

NR 30



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Anthony S. Earl
Secretary

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: _____

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) ss

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REVISOR OF STATUTES
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TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Anthony S. Earl, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. Fo-9-78 was duly approved and adopted by this Department on April 27, 1978 and May 25, 1978. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at Pyare Square Building in the Village of Shorewood Hills, this 28TH day of October, 1978.

Anthony S. Earl, Secretary

(SEAL)

STATE OF WISCONSIN NATURAL RESOURCES BOARD

.....
IN THE MATTER of repealing and recreating .
chapter NR 30, Wisconsin Administrative . Fo-9-78
Code, pertaining to forest fire control .
.....

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD

REPEALING AND RECREATING RULES

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by sections 23.09, 26.11, 26.12, 26.13, 26.14, 26.20, 26.205 and 227.014, Wisconsin Statutes, the State of Wisconsin Natural Resources Board hereby repeals and recreates rules as follows:

SECTION 1 - Chapter NR 30 is repealed and recreated to read:

Chapter NR 30

Forest Fire Control

- | | |
|---|---|
| NR 30.01 Forest fire control areas, intensive | NR 30.04 Burning regulations, intensive forest fire control areas |
| NR 30.02 Forest fire control areas, extensive | NR 30.05 Emergency burning regulations |
| NR 30.03 Burning regulations, extensive forest fire control areas - posting notices | NR 30.06 Emergency use regulations |
| | NR 30.07 Travel on firelanes |
| | NR 30.08 Electric fence controllers |

(Section 26.12, Stats.)

NR 30.01 Forest fire control areas, intensive. (1) The following described lands which are located outside of the limits of incorporated cities and villages in the listed counties shall be and are established as parts of intensive forest fire control areas.

(a) Adams county.

(aa) Ashland county.

(b) Barron county. Townships 32, 33, 34 and 35 north, range 10 west and all that part of townships 33 and 34 north, range 11 west lying north and east of county trunk "SS" formerly U.S. highway 53 and township 36 north, ranges 10, 12, 13 and 14 west.

(bb) Bayfield county.

(c) Burnett county. All lands except: township 37 north, range 18 west; township 38 north, range 18 west, south $\frac{1}{2}$; township 38 north, range 19 west, sections 23, 24, 25, 26, 35 and 36.

(cc) Chippewa county. All lands in: township 32 north, ranges 5, 6, 7, 8 and 9 west; township 31 north, ranges 5, 6, 7 and 8 west. All that part of township 31 north, range 9 west lying east of state trunk highway 40, township 30 north, range 5 west. All that part of township 30 north, range 6 west lying north of county trunk highway "S". All that part of township 30 north, range 7 west lying north of county trunk highway "S" and "Y". All that part of township 30 north, range 8 west lying north of county trunk highway "Y" and east of U.S. highway 53 and state trunk highway 124.

(d) Clark county. All lands in: township 23 north, ranges 1 east, 1, 2 and 3 west; township 24 north, ranges 3 and 4 west; township 25 north, ranges 3 and 4 west; township 26 north, ranges 3 and 4 west; township 27 north, ranges 3 and 4 west; township 28 north, range 3 west, south $\frac{1}{2}$; township 28 north, range 4 west, south $\frac{1}{2}$.

(dd) Douglas county.

(e) Eau Claire county. All lands in: township 25 north, range 5 west; township 26 north, ranges 5 and 6 west; all that part of township 26 north, range 7 west lying north of U.S. highway 12; township 27 north, ranges 5, 6 and 7 west; all that part of township 27 north, range 8 west lying north of U.S. highway 12.

(ee) Florence county.

(f) Forest county.

(g) Iron county.

(h) Jackson county. All lands in: township 20 north, ranges 1 east, 1, 2, 3 and 4 west; township 21 north, ranges 1 east, 1, 2, 3 and 4 west; township 21 north, range 5 west except the following: section 18 - S $\frac{1}{2}$ of the SW $\frac{1}{4}$; section 19 - NW $\frac{1}{4}$, N $\frac{1}{2}$ of the SW $\frac{1}{4}$, and SWSW; section 30 - W $\frac{1}{2}$ of the NW $\frac{1}{4}$; SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; section 32 - S $\frac{1}{2}$; township 22 north, ranges 1 east, 1, 2, 3 and 4 west; township 23 north, range 4 west.

