for any damage to County property which they cause while operating under their permits.
- (3) Permit form. Firewood permits shall be prepared on a standard form by the Forest Administrator and approved by the Corporation Counsel and the Committee on Parks and Forests

Article III

Forest Products Gathering

[Adopted 4-21-1992 by Ord. No. 2-92]

§ 398-37 Permit required.

Any treaty rights participant interested in gathering firewood, tree bark, maple sap, lodge poles, boughs, marsh hay or other miscellaneous forest products (except fruits, seeds or berries not enumerated in County ordinances) from Price County owned land shall obtain a County gathering permit from the County Forestry Office prior to the exercise of said gathering rights.

§ 398-38 Application and processing.

The County Forest Administrator shall prepare an appropriate application requesting pertinent information from all treaty rights participants who seek to gather miscellaneous forest products on County forest lands. Said application shall be available upon request. Those treaty rights participants who seek to gather miscellaneous forest products shall provide proper identification and present a valid tribal membership card upon submitting an application with the County. Upon receipt of an application, the County shall respond to the gathering permit request no later than 14 days after receipt of said application. Said response shall either grant or deny the request. Should the request be denied, the reasons for said denial shall be set forth in the response of the County, including the basis for said denial with specific reference to the limitations set forth in § 398-44. Any application which is incompletely or incorrectly prepared shall be returned within said 14 days to the applicant with specific directions as to which portion or portions of said application are defective.

§ 398-39 Permit conditions.

The gathering permit shall indicate the location of the material to be gathered, the volume of the material to be gathered and any additional conditions on the gathering of the material necessary for conservation of timber or miscellaneous forest products on County land or for public health and safety. Treaty rights participants gathering miscellaneous forest products on County land may not be assisted in the gathering by any person other than another treaty rights participant. Treaty rights participants may not permit any person other than another treaty rights participant to tend or operate equipment involved in the gathering.

§ 398-40 Denial of gathering permit.

The County may not deny a request to gather miscellaneous forest products on Price County property under the terms of this article unless:

**Mandatory inclusions*

- A. The gathering is inconsistent with the forest management plan for said property;
- B. The gathering will conflict with preexisting rights of a permittee or other person possessing an approval to conduct an activity on the property, including a contractor of the County; or
- C. It is otherwise inconsistent with conservation or public health or safety.

§ 398-41 Violations and penalties.

Any person gathering miscellaneous forest products without first obtaining a gathering permit shall be subject to all existing penalties provided for in County ordinances, including trespass and timber theft charges. Any person who possesses a gathering permit and gathers beyond the authority granted in the permit or who causes damage to the timber or miscellaneous forest products on County land shall be assessed a forfeiture as provided in Chapter **290** of the County Code.

Article IV

Tree Stands, Elevated Devices and Ground Blinds

[Adopted 6-16-2013 by Ord. No. 1-13]

§ 398-42 Elevated platforms and portable tree stands.

- A. The construction or use of any permanently elevated platform, commonly referred to as a "permanent tree stand," on Price County forest land is prohibited.
- B. Screws, nails, lag screws, screw steps, spikes, or other similar devices are damaging to trees, therefore they are prohibited for use in trees on Price County forest land.
- C. Portable tree stands may be used on Price County forest land, provided that they do not damage trees. Portable tree stands can be placed on Price County forest land not more than one week prior to the opening day of Wisconsin's first big game hunting season and must be completely removed no later than one week after the closing date of Wisconsin's last deer season the following year. The Wisconsin Department of Natural Resources (WDNR) customer identification number must be attached to the stand at eye level to a person standing on the ground.
- D. Elevated platforms and portable tree stands found in violation of this article will be removed by Forestry Department employees. A person found in violation of any portion of this article is subject to a citation and monetary forfeiture.

§ 398-43 Ground blinds.

A ground blind means a structure, enclosure, or any material, natural or manufactured, placed on the ground to assist in concealing or disguising the user or occupant for the purpose of taking game. Department of Natural Resources (DNR) regulations regarding blaze orange material for ground blinds on DNR managed lands apply on County forest land. See current DNR hunting regulations pamphlet for details.

- A. The following types of ground blinds are legal on Price County forest land:
 - (1) Dead natural material ground blinds. These blinds must be completely made of materials natural to the area, such as dead leaves, branches, bark or naturally fallen trees. Screws, screw steps, metal

**Mandatory inclusions*

spikes, wire, nylon rope, or other nonbiodegradable materials may not be used to fasten materials together or to trees.

(2) Portable manufactured ground blinds. These blinds must be clearly portable. These blinds can be placed on Price County forest land one week prior to the opening day of Wisconsin's first big game hunting season and must be completely removed no later than one week after the closing date of Wisconsin's last deer season the following year. Fasteners, if used to anchor or attach the blind, cannot damage any living trees and must be removed with the blind. The WDNR customer identification number must be attached to the blind.

B. Portable manufactured ground blinds found in violation of this article will be removed by Forestry Department employees. A person found in violation of any portion of this article is subject to a citation and monetary forfeiture.

§ 398-44 Trail cameras.

Trail cameras may be used year round, so long as no damage is done to trees.

§ 398-45 Applicability.

The above-described prohibition shall apply to all lands owned or controlled by Price County.

§ 398-46 Violations and penalties.

Whoever violates any of the terms of this article will be subject to a citation and shall incur a forfeiture as provided in Chapter 290 of the County Code plus court costs and any applicable penalty assessments, including but not limited to restitution for damages and stand removal expenses.

