

## ORDINANCE

An Ordinance to amend Section 14.110 of the Manitowoc Municipal Code regulating trapping.

The Mayor and Common Council of the City of Manitowoc do ordain as follows:

**Section 1.** Section 14.110 is amended to read as follows:

“14.110 **Humane Animal** Trapping ~~Prohibited~~.

~~It shall be unlawful for a person to set, place or operate any traps, except box traps, anywhere outdoors in the City of Manitowoc. It shall also be unlawful for any person to possess any such prohibited traps on City property or to permit another to conduct any activity prohibited hereunder. As used herein, the term trap shall mean any device, mechanism or contraption that is designed, built or made to close upon, hold fast or otherwise capture a wild animal or animals.~~

- (1) The provisions of Wisconsin statutes Chapter 29 and Wisconsin Administrative Code Chapters NR 10 and NR 12, as may be revised from time to time, are hereby adopted. As used herein, the following terms shall be defined as follows:

**Body-Grip Trap** shall mean a steel trap designed to allow the animal's head, neck or torso to enter the trap opening and be held by compression of the jaws when sprung.

**Cable Restraint** shall mean a cable noose used for restraining furbearing animals that does not allow the device or trapped animal to reach unfrozen water.

**Cage or Box Trap** shall mean a trap that is designed to allow an animal to enter the trap enclosure, be captured and remain alive inside the cage or box-type enclosure until it can be released unharmed or reduced to possession by the operator of the trap. This trap may not be used as a water set or with any other type of trap.

**Enclosed Trigger Trap** shall mean any trap with a push- or pull-activated trigger located inside an enclosure and recessed 1¼ inches or more from an opening that is no greater than 1¼ inches in diameter. The diameter of the opening is measured as the straight-line distance across the opening between the two inside points that are farthest apart. If the opening is square or rectangular, this measurement must be made from the two opposite corners that are furthest apart.

**Foot-Activated Cable Restraint** shall mean a passive or spring-activated cable noose used for restraining furbearing animals by the foot that does not allow the device or trapped animal to reach unfrozen water.

**Jawed Trap (Foot Hold)** shall mean a trap designed to catch an animal by the foot, but does not include enclosed trigger traps, cable restraints or body-gripping traps.

**Non-Submersion Set** shall mean any trap set that is capable of capturing an animal and not capable of submersing the captured animal.

**Furbearing Animal** shall refer to bobcat, fisher, otter, coyote, raccoon, red fox, gray fox, mink, muskrat, beaver, skunk, weasel, woodchuck and opossums.

**Humane Animal Trap** shall refer to a box trap, body-gripping trap, jawed (foot hold) trap, foot-activated cable restraint, or snare.

**Trapping** shall mean the taking, or the attempting to take, of any wild animal by means of setting or operating any device that is designed or made to close upon, hold fast, or otherwise capture a wild animal. When “trap” is used as a verb, it has the same meaning as “trapping”.

**Wild Animal** shall mean any mammal, bird, fish, or other creature of a wild nature endowed with sensation and the power of voluntary motion.

- (2) Trapping Regulations.

- a. The owner or occupant of land, any member of the owner’s or occupant’s family who live with them, may take coyote, beaver, fox, muskrat, racoon, woodchuck, rabbit, and squirrels on the land at any time by means of live trapping with box traps if such animal is damaging property or otherwise constituting a nuisance.
- b. Opossums, skunks, porcupines, red squirrels, woodchucks and weasels may be trapped year-round by persons possessing a trapping license. Bobcats, coyotes, fishers, raccoons, and red and grey fox may only be trapped in accordance with Wis. Admin. Code Chs. NR 10 and NR 12.
- c. No person may set any trap for which a trapping license is required, unless a metal tag is attached. The tag must be stamped or engraved legibly with the name and address of the operator or with their Department of Natural Resources customer ID number.
- d. A person who sets a trap shall check the trap at least once every 24 hours. Any fur-bearing animal captured by the trap shall be humanely dispatched by pellet gun, any legal method or shall be released within 24 hours of capture. Any animal accidentally captured shall be immediately released. No person may release a captured fur-bearing animal onto City-owned property or onto the private property of another without the owner or occupant’s consent.
- e. No person may hunt or trap on City-owned property, including rights-of-way and retention ponds, without the express, written consent from the Chief of Police and the Department of Public Infrastructure Director noting the specific date and time such activities may take place.
- f. No person may set, place or operate any body-grip trap larger than 60 square inches, or any snare of cable restraint regardless of size within 100 yards of any building devoted to human occupancy without the consent of every building owner within the 100 yard radius.
- g. It shall be unlawful for any person to tamper with any humane animal trap of another.

(3) **Penalty.** A person found to have violated this section shall forfeit not less than \$100 nor more than \$1000.”

**Section 2.** This ordinance shall take effect the day after publication.

INTRODUCED \_\_\_\_\_ ADOPTED \_\_\_\_\_

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Justin M. Nickels, Mayor

APPROVED \_\_\_\_\_

**Fiscal Impact:** Minimal, publication cost of ordinance  
**Funding Source:** 1100-15100-532100 for Ordinance Publication costs  
**Finance Director Approval:** /SMA  
**Approved as to form:** /kmm

This ordinance was drafted by Elizabeth Majerus, Assistant City Attorney, and approved as revised by Committee by Kathleen M. McDaniel, City Attorney.