(i) Juneau county. All lands except: township 14 north, ranges 2, 3 and 4 east; township 15 north, ranges 2 and 3 east; township 16 north, range 2 east.

(j) Langlade county.

(k) Lincoln county.

(l) Marathon county. All lands in: all that part of township 26 north, range 5 east lying east of county trunk "S"; all of township 26 north, ranges 6, 7, 8, 9 and 10 east; all of that part of township 27 north, range 5 east lying east of county trunk highway "S"; all of township 27 north, ranges 6, 7, 8, 9 and 10 east; township 28 north, range 6 east, east 1/3; all of township 28 north, range 7 east, except those lands lying easterly of the Wisconsin river and the Big Rib river in sections 1, 2, 3, 11, 12, 13, 14 and 24; township 28 north, range 8 east, south 1/3; all of township 28 north, ranges 9 and 10 east; township 29 north, range 7 east, that portion of sections 3 and 4 lying north of county trunk highway "WW"; all of that part of township 29 north, range 9 east lying east of county trunk highway "Q"; all of township 29 north, range 10 east; all of township 30 north, range 3 east; all of that part of township 30 north, range 4 east, lying north of county trunk highways "F" and "H"; all of township 30 north, range 5 east lying north of county trunk highway "A"; township 30 north, range 6 east, north 1/3; all of township 30 north,

range 7 east except sections 17, 18, 19, 20, 29, 30, 31 and 32 and that portion of section 36 lying east of county trunk highway "W"; all of township 30 north, range 8 east, except that portion of sections 31, 32, 33, 34, 35 and 36 that are south of county trunk highway "WW" and the town highway known as the "Granite road"; all of township 30 north, ranges 9 and 10 east.

(m) Marinette county.

(n) Menominee county.

(o) Monroe county. All lands in: township 17 north, range 1 east; township 17 north, range 1 west; township 17 north, ranges 2 and 3 west; township 18 north, ranges 1 east, 1, 2 and 3 west; township 18 north, range 4 west, N $\frac{1}{2}$; township 19 north, ranges 1 east, 1, 2, 3, 4 and 5 west.

(p) Oconto county. All lands in: township 30 north, ranges 17, 18 and 19 east; township 31 north, ranges 15, 16, 17 and 18 east.

(q) Oneida county.

(r) Polk county. All lands in: township 36 north, range 20 west; township 36 north, range 19 west, sections 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20, 21, 29, 30, 31 and 32; such portions of sections 15, 22, 28 and 33 lying west of what is commonly known as the Old St. Croix Falls road, a public highway; township 36 north, ranges 15 and 16 west lying north of state trunk highway 48; township 36 north, range 17 west, sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23 and 24; and township 37 north, ranges 15, 16 and 17 west.

(s) Price county.

(t) Rusk county.

(u) Sawyer county.

(v) Shawano county. All lands in: township 26 north, ranges 11, 12 and 13 east; township 27 north, ranges 11, 12 and 13 east; such portions of sections 1, 12 and 13 lying east of state trunk highways 47 and 55 in range 15 east;

sections 1, 2, 3, 4, 5, 6, 7, 8; such portions of sections 9, 10, 11, 12 and 16 lying north of county trunk highway "H" and the north $\frac{1}{2}$ of section 17; the north $\frac{1}{2}$ and west $\frac{1}{2}$ of the SW $\frac{1}{4}$ of section 18 in range 16 east; township 28 north, ranges 11, 12, 13 and 14 east; township 29 north, ranges 11 and 12 east.

(w) Taylor county.

(x) Vilas county.

(y) Washburn county.

(z) Wood county. All lands in: township 21 north, ranges 2, 3, 4, 5 and 6 east; township 22 north, ranges 2, 3, 4, 5 and the east $\frac{1}{2}$ of range 6 east; township 23 north, range 2 east.

NR 30.02 Forest fire control areas - extensive. (1) The following described lands which are located outside the limits of incorporated cities and villages in the listed counties shall be and are established as parts of extensive forest fire control areas:

(a) Columbia county.

(b) Crawford county.

(c) Dane county. All lands in: township 6 north, range 6 east, sections 1, 2, 3, 4, 5 and 6; township 7 north, range 6 east; township 8 north, ranges 6 and 7 east; township 9 north, ranges 6 and 7 east.