1005.2.2 County ATV Ordinance*

**900.3.1 Article IV
All-Terrain Vehicle Routes**

[Adopted 2-16-2010 by Ord. No. 2-10; amended in its entirety 4-16-2013]

900.3.1.1 § 473-7 Title and purpose.

The title of this article is the "Price County All-Terrain Vehicle (ATV) Route Ordinance." The purpose of this article is to establish ATV routes on designated Price County highways (defined as highways owned and maintained by Price County) and to regulate ATV and utility terrain vehicle (UTV) operation on such ATV routes.

900.3.1.2 § 473-8 Authority.

The Price County Board, Price County, Wisconsin, has the specific authority to adopt this article under § 23.33(8)(b) and (11), Wis. Stats.

900.3.1.3 § 473-9 Adoption.

The Price County Board, Price County, Wisconsin, by this article, adopted on proper notice with a quorum and majority vote of the Price County Supervisors present and voting, provides the

authority for the County to designate ATV routes on Price County highways and to regulate the use of ATVs and UTVs on those routes.

900.3.1.4 § 473-10 Operation of all-terrain vehicles.

Pursuant to § 23.33(4)(d)4, Wis. Stats., except as otherwise provided in § 23.33(4), Wis. Stats., no person may operate an ATV or UTV on the roadway portion of any Price County highway except portions designated as ATV routes under this article. Operation of ATVs and UTVs on a Price County highway that is an ATV route is authorized only for the extreme right side of the roadway, not the shoulders, except that left turns may be made from any part of the roadway that is safe given prevailing conditions.

900.3.1.5 § 473-11 Designation of all-terrain vehicle routes.

A. No portion of any Price County highway shall be deemed to be an ATV route unless it is so designated on the map titled "Official Price County Highway ATV Routes, Price County, Wisconsin" maintained by and displayed in the Price County Clerk's office at the Price County Courthouse and the office of the Price County Highway Department, 704 N Lake Ave, Phillips, Wisconsin, and unless such designated portion of the Price County highway is legally signed as an ATV route. All notations and references shown on the map are incorporated into this article. The Price County Highway and Transportation Committee (or its successor) is hereby authorized to make changes to the map (including dates when ATV routes, whether specific ones or all of them, shall be open and available for ATV and UTV use) upon motion approved at any properly noticed meeting of said Committee or by the Price County Board upon motion approved at any properly noticed meeting of said Board. Any request for the addition of a new ATV route or for a modification to an already existing ATV route must be submitted to the Price County Highway and Transportation Committee; said Committee shall send a copy of such request (even if such request comes from the Price County Highway Department) to the Price County ATV Trail Association (or its successor) at least two weeks prior to the first Price County Highway and Transportation Committee meeting at which such request shall be discussed and/or acted upon in order to give the Price County ATV Trail Association (or its successor) time to give its comments and suggestions to the Price County Highway and Transportation Committee. Any such request for a new ATV route or for a modification to an already existing ATV route must indicate which ATV or UTV organization or which governmental body will be responsible for purchasing signs for the route affected and the name of the contact person for said organization or governmental body, although, if the request is granted, the Price County Highway Department will be responsible for the actual installation of such signs purchased by said ATV organization or governmental body. However, the Price County Highway Commissioner may remove any route as a result of any problems or safety concerns pending a full report and decision upon such route by the Price County Highway and Transportation Committee.

- B. A governmental body shall be defined as any municipal unit of government within Price County excluding Price County government.

900.3.1.6 § 473-12 Conditions applicable to all-terrain vehicle routes.

Pursuant to § 23.33(8)(d), Wis. Stats., the following restrictions are placed on the use of ATV routes upon any portion of Price County highways designated by this article and the map created by it:

- A. Routes shall be marked with uniform ATV route signs in accordance with § NR 64.12(7), Wis. Adm. Code. No person may do any of the following with respect to signs marking ATV routes upon any designated portion of Price County highways:
- (1) Intentionally remove, damage, deface, move, or obstruct any uniform ATV route or trail sign or standard or intentionally interfere with the effective operation of any uniform ATV route or trail sign or standard if the sign or standard is legally placed by the state, any municipality, or any authorized individual.
 - (2) Possess any uniform ATV route or trail sign or standard of the type established by the Department for the warning, instruction or information of the public, unless he or she obtained the uniform ATV route or trail sign or standard in a lawful manner. Possession of a uniform ATV route or trail sign or standard creates a rebuttable presumption of illegal possession.
- B. Operation shall be subject to all provisions of § 23.33, Wis. Stats., which is adopted as a part of this article by reference, pursuant to § 23.33(11), Wis. Stats.
- C. A copy of this article together with the map referenced herein and any future amendments to either this article or the map shall be sent by the Price County Highway Department to the Price County Sheriff's Department and to the Wisconsin Department of Natural Resources.
- D. Restrictions.
- (1) All ATV and UTV operators shall observe posted ATV roadway speed limits unless such roadway speed limits are in excess of 35 miles per hour, in which case the ATV and UTV speed limit shall be 35 miles per hour.
 - (2) All ATV and UTV operators shall ride single file on the right side of the pavement, but shall not operate on the shoulders or in the ditch.
 - (3) ATV and UTV operators will be at least 16 years of age or accompanied by an adult.
 - (4) Unless otherwise indicated on the Official Price County Highway ATV Routes, Price

**Mandatory inclusions*

County, Wisconsin, referenced above, ATV routes upon any Price County highways shall be open and available for ATV use from May 15 through October 15 of each year unless modified by the Price County Highway and Transportation Committee (or its successor) or the Price County Board.

(5) Headlights shall be on at all times.

(6) ATVs and UTVs shall yield the right-of-way to other vehicular traffic and pedestrians.

