

State Laws and Published Ordinances – Wisconsin

Current through Act 20 of the 2019-2020 Legislative Session.

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Allouez	Hollandale	Richfield
Arena	Jefferson	Rusk County
Barton	Kewaskum	Salem Lakes
Bayside	Kimberly	Shawano
Bellevue	Lake Mills	Shorewood
Brillion	Madison	St. Francis
Brookfield	Manitowoc	Superior
Burlington	Markesan	Tomah
Campbellsport	Mayville	Union Grove
Coloma	Menominee Indian Tribe	Wales
Cudahy	Menomonee	Waterford
Delafield	Mequon	Waterloo
Footville	Merrill	Watertown
Fox Point	Milton	Wautoma
Franklin	Monroe	Wauwatosa
Fredonia	Mount Horeb	Webster
Grafton	Mukwonago	West Allis
Green Bay	New Berlin	Whitefish Bay
Greenfield	Oconomowoc	Whitewater
Greenville	Pierce County	Wittenberg
Hobart	Racine County	

Charitable, Curative, Reformatory and Penal Institutions and Agencies
Chapter 51 – State Alcohol, Drug Abuse, Developmental Disabilities and Mental Health Act

Section 51.20. Involuntary commitment for treatment.

(13) Disposition

(cv)

1. If the court makes the disposition under par. (a) 3., 4., 4m., or 5., the court shall order the individual not to possess a firearm, order the seizure of any firearm owned by the individual, and inform the individual of the requirements and penalties under s. 941.29 if the court determines that the individual is prohibited, under 18 USC 922 (g) (4), from possessing a firearm.

1m.

a. If a court orders an individual under subd. 1., or ordered an individual under s. 51.20 (13) (cv) 1., 2007 stats., not to possess a firearm, the individual may petition that court or the court in the county where the individual resides to cancel the order.

b. The court considering the petition under subd. 1m. a. shall grant the petition if the court determines that the circumstances regarding the disposition under par. (a) 3., 4., 4m., or 5. and the individual's record and reputation indicate that the individual is not likely to act in a manner dangerous to public safety and that the granting of the petition would not be contrary to public interest.

c. If the court grants the petition under subd. 1m. b., the court shall cancel the order under subd. 1., or the order under s. 51.20 (13) (cv) 1., 2007 stats., whichever is appropriate, and order the return of any firearm ordered seized under subd. 1. or s. 51.20 (13) (cv) 1., 2007 stats.

3. In lieu of ordering the seizure under subd. 1., the court may designate a person to store the firearm until the order has been canceled under subd. 1m. c.

4. If the court orders a subject individual not to possess a firearm under subd. 1. or cancels under subd. 1m. c. an order issued under subd. 1. or under s. 51.20 (13) (cv) 1., 2007 stats., the court clerk shall notify the department of justice of that fact and provide any information identifying the subject individual that is necessary to permit an accurate firearms restrictions record search under s. 175.35 (2g) (c), a background check under s. 175.60 (9g) (a), or an accurate response under s. 165.63. No other information from the subject individual's court records may be disclosed to the department of justice except by order of the court. The department of justice may disclose information provided under this subdivision only to respond to a request under s. 165.63, as part of a firearms restrictions record search under s. 175.35 (2g) (c), under rules the department of justice promulgates under s. 175.35 (2g) (d), or as part of a background check under s. 175.60 (9g) (a).

Section 51.45. Prevention and control of alcoholism and drug dependence.

(i)

1. If a court orders commitment of a person under this subsection, the court shall determine if, under 18 USC 922 (g) (4), the person is prohibited from possessing a firearm. If the person is prohibited, the court shall order the person not to possess a firearm, order the seizure of any firearm owned by the person, and inform the person of the requirements and penalties under s. 941.29.

2.

a. If a court orders a person under subd. 1. not to possess a firearm, the person may petition that court or the court in the county where the person resides to cancel the order.

b. The court considering the petition under subd. 2. a. shall grant the petition if the court determines that the circumstances regarding the commitment under this subsection and the person's record and reputation indicate that the person is not likely to act in a manner dangerous to public safety and that the granting of the petition would not be contrary to public interest.

c. If the court grants the petition under subd. 2. b., the court shall cancel the order under subd. 1. and order the return of any firearm ordered seized under subd. 1.

3. In lieu of ordering the seizure under subd. 1., the court may designate a person to store the firearm until the order under subd. 1. is canceled under subd. 2. c.

