

September 3, 2003 The Crow Wing County Board of Commissioners
adopted the following ordinance - EFFECTIVE 8/1/2005.

**AN ORDINANCE REGULATING THE USE OF HUNTING STANDS ON COUNTY
MANAGED PUBLIC LANDS**

1.0 GENERAL PROVISIONS

1.1 Authority. This ordinance is adopted pursuant to the authority vested in Crow Wing County pursuant to Minnesota Statutes Section 282. The Forest Management Plan for the Tax Forfeited Lands of Crow Wing County is hereby incorporated herein by reference.

1.2 Purpose. The purpose of this ordinance is to minimize damage to trees, minimize property damage to logging and mill processing equipment and bodily injury to the processors, promote public safety, promote fair and equitable public use of public lands, and enhance the aesthetic qualities of County managed public lands.

2.0 DEFINITIONS

The following words or terms as used in this Ordinance have the meaning given them in this section unless a different meaning is clearly indicated by the context.

2.1 "County Managed Public Lands" means tax forfeited lands and natural resource lands located in Crow Wing County and owned in fee by the County.

2.2 The term "portable tree stand" means a device, designed for the purpose of elevating a person while hunting, which is lightweight in design and is transported by a person to its destination and attached to a tree. Examples include, but are not limited to, platforms which strap-on or chain-on to the tree, climber stands and ladder stands.

2.3 The term "portable free standing stand" means a device, designed for the purpose of elevating a person while hunting, which is transported to its destination and is capable of supporting itself without being attached to a tree.

3.0 HUNTING STAND USE

3.1 No person may construct, occupy or use any hunting stand on County Managed Public Land except portable tree stands or portable free standing stands. Permanently constructed or non-portable stands of any type are not allowed on County Managed Public Land.

3.2 Portable tree stands or portable free standing stands shall not be placed earlier than one (1) week prior to the opening of Minnesota's big game hunting season and must be removed no later than one (1) day following the close of the season.

3.3 Portable tree stands or portable free standing stands not removed as required in Section 3.2 shall be considered abandoned personal property and dealt with pursuant to MN Statute 345.15 entitled, Counties, Unclaimed Property; Disposition; Duty of Sheriff.

3.4 Persons wishing to use portable elevated devices on County Managed Public Land for recreational purposes, other than hunting, may do so if they first obtain a permit from the Land Commissioner's Office.

4.0 DAMAGE TO TREES

4.1 No person may cause damage or injury to any tree by the placement or erection of portable tree stands or portable free standing stands or by any other manner while climbing or hunting from a portable tree or free standing stand except that small lateral branches less than 1" in diameter may be removed.

4.2 No person may cause damage to trees by creating clear lanes for shooting except as allowed in Section 4.1.

4.3 Screw-in steps and/or anchor bolts for portable tree stands are allowed providing they are removed when the stand is removed.



5.0 ENFORCEMENT

5.1 This ordinance shall be enforced by Crow Wing County enforcement personnel and/or enforcement personnel of other jurisdictions through mutual enforcement agreements.

6.0 PENALTIES

6.1 Any person who violates any of the provisions of this ordinance, or who fails to comply with the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine with a maximum of \$1,000 or by imprisonment for up to 90 days or both. A person who damages any tree in violation of this ordinance will also be responsible for restitution in the amount of the value of the tree.

6.2 Nothing in this Ordinance shall prohibit the County from pursuing Criminal prosecution or civil remedies as provided pursuant to Federal law, State law or other County ordinances.

7.0 SEVERABILITY

7.1 If any section or portion of this Ordinance shall be found unconstitutional or otherwise invalid or unenforceable by a court of competent jurisdiction, that finding shall not serve as invalidation or affect the validity and enforceability of any other section or provision of this Ordinance.

8.0 EFFECTIVE DATE

8.1 August 1, 2005