900.3.1.7 § 473-13 Enforcement.

This article may be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin.

900.3.1.8 § 473-14 Violations and penalties.

The penalties in § 23.33(13)(a), Wis. Stats., are adopted by reference.

900.3.1.9 § 473-14.1 When effective.

This article shall become effective upon publication and once full uniform ATV route signage is in place in accordance with the Wisconsin Administrative Code.

An Ordinance to Amend the Price County Code
Chapter 473 Thereof, Entitled " Vehicles and Traffic",
by Adding ~~§§14(G) and (D)~~
Changing Language in §§ 12(D)(4) and (6) and § 14

Be it ordained by the Price County Board of Supervisors, as follows: Section-(eeted) Section/
2"/The Code of Price County, is hereby amended to change the dates of operation, clarify yield
the right-of-way and establish the forfeiture, to read as follows: 473- 12 Conditions applicable to
all -terrain vehicle routes. (D) Restrictions:

4) Unless otherwise indicated on the Official Price County Highway ATV Routes, Price
County, Wisconsin, referenced above, ATV routes upon any Price County highways shall
be open and available for ATV use ~~from May 15 through October 15 of each year-~~

**Mandatory inclusions*

round unless modified by the Price County Highway and Transportation Committee (or its successor) or the Price County Board.

6) ATVs and UTVs shall yield the right-of-way to other vehicular traffic and pedestrians by pulling off onto the shoulder and stopping.

473- 14 Violations and penalties:

~~The penalties in § 23.33(13)(a), Wis. Stats., are adopted by reference.~~ Any person violating any section of this article shall be subject to a forfeiture as provided in Chapter 290 of the County Code plus any penalty assessment and court costs.

Section 8 2

Effective date.

This ordinance shall become effective upon publication and once full uniform ATV route signage is in place in accordance with Wisconsin Adminive Code

1005.2.3 Shoreland Zoning Ordinance

All zoning ordinances will be followed. A copy of the Zoning ordinance can be found on the Price County website along with every other county ordinance.

1005.2.4 Other

**Mandatory inclusions*

1010 PERMITS, USE AGREEMENTS, POLICIES AND CONTRACTS

1010.1 TIMBER SALE CONTRACT*

**PRICE COUNTY FOREST
TIMBER SALE CONTRACT**

CONTRACT NO:

This contract entered into between the Forestry and Parks Committee, Price County, Wisconsin, hereinafter referred to as the "Seller" and:

Hereinafter called "Purchaser."

The Seller and Purchaser in consideration of the covenants hereinafter set forth mutually agree as follows:
Purchaser may cut and remove timber on the following described lands:

Part of

which are further described in attachments and made a part of this contract.

SALE VALUE

ESTIMATED SALE VALUE: \$ _____
LUMP SUM BID: \$ _____

SPECIES OR PRODUCTS	ESTIMATED VOLUME	RATE PER:	
		TON	M BOARD FT

ALL THE MARKED OR DESIGNATED TIMBER IS SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1. Purchaser shall completely perform his obligations under this contract by the **30th day of April, 2021**. An extension of this contract may be granted by the Seller with an appropriate adjustment of stumpage rates as determined by the Seller. A request for contract renewal must be sent to the Price County Forestry and Parks Department by the expiration date of this contract. After 30 days from April 30, failure to comply with this procedure automatically cancels this contract. A \$50.00 renewal fee will be charged for the first extension, \$100.00 renewal fee for the second extension and \$250.00 renewal fee for the third extension. Contract Extensions are not guaranteed. If an extension is granted, stumpage rates will be increased, first extension 0-20% and second extension 0-50%.
2. Before cutting or removing any timber under this contract, Purchaser shall deposit with the Forest Administrator on or before **January 10, 2020** a cash performance bond or letter of credit in the amount of \$_____ to guarantee the Purchaser will carry out the provisions of the contract. The letter of credit shall have an expiration date of **December 31st, 2021, 2022 or 2023**.
3. **TERMINATION.** The Seller may terminate this Contract by oral or written notice to the Purchaser upon its breach as determined by the Seller or at other times when deemed necessary by the Seller. The Seller may also terminate this Contract upon breach of any other similar timber sale contract entered into by the Purchaser with the State of Wisconsin or with a County Forest in the State, as determined by the Seller. Upon such notice, the Purchaser shall cease all operations on and immediately leave, and not return to, the Seller's property unless otherwise provided by the Seller.
4. **FOREST CERTIFICATION.**

The area encompassed by this timber sale is certified to the standards of the Forest Stewardship Council® SCS-FM/COC-00083G FSC 100% and the Sustainable Forestry Initiative® NSF-SFI-FM-1Y943 SFI 100%. Forest products from this sale may be delivered to the mills "FSC-100%" and/or "SFI 100%" as long as the contractor hauling the forest products is chain-of-custody (COC) certified or covered under a COC certificate from the destination mill. The purchaser is responsible for maintaining COC after leaving the sale area.

PERFORMANCE REQUIREMENTS

5. The Purchaser agrees that the performance bond may be retained by the Seller until all performance under this Contract has been completed to the Seller's satisfaction and the Seller determines the performance has been so completed. If the Seller determines the performance has not been completed satisfactorily and in conformance with this Contract, the performance bond may be retained by the Seller until the Seller can determine damages caused by the lack of performance. If damages exceed the amount of the performance bond, the Seller may retain any prepaid stumpage up to the amount of calculated damages, at the Seller's discretion. If

damages exceed the amount of the performance bond, the Seller may bill and seek damages from the Purchaser, in equity or in law, for the amount of calculated damages in excess of the performance bond, at the Seller's discretion. Only in the event the Purchaser provides written notice of sale completion to the Seller shall the Seller have sixty (60) days to determine that performance has been completed as required under this Contract.

