

Amendatory Ordinance

No. 2009-07

(12)

The Bayfield County Board of Supervisors ordains as follows:

That Title 16 of the Bayfield County Ordinance, revised January 1, 2002, be hereby amended as follows:

Chapter 2: Aquatic Invasive Species

Sec. 16-2-1 Purpose.

The purpose of this chapter is to establish a local program to prevent the spread of aquatic invasive species in Bayfield County.

Sec. 16-2-2 Definition of Aquatic Plants and Animals.

- (a) "Aquatic plant" means a submergent, emergent, or floating-leaf plant or any part thereof. "Aquatic plant" does not mean wild rice.
- (b) "Aquatic animal" means zebra or quagga mussel, or any other aquatic invasive animal prohibited by the state.

Sec. 16-2-3 Prohibited Transport of Aquatic Plants and Animals.

No person may transport any boat, boat trailer, personal watercraft and its associated trailer, canoe, kayak, or boating equipment from navigable waters onto a public highway if aquatic plants or animals are attached, or to do so in violation of an order from a law enforcement officer who has reason to believe that aquatic plants or animals are attached, except as provided in Section 16-2-4.

Sec. 16-2-4 Exceptions to Transport of Aquatic Plants and Animals.

Unless otherwise prohibited by law, a person may transport aquatic plants:

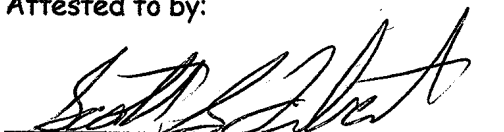
- (a) for disposal as part of a harvest or control activity conducted under an aquatic plant management permit (NR 109).
- (b) when transporting commercial aquatic plant harvesting equipment to a suitable location, away from any water body, for purposes of cleaning any remaining aquatic plants or animals.
- (c) when harvested for personal or commercial use, as to be used as compost or mulch, and in a sealed container.
- (d) for purposes of shooting or observation blinds for waterfowl hunting during the waterfowl season, if the aquatic plants used for these blinds are emergent, cut above the waterline, and contain no aquatic invasive species.

Sec. 16-2-5 Penalties.

Any person who violates a provision of this ordinance shall be subject to a base fine of not less than \$50 for a first offense, not less than \$100 for a second offense, and not less than \$1,000 for a third and each subsequent offense. All surcharges, assessments and costs will be added to base fines as applicable by law.

By Action of the
Bayfield County Board of Supervisors

Attested to by:



Scott S. Fibert, Bayfield County Clerk