(d) Grant county. All lands in: township 5 north, range 6 west, north $\frac{1}{2}$; township 5 north, range 7 west, north $\frac{1}{2}$; township 6 north, ranges 6 and 7 west; township 6 north, range 5 west, north $\frac{1}{2}$; township 6 north, range 4 west, sections 1, 2, 3, 4, 5 and 6; township 7 north, ranges 1, 2, 3, 4 and 5 west; township 8 north, ranges 1, 2 and 3 west; township 9 north, ranges 1 and 2 west.

(e) Green Lake county.

(f) Iowa county. All lands in: township 6 north, range 1 east, sections 1, 2, 3, 4, 5 and 6; township 6 north, range 2 east, sections 1, 2, 3, 4, 5 and 6; township 6 north, range 3 east, sections 1, 2, 3, 4, 5 and 6; township

6 north, range 4 east, sections 1, 2, 3, 4, 5 and 6; township 6 north, range 5 east, sections 1, 2, 3, 4, 5 and 6; township 7 north, range 5 east, sections 1, 2, 3, 4, 5 and 6; township 7 north, ranges 1, 2, 3, 4 and 5 east; township 8 north, ranges 1, 2, 3, 4 and 5 east.

(g) Marquette county.

(h) Oconto county. All lands in: townships 26, 27, 28 and 29 north.

(i) Portage county.

(j) Richland county.

(k) Sauk county.

(l) Waupaca county.

(m) Waushara county.

NR 30.03 Burning regulations, extensive forest fire control area. (1)

Within the boundaries of the areas under extensive forest fire protection established under section NR 30.02, it shall be unlawful for any person to set any fire unless they have first obtained a permit from a duly appointed and designated forest ranger, fire warden or other person designated by the department except:

(a) During the months of January, February, March, April and May when the ground is snow covered; or

(b) When a fire is set and designed solely for warming the person or cooking food; or

(c) Any other time of the year when no order by the department pursuant to sub. (3) is in effect.

(2) Permits shall be issued under this section only after consideration of the following conditions and a determination by the department employe or agent that the danger to the resources will be minimized by allowing a permittee to burn if he or she complies with the conditions of the permit and takes all reasonable precautions to prevent escape of the fire:

(a) Weather

(b) Fuels

(c) Day of week

(d) Age and physical and mental capacity of permittee

(e) Time of day

(f) No permit will be issued to burn material that violates the air pollution standards in section NR 154.10, Wis. Adm. Code.

(g) Area to be burned

(h) Assistance available.

(3) At all times other than as provided in sub. (1) (a) and (b), the provisions of this section shall become effective upon the issuance of an order by the administrator of the division of resource management and the posting of 2 notices in the form prepared by the department in each civil township affected and by publishing the notice in the official newspaper(s) of each county affected as soon after the order is issued as is feasible and reasonable. The department shall take such other steps as it deems necessary to convey effective notice to persons who are likely to be affected by the order.

(4) Permits issued pursuant to this section shall include but not be limited to restrictions concerning:

(a) Time of day

(b) Location

(c) Minimum required precautionary measures

(d) Length of permit.

NR 30.04 Burning regulations, intensive fire control area. (1) Within the boundaries of the areas under intensive forest fire protection established under section NR 30.01, it shall be unlawful for any person to set any fire unless they have first obtained a permit from a duly appointed and designated forest ranger, fire warden or other person designated by the department except:

(a) When a fire is set and designed solely for warming the person or cooking food; or

(b) When the ground is snow covered.

(2) Permits shall be issued under this section only after consideration of the following conditions and a determination by the department employe or agent that the danger to the resources will be minimized by allowing a permittee to burn if he or she complies with the conditions of the permit and takes all reasonable precautions to prevent escape of the fire:

(a) Weather

(b) Fuels

(c) Day of week

(d) Age and physical and mental capacity of permittee

(e) Time of day

(f) No permit will be issued to burn materials that violate the air pollution standards in section NR 154.10, Wis. Adm. Code

(g) Area to be burned

(h) Assistance available.

(3) Permits issued pursuant to this section shall include but not be limited to restrictions concerning:

(a) Time of day

(b) Location

(c) Minimum required precautionary measures

(d) Length of permit.

NR 30.05 Emergency burning restrictions. (1) Upon the issuance of an order pursuant to sub. (2), it shall be unlawful for any person within the boundaries of forest fire control areas established under sections NR 30.01 and NR 30.02 to:

(a) Build a campfire in any manner except in developed camping areas unless the individual has first obtained a special permit from a duly appointed area forest ranger or other person delegated that authority by the department.