6. Upon written notice by certified letter from the Seller or its representative, to the Purchaser, that he is not in compliance with one or more conditions of this contract, all operations must be suspended and may not be resumed without written authorization.
7. Upon failure of Purchaser to comply with one or more of the conditions of this contract, the performance bond indicated above will be forfeited to the County upon written notice by certified letter to the Seller.
8. Purchaser shall comply with specifications for operations under this contract. These specifications are attached to and made a part of this contract.
9. Upon successful completion of this contract the Performance Bond may be applied to timber stumpage due on this or other contract the Purchaser has with Price County.

CUTTING REQUIREMENTS

10. **The Purchaser shall inform the Seller when cutting is started and ended for the season on the sale area.**
11. All timber marked or otherwise designated by this contract to be cut, shall be cut progressively and to the satisfaction of the representative of the Seller, whether or not the quantity of such timber is more or less than the estimates comprising the operational specifications. In clear cut areas where timber is rough cut, all species must be cut concurrently with Aspen. Where Aspen is sap-peeled, residual timber must be cut and skidded and all shearing completed by April 1st of the following year.
12. Marked or designated trees left uncut, and unmarked or undesignated trees cut or damaged, and timber wasted in tops and stumps shall be paid for at a rate double or more, the contract stumpage rate specified. Any young growth bent or held down by felled trees must be promptly released. All species are to be utilized to a 4-inch top diameter unless otherwise specified.
13. Best Management Practices (BMPs) requirements and other Guidelines:
 - a) The Purchaser shall comply with all recommended BMPs for Water Quality guidelines as described in "*Wisconsin's Forestry Best Management Practices for Water Quality*" published by the Wisconsin Department of Natural Resources, publication Pub-FR-093.
 - b) The Purchaser shall comply with all recommended Forestry BMPs for Invasive Species as described in "*Wisconsin Forestry Best Management Practices for Invasive Species*" published by the Wisconsin Department of Natural Resources, publication Pub-FR-444-09.

**Mandatory inclusions*

- c) The Purchaser shall comply with all General Guidelines as described in “*Wisconsin’s Forestland Woody Biomass Harvesting Guidelines*” published by the Wisconsin Department of Natural Resources publication PUB-FR-435-09.

14. Excessive Soil Disturbance will not be tolerated.

A soil disturbance is “excessive” if it has exceeded the threshold (see Table 1).

Table 1. Thresholds for soil disturbances.	
County Forest Infrastructure	Soil disturbances are excessive if:
Roads, Landings, Skid Trails, and General Harvest Area	<ul style="list-style-type: none"> • A gully or rut is 6 inches deep or more and is resulting in channelized flow to a wetland, stream, or lake.
Roads, Landings, and Primary Skid Trails	<ul style="list-style-type: none"> • In a riparian management zone (RMZ) or wetland, a gully or rut is 6 inches deep or more and 100 feet long or more. • In an upland area (outside of RMZ), a gully or rut is 10 inches deep or more and 66 feet long or more.
Secondary Skid Trails and General Harvest Area	<ol style="list-style-type: none"> 1. Gully or rut is 6 inches deep or more and 100 feet long or more.
<p>Note: The depth is to be measured from the original soil surface to the bottom of the depression. If individual lug depressions are visible, the depth would be measured to the lesser of the two depths (the “top” of the lug). The length is measured from the start of the “too deep” section to the end of the “too deep” section. Measurements are not cumulative.</p>	

Classifying a soil disturbance as “excessive” does not mandate closing of a timber sale or a forest road; however, actions should be taken, as appropriate, to minimize further soil disturbances. If a timber sale has soil disturbances that exceed the excessive threshold, then the expectation is that the contractor will contact the timber sale administrator (or vice versa) and together they will evaluate the disturbance and determine what actions, if any, are needed to repair or mitigate the effects of the soil disturbance.

15. Maximum stump height shall be the stump diameter, but shall not exceed 12 inches in height. All slash is to be lopped within two feet of the ground.
16. Timber shall not be removed from premises until paid for or guarantees for payment acceptable to the Seller are provided.
17. Title to all forest products shall remain with the County until the products are scaled and paid for by Purchaser. Purchaser shall be responsible for payment of all damage or loss of forest products resulting from fire, flood, theft, or other causes during the course of his operation.
18. Location of logging roads, mill sites, and camp sites must be approved by the representative of the Seller prior to construction and all debris must be disposed of upon termination of contract. Purchaser shall maintain forest haul roads in their original conditions. Roadways,

trails, and wildlife openings shall be kept free from brush, tops, ends and other debris. Logging roads that intersect town, county or state roads or highways must have the intersections approved by the proper authorities prior to construction and cleared of all unsightly debris at the time of construction. All restoration, cleanup or repair of roads, recreational infrastructure, landings, mill sites and campsites, or the cost of the cleanup, if not completed by the purchaser to the satisfaction of the Seller, is the responsibility of the Purchaser.

