

1975 Assembly Bill 384

Date published: **June 3, 1976**

CHAPTER 296, Laws of 1975

AN ACT to renumber and amend 167.26; and to create 167.26 (2) to (6) of the statutes, relating to establishing ice hole guard requirements and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 167.26 of the statutes is renumbered 167.26 (1) and amended to read:

167.26 (1) Any person who shall remove ice or cause its removal from any stream, pond or lake ~~and shall neglect to~~ place around the margin of the opening made by such removal a fence, by setting posts of not less than 2 by 4 in size and with a fence board thoroughly nailed thereto not less than 3 1/2 feet above the surface of the ice on said stream, pond or lake ~~shall be punished by imprisonment in the county jail not more than 6 months or by a fine not exceeding \$100.~~

SECTION 2. 167.26 (2) to (6) of the statutes are created to read:

167.26 (2) Any person creating ice holes by aeration of water may, in lieu of the requirements of sub. (1), erect and maintain a barricade around such holes consisting of uprights spaced every 25 feet or less, connected by a continuous rope, cord or similar material placed 3 1/2 feet off the surface of the ice. The connecting rope, cord or similar material shall have reflectorized ribbon or tape attached to it, so as to be highly visible, and shall be of sufficient strength to permit retrieval of the barricade following melting of the ice. Any person erecting such barricade shall remove the barricade and all parts thereof from the ice or water immediately after the ice has melted.

(3) Persons barricading ice holes in the manner specified in this section shall not be liable for damages suffered by persons who enter within the barricaded area.

(4) This section shall not apply to ice holes caused by air bubbler systems installed by the corps of engineers for navigational purposes.

(5) This section shall apply to all navigable or public waters of the state.

(6) Persons violating this section shall be imprisoned for not more than 6 months or fined not more than \$100.