4. If the court orders under subd. 1. a person not to possess a firearm or cancels under subd. 2. c. an order issued under subd. 1., the court clerk shall notify the department of justice of the order or cancellation and provide any information identifying the person that is necessary to permit an accurate firearms restrictions record search under s. 175.35 (2g) (c), a background check under s. 175.60 (9g) (a), or an accurate response under s. 165.63. No other

information from the person's court records may be disclosed to the department of justice except by order of the court. The department of justice may disclose information provided under this subdivision only to respond to a request under s. 165.63, as part of a firearms restrictions record search under s. 175.35 (2g) (c), under rules the department of justice promulgates under s. 175.35 (2g) (d), or as part of a background check under s. 175.60 (9g) (a).

Chapter 54 – Guardianships and Conservatorships
Subchapter II – Appointment of Guardian

Section 54.10. Appointment of guardian.

(3)

(f)

1. If the court appoints a guardian of the person under this subsection, the court shall determine if, under 18 USC 922 (g) (4), the individual is prohibited from possessing a firearm. If the individual is prohibited, the court shall order the individual not to possess a firearm, order the seizure of any firearm owned by the individual, and inform the individual of the requirements and penalties under s. 941.29.

2.

a. If a court orders under subd. 1. an individual not to possess a firearm, the individual may petition that court or the court in the county where the individual resides to cancel the order.

b. The court considering the petition under subd. 2. a. shall grant the petition if the court determines that the circumstances regarding the appointment of a guardian under this subsection and the individual's record and reputation indicate that the individual is not likely to act in a manner dangerous to public safety and that the granting of the petition would not be contrary to public interest.

c. If the court grants the petition under subd. 2. b., the court shall cancel the order under subd. 1. and order the return of any firearm ordered seized under subd. 1.

3. In lieu of ordering the seizure under subd. 1., the court may designate a person to store the firearm until the order under subd. 1. is canceled under subd. 2. c.

4. If the court orders under subd. 1. an individual not to possess a firearm or cancels under subd. 2. c. an order issued under subd. 1., the court clerk shall notify the department of justice of the order or cancellation and provide any information identifying the individual that is necessary to permit an accurate firearms restrictions record search under s. 175.35 (2g) (c), a background check under s. 175.60 (9g) (a), or an accurate response under s. 165.63. No other information from the individual's court records may be disclosed to the department of justice except by order of the court. The department of justice may disclose information provided under this subdivision only to respond to a request under s. 165.63, as part of a firearms restrictions record search under s. 175.35 (2g) (c), under rules the department of justice promulgates under s. 175.35 (2g) (d), or as part of a background check under s. 175.60 (9g) (a).

Chapter 55 – Protective Service System

Section 55.12. Order for protective services or protective placement.

(10)

(a) If a court orders protective services or protective placement of an individual under this section and if an order has not been made under s. 54.10 (3) (f) for the individual, the court shall determine if, under 18 USC 922 (g) (4), the individual is prohibited from possessing a firearm. If the individual is prohibited, the court shall order the individual not to possess a firearm, order the seizure of any firearm owned by the individual, and inform the individual of the requirements and penalties under s. 941.29.

(b)

1. If a court orders under par. (a) an individual not to possess a firearm, the individual may petition that court or the court in the county where the individual resides to cancel the order.

2. The court considering the petition under subd. 1. shall grant the petition if the court determines that the circumstances regarding the protective services or protective placement order under this section and the individual's record and reputation indicate that the individual is not likely to act in a manner dangerous to public safety and that the granting of the petition would not be contrary to public interest.

3. If the court grants the petition under subd. 2., the court shall cancel the order under par. (a) and order the return of any firearm ordered seized under par. (a).

(c) In lieu of ordering the seizure under par. (a), the court may designate a person to store the firearm until the order under par. (a) is canceled under par. (b) 3.

(d) If the court orders under par. (a) an individual not to possess a firearm or cancels under par. (b) 3. an order issued under par. (a), the court clerk shall notify the department of justice of the order or cancellation and provide any information identifying the individual that is necessary to permit an accurate firearms restrictions record search under s. 175.35 (2g) (c), a background check under s. 175.60 (9g) (a), or an accurate response under s. 165.63. No other information from the individual's court records may be disclosed to the department of justice except by order of the court. The department of justice may disclose information provided under this paragraph only to respond to a request under s. 165.63, as part of a firearms restrictions record search under s. 175.35 (2g) (c), under rules the department of justice promulgates under s. 175.35 (2g) (d), or as part of a background check under s. 175.60 (9g) (a).