19. Purchaser shall be responsible for observing the designated boundaries of the sale area and shall be liable for all trespass committed by Purchaser outside of such boundaries.
20. Purchaser shall do all in his power to cooperate with the fire protection officers to prevent and suppress forest fires and to comply with all state laws regarding timber slash disposal.
21. The decision of the Seller acting on the advice of its agents and the Forester, Wisconsin Department of Natural Resources, as to whether Purchaser is in compliance with the terms of this contract, shall be final.
22. **Indemnification.** The Purchaser agrees to protect, indemnify and save harmless the Seller and the Seller's employees and agents from and against all causes of action, claims, demands, suits, liability or expense by reason of loss or damage to any property or bodily injury to any person, including death, as a direct or indirect result of operations under this Contract or in connection with any action or omission of the Purchaser, who shall defend the Seller and the Seller's employees and agents in any cause of action or suit.
23. **Liability and Worker's Compensation Requirements:**
 - A. Purchaser agrees to assume all liability for any damage or injury to persons or property, real or personal, resulting from Purchaser's operations under this contract and will hold the County harmless from the same. A minimum of \$1,000,000 in liability insurance is required.
 - B. The Purchaser shall furnish proof of Worker's Compensation Insurance. In the event the Purchaser's insurance is terminated for any reason, he shall immediately cease all activities otherwise permitted by this contract and provide written notice to the Committee.
24. **WISCONSIN SFI® TRAINING STANDARD.** The Purchaser agrees to provide the seller with a certificate of compliance with Wisconsin SFI® Training Standards prior to starting sale.

One "in woods" person actively responsible for each logging site must meet the current SFI® Training Standards. A certificate showing that this standard has been met for the "in woods"

person must be on file with the Price County Forestry and Parks Department prior to starting sale.

25. OSHA Compliance, Danger Trees.

The Purchaser is responsible to comply with, and assure compliance by all employees or subcontractors with, all Occupational Safety and Health Act (OSHA) requirements for the health and safety of Purchaser's employees, including provisions relating to danger trees. In addition, the Purchaser agrees to notify, and obtain agreement from, the Seller if the Purchaser intends to modify performance required under this Contract for the purpose of compliance with OSHA requirements.

26. The Purchaser is an independent contractor for all purposes, including worker's compensation, and not an employee or agent of the Seller. The Seller agrees that the undersigned Purchaser shall have the sole control of the method, hours worked, time and manner of any timber cutting to be performed hereunder and takes no responsibility for supervision or direction of the performance of any of the harvesting to be performed by the undersigned Purchaser or of the Purchaser's employees except for the limited right of the Seller to cease operations for breach of this Contract. The Seller further agrees it will exercise no control over the selection and dismissal of the Purchaser's employees.

27. This contract cannot be assigned in whole or in part without written approval of the Seller.

28. All modifications to this contract must be in writing, signed by the parties hereto.

SCALING AND CONVERSION FACTORS

29. The Seller may inspect trucks hauling forest products from the premises and check scale at any time.

30. When peeled cordwood is scaled, it is agreed that 12½% will be added to hand peeled or stroke delimeter/processor peeled volume and 16% to ring debarked volume.

31. The Scribner Decimal C Log Rule shall be used for scaling logs. All logs measuring eight feet or longer in length, ten inches or larger inside the bark for hardwoods and eight inches inside the bark for softwoods on the small end, and grading number three log or better, shall be scaled by board foot measure unless otherwise designated. Conversion of MBF (thousand board feet) to cords or cords to MBF shall be 2.44 cords per MBF for softwoods and 2.20 cords per MBF for hardwoods.

32. All sawlogs shall be separated from pulpwood when piled.

PULPWOOD MILL SCALE SYSTEM

33. All pulpwood will be scaled using the mill scale system. On mixed species loads, the entire load will be billed at the stumpage rate for the highest value species included on the load.
34. Ticket books shall be issued when the Contract is signed and periodically thereafter as needed. All tickets shall be accounted for by the Purchaser. Unused tickets shall be returned to the Seller immediately upon completion or termination of the Contract.
35. The Purchaser may receive tickets equal to 3/5 of his bond. He may purchase as many additional tickets as he prefers. Each ticket will be in triplicate and will represent one load. The price of the ticket will be the average load size times the price per cord of the species it represents.
36. Tickets are issued for the Contract specified on the cover of the ticket book and shall not be used for any other Contract.
37. Prior to hauling any timber, the Purchaser must make arrangements with all buyers of cut timber from the premises to return copies of scale slips attached to corresponding tickets.
38. A list of all truckers that will be hauling wood from the premises shall be provided to the Seller by the Purchaser. It shall be the responsibility of the Purchaser to provide such truckers with appropriate ticket books.
39. Lock boxes shall be placed on the premises by the Seller.
40. **Each time a load of cut timber leaves the sale area, the appropriate portion of the ticket shall be clearly, completely and accurately filled out and deposited in the lock box.**
41. **Failure to deposit tickets in the lock box each time a load of cut timber leaves the sale area will be considered a breach of contract. Purchaser agrees to pay double the stumpage rate for each load so removed, with possible contract cancellation and bond forfeiture.**
42. When transporting timber from the sale area, the truck driver shall have in his/her possession the appropriate portion of the ticket applicable to the load.
43. The Seller may check scale and scale tickets at any time.

**Mandatory inclusions*

44. Truck Delivery: the appropriate portion of the ticket shall be detached at the point where the wood is scaled and attached to a duplicate copy of the scale slip. Both shall be returned to the Seller.
45. Rail Car Shipment to a Mill: The appropriate portion of the ticket shall be attached to the bill of lading for the car. At the mill the ticket shall be attached to a copy of the scale slip, then immediately returned to the Seller.
46. The mill scale slip that corresponds to the lock box ticket must be received by the seller within 30 days of hauling or a minimum of 15 cords per load will be billed.

STUMPAGE PAYMENT POLICY

I. Scaled Sales

- 1) Stumpage payments are due within 30 days of stumpage statement date.

