

AN ORDINANCE
RESTRICTING THE USE OF FIRE ARMS
IN A LIMITED AREA

THE TOWN BOARD OF TOWN OF NIAGARA TO ORDAIN AS FOLLOWS:

Section 1. It shall be unlawful for any person to discharge any revolver, gun or other firearm or any kind for any purpose whatsoever within that portion of the Town of Niagara described as all land lying South of the South line of the Village of Niagara, for a distance of eighty (80) rods.

Section 2. Any person violating the provisions of this ordinance shall, upon conviction, thereof, be fined not less than Five (\$5.00) Dollars nor more than Fifty (\$50.00) Dollars, together with the costs of prosecution, and in default of the payment of such fine, and costs, such person shall be imprisoned in the County Jail of Marinette County for not less than five (5) days nor more than thirty (30) days.

Section 3. This ordinance shall take effect upon passage and publication.

Signed by Town Chairman CC Patterson
And Town Clerk Hattie LaCount

Note below in file:

IRVING W. SMITH
ATTORNEY-AT-LAW
NIAGARA, WISCONSIN

Miss Hattie LaCount
Niagara, Wisconsin

Dear Miss LaCount:

April 24, 1946

When I drew the first ordinance for your Board at Mr. Meyers' request, prohibiting the shooting of firearms in the southern part of Niagara, I assume without study that you would have similar ordinance making powers to the Village Board. When I looked up the law to find out what publication your ordinance would require, I found that I was in error.

The law apparently does not give the Town Board the right to make an ordinance. Section 60.29(9) does give the Town Board the right to make by-laws, and it mentions particularly to regulate "the careless use of firearms." I have re-drawn a by-law which I am sure now complies with all the statutory requirements to legalize such an ordinance passed by your Board. If it meets the approval of your Board, have some member move its adoption, have the adoption seconded, and in your records show the results of the vote on the adoption.

Then if you will return one copy of it to me, with the signatures of yourself and the Town Chairman, showing the date of publication in the lower left hand corner, I will have copies of it made and posted so that it will fully comply with the statutory requirements.

I am sorry to put your Board to any extra trouble this may be. I should have satisfied myself of the necessary method you would have to follow before I drew the original ordinance.

Very truly yours,
Smith

A BY-LAW
RESTRICTING THE USE OF FIRE ARMS WITHIN
A LIMITED AREA IN THE TOWN OF NIAGARA.

THE TOWN BOARD OF THE TOWN OF NIAGARA DOES HEREBY ENACT THE FOLLOWING BY-LAW:

Section 1. It shall be unlawful for any person to discharge any revolver, gun or other firearm of any kind for any purpose whatsoever within that portion of the Town of Niagara described as all land lying South of the South line of the Village of Niagara, for a distance of eighty (80) rods.

Section 2. Any person violating the provisions of this by-law shall, upon conviction thereof, be fined not more than Ten (\$10.00) dollars, together with the costs of prosecution.

Section 3. Any Town order or By-law in conflict herewith is hereby repealed.

Section 4. This by-law shall take effect upon passage and publication.

Passed: *May 13, 1946*

Published:

Signed by Town Chairman CC Patterson
And Town Clerk Hattie La Count