(b) Smoke a pipe, cigar or cigarette except at places of residence, or in a vehicle equipped with an ash receptacle.

(c) Throw matches, ashes or burning material from a vehicle.

(d) Burn combustible materials in any or all the areas described in this section unless they have first obtained a special permit from a duly appointed and designated forest ranger, fire warden or other person designated by the department.

(2) The provisions of this section shall become effective upon the issuance of an order by the secretary and the posting of 2 notices in the form prepared by the department in each civil township affected. The notice shall also be published for information. The department shall take such other steps as it deems necessary to convey effective notice to persons who are likely to be affected by the order.

NR 30.06 Emergency use regulations. (1) The secretary upon a finding of the existence of the applicable conditions enumerated in sub. (2) shall:

(a) Order use restrictions on all state-owned lands managed by the department or lands under its control, supervision or management by lease, easement or otherwise on which the applicable conditions in sub. (2) exist; or

(b) Close or modify hunting, trapping and fishing regulations or seasons on lands for which the applicable conditions in sub. (2) exist.

(2)(a) Emergency fire regulations pursuant to section NR 30.05 are in effect in the counties affected when they are located within forest protection districts; or

(b) The threat to natural resources by the presence of forest fire hazards requires the limitation on or the prohibition of use of state-owned lands under management by the department to protect and conserve the natural resources of the state; or

(c) The threat to the fish and wildlife resources by the presence of forest fire hazards requires the closure or modification of hunting, trapping or fishing regulations or seasons.

(3)(a) The order of the secretary, including findings of fact supporting it, shall become effective upon publication in the official state newspaper. As soon thereafter as is feasible and reasonable, the department shall publish the order in one newspaper in the area affected which is likely to give notice to residents in that area, file copies of the order within one week of its effective date with clerks of all counties affected by the order and take such other steps as it deems necessary to convey effective notice to persons who are likely to have an interest in the order. The same procedure shall be followed to cancel or modify the order or any part thereof.

(b) Such order may apply to the state as a whole or for any specified county or part of a county, or for any lake or stream or part thereof.

(4) The secretary shall act only after consideration of advice from department personnel in the area affected and when feasible shall obtain and consider the advice of other state agencies, agricultural extension personnel, county forest administrators and town and county officials in the area affected and other state and federal agencies interested.

NR 30.07 Travel on firelanes. (1) Travel prohibited. It shall be unlawful for any person or persons to travel with any automobile or other vehicle on or over any firelanes, truck trails or roads that have been constructed by the department or under the direction of the department or its representatives for the particular use only of its forest fire-fighting equipment wherein barriers,

gates or similar obstructions have been placed across them by the department, its forest rangers, conservation wardens or other designated agents closing them to public travel unless a permit for such travel by vehicle or automobile has been issued them by the department, or their forest rangers, conservation wardens or other designated agents.

(2) Permits. The department, its forest rangers, conservation wardens, or other designated agents of the department are hereby authorized to receive and to issue, free of cost, to any person or persons making application, a permit to travel on such firelanes, truck trails or roads wherein the applicant or applicants can show to the satisfaction of the department, its forest rangers, conservation wardens or other designated agents that there is good and sufficient reason why such a permit should be issued to them. Applications for such permits shall state thereon the name and address of the applicant, the reasons why he or she desires such a permit and such other information as may be required by the department.

(3) Peace officers. Nothing in the provisions of this section shall apply to the armed forces of the United States, the national guard or peace officers in the performance of their duties as such, or any person summoned by such peace officers to assist them in making an arrest or to preserve the peace while such person or persons are so engaged, or to any conservation officers, forest rangers, either federal or state, who are acting in the performance of their duties as such.

NR 30.08 Electric fence controllers. (1) In all areas outside the limits of incorporated villages and cities, during any time of the year except when the ground is snow covered, it shall be unlawful to use or operate any electric fence controller that does not bear an underwriters laboratory seal of approval or to use or operate an electric fence controller that does not comply with chapter Ind. 16, Wis. Adm. Code.

(2) Any person violating this rule shall forfeit not more than \$100.

The foregoing rules were approved and adopted by the State of Wisconsin
Natural Resources Board on April 27, 1978 and May 25, 1978.

The rules contained herein shall take effect upon publication.

Dated at Madison, Wisconsin 28 October 1978

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By Anthony S. Earl
Anthony S. Earl, Secretary

(SEAL)