II. Lump Sum Sales

- 1) 25% of the sale value is due before cutting begins.
- 2) An additional 25% is due when the sale is one fourth cut.
- 3) An additional 25% is due when the sale is half cut.
- 4) The final 25% is due when the sale is three fourths cut.
- 5) Total bid price must be paid, regardless of volumes removed.

III. Late Payments

- 1) 1½% compounded interest per month (18% annually) will be charged on bills that are more than 30 days past due.
- 2) Credit limit shall not exceed performance bond amount, or sale operation may be suspended.

_____	_____	_____
Forest Administrator	Date	Purchaser Date

(revised 4/20)

**Mandatory inclusions*

1010.2 TIMBER SALE EXTENSION / RENEWAL POLICY*

See number 1 of the timber sale contract above.

1010.3 FIREWOOD PERMIT

20XX FIREWOOD PERMIT

**PRICE COUNTY FORESTRY AND PARKS DEPARTMENT
104 SOUTH EYDER AVENUE, ROOM 217
PHILLIPS, WISCONSIN 54555
FAX: 715-339-3027; PH: 715-339-6371; E-MAIL: pcforest@co.price.wi.us**

PERMITTEE'S NAME _____

ADDRESS _____

DATE _____ **PHONE** _____

MAKE, MODEL & COLOR OF VEHICLE _____

VEHICLE LICENSE NUMBER _____

PERMITTEE'S SIGNATURE _____

FORESTRY PERSONNEL _____

FEE: \$20.00 - Payable in advance and not refundable.

The above Permittee is hereby authorized and permitted to gather firewood, subject to the conditions listed below:

A. Amount of product that may be gathered: **10 pulp cord equivalents.**

B. Standard Provisions

- 1) Only dead and down wood may be cut. No cutting of live trees.
- 2) No damage to live trees (including small regeneration) can be done while gathering firewood.
- 3) Permittee will use the wood for personal use only. No firewood is to be sold.
- 4) Access and use of equipment off of the existing roads must be approved by the County Forest Administrator in advance. No vehicles will be allowed behind gated or bermed trails.
- 5) In timber sale areas, permission must be received from the timber contractor.
- 6) The Permittee must possess this permit at all times while gathering or transporting the gathered firewood and presented to any County representative upon request.
- 7) The Permit holder assumes all responsibility to assure that he/she is on County Forest property.
- 8) The Permit holder assumes all responsibility for his/her own protection and agrees to hold the County harmless for any accident or injuries that may happen to themselves or others. The

**Mandatory inclusions*

permittee shall recognize that it is the permittee's responsibility to gather forest products in a safe manner. It is suggested that personal protective equipment, such as leather gloves, heavy leather boots, safety chaps, safety glasses, ear protection, and a hard hat be used.

- 9) All roads and trails shall be kept open at all times and may not be damaged.
- 10) No skidding equipment may be utilized without written permission from the County.
- 11) No Permittee shall transfer this permit or allow the use thereof by any other person.
- 12) Violations of this permit or any conditions of gathering stated herein shall be determined by the County Forest Administrator and will result in the revocation of such permit. Violations may also subject the Permittee to an assessment for any actual damage caused or prosecution for violation of 26.05 (timber theft) or 943.13 (trespass), Wis. Stats., or applicable statutes, County Park and Forest ordinances. Section XXIII(C).
- 13) The Permittee agrees to comply with the state timber theft, slash, fire, and litter laws. No gathering may be conducted during emergency forest fire bans.

This Permit is Valid through December 31, 20XX

(Revised 2018)

1010.4 PRIVATE ACCESS – LAND USE PERMIT

AGREEMENT TO CONVEY ROAD ACCESS PERMIT

Agreement made this _____ day of _____, 20____, between Price County a municipal corporation of the State of Wisconsin, having its principal office and place of business at the Courthouse in the City of Phillips, Price County, Wisconsin, hereinafter called “County,” and (Name) _____ of (address) _____, PH:(____) _____, hereinafter called “Grantee.”

The parties agree as follows:

SECTION ONE – Conveyance of Access

The County hereby agrees to grant and convey to the grantee access under the following terms and conditions.

SECTION TWO – Description of Access

Said access shall be no more than two rods in width and shall cover the following described land:

(Description) _____

SECTION THREE – Duration and Purposes of Access

Said access shall be used solely for access to the grantee’s property by the grantee and Price County or Price County’s agents or employees, and the grantee’s employees or agents. Said access shall be for a term not exceeding five (5) years or upon change of ownership, whichever occurs

**Mandatory inclusions*

first, with renewals of this agreement to be made in writing only. PERMIT EXPIRES ON DECEMBER 31ST OF 20_____.

SECTION FOUR – Construction and Maintenance

The access described above shall be constructed and maintained in good repair by the grantee’s sole cost and expense.

SECTION FIVE – SAVE HARMLESS CLAUSE

The grantee agrees to protect, indemnify, and save harmless the County, its agents and employees, from and against any and all claims, demands, suits, liability and expenses, by reason of loss or damage to any property or bodily injury to any person whatsoever, that may arise from the construction and placement of objects on the described land and from the maintenance or use of the described land.

SECTION SIX – Consideration

The grantee agrees to pay the County the sum of \$150.00 for said access to the County on or before the _____ day of _____, 20_____.

Dated this _____ day of _____, 20_____.

Forestry & Parks Administrator

Dated this _____ day of _____, 20_____.

County Clerk

Dated this _____ day of _____, 20_____.

**Mandatory inclusions*

Grantee

Dated this _____ day of _____, 20__.

Grantee

(Agreement to convey road access permit 2-14-2018)

1010.5 CAMPING POLICY / PERMIT

Price County Forestry and Parks Department

**Special Camp Registration Permit
9-10**

This special camping permit has been issued to:

Name: _____

Phone No. _____

Address: _____

Vehicle Make: _____ Model: _____

License Number: _____ State: _____

Without charge to camp at the following location:

This permit valid only as indicated:

Camping Date: _____ 2 week
period _____

And must be displayed on outside of camping unit.

Type of camp unit: _____ No. in
party _____

PLEASE READ THE FOLLOWING REGULATIONS:

1. Camp only at designated location.
2. This Permit not valid within ¼ mile of campgrounds, day-use areas and boat landings.
3. Dispose of your garbage, cans, bottles, etc., in an authorized manner.
4. Be sure the campfire is out when you leave camp.
5. Do not cut any living trees or bushes.
6. Leave a clean campsite.

**YOUR CONDUCT WILL DETERMINE WHETHER
THIS CAMPING PRIVILEGE WILL BE
CONTINUED.**

Signature of Forestry Department Employee

Permittee Signature

Date of Issue

**Dispersed Camping Policy
and Guidelines.**

The Department will issue free dispersed camping permits for the Price County Forest. Camping only allowed for 14 day intervals.

Dispersed camping is not allowed within ¼ mile of campgrounds, day use areas and boat landings. Camping is available at the Solberg Lake, Smith Lake and Big Falls County Parks with a fee required. Tents, RVs and trailers are allowed.

Vehicles and camp may not block roadway or damage right-of-way (Please do not block trails). We may need to access them in case of emergencies.

Firewood gathering in the general vicinity of the camp is allowed. Firewood MUST BE dead or down – none can be taken home or removed from the forest unless a firewood permit is purchased from our office.

Campsites must be left in good condition. Nails are not allowed in trees, please use rope. Privy waste must be buried and anything brought in must be brought out. Sites will be inspected and citations may be issued.

Thank you for your cooperation.

**Price County Forestry and Parks
Department
104 South Eyder Ave -- Room 217
Phillips, WI 54555**

Phone: 715-339-6371

Fax: 715-339-3027

Email: pcforest@co.price.wi.us.

1010.6 TREE STAND POLICY

Chapter 398. Parks and Forests Article IV. Tree Stands, Elevated Devices and Ground Blinds [Adopted 6-16-2013 by Ord. No. 1-13] § 398-42.

1. Elevated platforms and portable tree stands.

The construction or use of any permanently elevated platform, commonly referred to as a "permanent tree stand," on Price County forest land is prohibited. Screws, nails, lag screws, screw steps, spikes, or other similar devices are damaging to trees, therefore they are prohibited for use in trees on Price County forest land. Portable tree stands may be used on Price County forest land, provided that they do not damage trees. Portable tree stands can be placed on Price County forest land not more than one week prior to the opening day of Wisconsin's first big game hunting season and must be completely removed no later than one week after the closing date of Wisconsin's last deer season the following year. The Wisconsin Department of Natural Resources (WDNR) customer identification number must be attached to the stand at eye level to a person standing on the ground. Elevated platforms and portable tree stands found in violation of this article will be removed by Forestry Department employees. A person found in violation of any portion of this article is subject to a citation and monetary forfeiture.

2. Ground blinds.

A ground blind means a structure, enclosure, or any material, natural or manufactured, placed on the ground to assist in concealing or disguising the user or occupant for the purpose of taking game. Department of Natural Resources (DNR) regulations regarding blaze orange material for ground blinds on DNR managed lands apply on County forest land. See current DNR hunting regulations pamphlet for details. The following types of ground blinds are legal on Price County forest land: Dead natural material ground blinds. These blinds must be completely made of materials natural to the area, such as dead leaves, branches, bark or naturally fallen trees. Screws, screw steps, metal spikes, wire, nylon rope, or other

**Mandatory inclusions*

nonbiodegradable materials may not be used to fasten materials together or to trees. Portable manufactured ground blinds. These blinds must be clearly portable. These blinds can be placed on Price County forest land one week prior to the opening day of Wisconsin's first big game hunting season and must be completely removed no later than one week after the closing date of Wisconsin's last deer season the following year. Fasteners, if used to anchor or attach the blind, cannot damage any living trees and must be removed with the blind. The WDNR customer identification number must be attached to the blind. Portable manufactured ground blinds found in violation of this article will be removed by Forestry Department employees. A person found in violation of any portion of this article is subject to a citation and monetary forfeiture.

3. Trail cameras.

Trail cameras may be used year round, so long as no damage is done to trees.

4. Applicability.

The above-described prohibition shall apply to all lands owned or controlled by Price County.

5. Violations and penalties.

Whoever violates any of the terms of this article will be subject to a citation and shall incur a forfeiture as provided in Chapter 290 of the County Code plus court costs and any applicable penalty assessments, including but not limited to restitution for damages and stand removal expenses.

1010.7 OTHER

**Mandatory inclusions*

1015 FACILITIES AND REPORTS

1015.1 RECREATIONAL INVENTORY*

Recreational Feature	Count
Campgrounds / 96 Campsites	3
Canoe Campsites	2
Nature Trails	2 (1.25 miles total)
Hiking Trails	5 (7.5 miles total)
Ski Trails	3 (15 miles total)
Snowmobile Trails	40 miles total
Hunter Walking Trails	6 (45 miles total)
Summer ATV Trails	4 (17.1 miles total)
Winter ATV Trails	3 (25.4 miles total)
Picnic Areas	8 (6 shelters total)
Swimming Beaches	4
Observation Tower	1
Boat Landings	7
Fishing Piers	2
Equestrian Parking/Hitching Areas	1
Rifle Range	1

*Mandatory inclusions

1015.2 STATEMENT OF COUNTY FOREST LOAN *



County	Variable Acreage Share Loans		County Repayments		Project Loans		County Repayments		Balance Owed DNR
	FY 2019	Tot To Date	FY 2019	Tot To Date	FY 2019	Tot To Date	FY 2019	Tot To Date	
Ashland	0.00	670,445.66	0.00	803,775.11	0.00	1,125,780.74	0.00	972,286.69	20,152.60
Barron	0.00	122,285.69	0.00	330,972.02	0.00	874,219.80	0.00	685,533.47	0.00
Bayfield	0.00	2,327,946.84	0.00	2,483,671.37	0.00	300,000.00	0.00	144,275.47	0.00
Burnett	55,550.46	2,455,661.70	189,809.13	3,045,569.89	29,356.50	2,013,672.27	157,590.33	970,910.27	452,853.81
Chippewa	0.00	552,019.26	0.00	623,718.24	0.00	161,000.51	0.00	83,301.53	0.00
Clark	0.00	1,161,477.30	0.00	1,206,438.45	0.00	53,000.00	0.00	8,115.85	-77.00
Douglas	0.00	1,875,638.45	0.00	1,992,444.05	0.00	529,850.00	0.00	414,044.40	0.00
Eau Claire	0.00	526,533.23	0.00	605,711.20	0.00	128,933.08	0.00	47,755.11	0.00
Florence	0.00	444,068.78	0.00	780,481.72	0.00	1,577,376.82	0.00	1,340,963.88	0.00
Forest	7,413.34	236,907.91	3,290.72	221,240.34	41,147.76	4,408,212.53	62,030.13	409,488.57	4,014,391.53
Iron	0.00	2,701,711.99	0.00	3,085,529.56	0.00	767,860.74	0.00	380,043.17	0.00
Jackson	0.00	1,875,477.59	96,088.72	2,331,839.32	0.00	938,007.00	48,032.48	423,749.47	58,895.80
Juneau	0.00	116,824.82	0.00	290,825.33	0.00	1,213,470.63	0.00	628,078.82	411,391.30
Langlade	0.00	555,874.24	0.00	555,874.24	0.00	0.00	0.00	0.00	0.00
Lincoln	0.00	590,731.41	0.00	1,027,543.40	0.00	1,220,980.00	0.00	784,168.01	0.00
Marathon	14,811.24	580,675.32	44,537.89	489,343.06	0.00	2,545,511.00	198,022.19	1,314,204.89	1,322,638.37
Marquette	0.00	1,104,208.02	0.00	1,142,208.02	0.00	38,000.00	0.00	0.00	0.00
Monroe	0.00	21,340.37	0.00	49,115.77	192,020.00	328,770.00	0.00	102,276.30	198,718.30
Oconto	0.00	219,031.59	0.00	380,675.49	0.00	450,000.00	0.00	288,356.10	0.00
Oneida	0.00	1,186,720.14	0.00	1,407,141.62	0.00	439,010.00	0.00	218,588.52	0.00
Polk	8,222.86	315,710.71	13,609.08	451,251.84	0.00	840,353.50	37,193.13	696,589.51	8,222.86
Pierce	0.00	1,491,622.00	0.00	1,799,816.71	0.00	804,427.48	0.00	486,232.77	0.00
Rusk	44,541.79	2,103,307.88	81,938.69	2,097,254.14	0.00	136,950.00	5,394.00	141,252.85	1,750.89
Sawyer	0.00	1,172,316.95	0.00	1,606,888.73	0.00	1,000,000.00	0.00	365,428.22	0.00
Taylor	0.00	204,461.52	0.00	224,907.68	0.00	36,398.28	0.00	15,952.12	0.00
Vernon	0.00	0.00	0.00	0.00	0.00	894,479.54	7,053.29	22,516.16	871,963.38
Vilas	0.00	779,307.74	0.00	1,081,984.47	0.00	678,019.42	0.00	375,342.69	0.00
Washburn	74,617.18	3,238,089.47	240,664.11	3,719,774.78	158,015.00	930,724.71	66,556.25	449,039.40	0.00
Wood	0.00	259,901.61	0.00	314,618.91	0.00	77,000.00	0.00	22,282.70	0.00
State Total :	205156.97	28892298.19	669938.34	34580615.46	420539.26	24610008.05	581900.80	11780788.94	7360901.84

NOTE: Severance Payments " In the mail " OR Otherwise still In Process are not in this Report. This Report is on a Fiscal Year basis.
 Prepared by Division of Forestry, July 3, 2019
 WI. Department Of Natural Resources

**Mandatory inclusions*

1020 MISCELLANEOUS MAPS AND BROCHURES

1020.1 COUNTY SNOWMOBILE MAP

<https://www.co.price.wi.us/187/Motorized-Trails>

1020.2 COUNTY ATV TRAILS

<https://www.co.price.wi.us/187/Motorized-Trails>

1020.3 COUNTY NON-MOTORIZED RECREATIONAL TRAILS

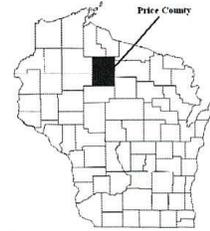
<https://www.co.price.wi.us/185/Non-Motorized-Trails>

*Mandatory inclusions

1020.4 CERTIFIED COUNTY FOREST ROAD MAP



Price County Lands



1 inch = 5 miles