Police Regulations **Chapter 175 – Miscellaneous Police Provisions**

Section 175.30. Purchase of firearms in other states permitted.

A resident of this state or a corporation or other business entity maintaining a place of business in this state may purchase or otherwise obtain a rifle or shotgun in a state other than this state if the transfer complies with federal law and the laws of both states.

Section 175.35. Purchase of handguns.

(1) In this section:

(ag) "**Criminal history record**" includes information reported to the department under s. 938.396 (2g) (n) that indicates a person was adjudicated delinquent for an act that if committed by an adult in this state would be a felony.

(ar) "**Firearms dealer**" means any person engaged in the business of importing, manufacturing or dealing in firearms and having a license as an importer, manufacturer or dealer issued by the federal government.

(at) "**Firearms restrictions record search**" means a search of department of justice records to determine whether a person seeking to purchase a handgun is prohibited from possessing a firearm under s. 941.29. "Firearms restrictions record search" includes a criminal history record search, a search to determine whether a person is prohibited from possessing a firearm under s. 51.20 (13) (cv) 1., 2007 stats., a search in the national instant criminal background check system to determine whether a person has been ordered not to possess a firearm under s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a), a search to determine whether the person is subject to an injunction under s. 813.12 or 813.122, or a tribal injunction, as defined in s. 813.12 (1) (e), issued by a court established by any federally recognized Wisconsin Indian tribe or band, except the Menominee Indian tribe of Wisconsin, that includes notice to the respondent that he or she is subject to the requirements and penalties under s. 941.29 and that has been filed with the circuit court under s. 813.128 (3g), and a search to determine whether the person is prohibited from possessing a firearm under s. 813.123 (5m) or 813.125 (4m).

(b) "**Handgun**" means any weapon designed or redesigned, or made or remade, and intended to be fired while held in one hand and to use the energy of an explosive to expel a projectile through a smooth or rifled bore.

(c) "**Working day**" means each day except Saturday, Sunday, or a legal holiday under s. 995.20.

(2) When a firearms dealer sells a handgun, he or she may not transfer possession of that handgun to any other person until all of the following have occurred:

(a) The transferee has provided identification as required by rule under sub. (2g) (a).

(b) The transferee has completed the notification form described in sub. (2g) (b).

(c) The firearms dealer has conveyed the information from the completed notification form to the department of justice as required by rule under sub. (2g) (b) and requested a firearms restrictions record search.

(d) The firearms dealer has received an approval number regarding the firearms restrictions record search under sub. (2g) (c) from the department of justice.

(2e) When a transferee completes the notification form described in sub. (2g) (b), the transferee shall provide truthful information.

(2f) When a firearms dealer requests that the department of justice provide a firearms restrictions record search under sub. (2g), he or she shall provide truthful information about his or her status as a firearms dealer and shall provide an accurate firearms dealer identification number obtained under sub. (2h). A person may request that the department provide a firearms restrictions record search under sub. (2g) only if he or she is a firearms dealer.

(2g)

(a) The department of justice shall promulgate rules prescribing procedures for a transferee to provide and a firearms dealer to inspect identification containing a photograph of the transferee.

(b)

1. The department of justice shall promulgate rules prescribing a notification form for use under sub. (2) requiring the transferee to provide his or her name, date of birth, gender, race and social security number and other identification necessary to permit an accurate firearms restrictions record search under par. (c) 3. and the required notification under par. (c) 4. The department of justice shall make the forms available at locations throughout the state.

2. The department of justice shall ensure that each notification form under subd. 1. requires the transferee to indicate that he or she is not purchasing the firearm with the purpose or intent to transfer the firearm to a person who is prohibited from possessing a firearm under state or federal law and that each notification form informs the transferee that making a false statement with regard to this purpose or intent is a Class H felony.

(c) The department of justice shall promulgate rules for firearms restrictions record searches regarding transferees under sub. (2), including procedures for all of the following:

1. A firearms dealer to convey the information from a completed notification form to the department using either a toll-free telephone number provided by the department or an alternative means the department provides.

2. The department to provide the firearms dealer with a confirmation number confirming the receipt of the information under subd. 1.

3. The department to conduct the firearms restrictions record search regarding the transferee. The rules shall include, but not be limited to, a requirement that the department use the transaction information for management of enforcement system and the national crime information center system.

4. The department to notify the dealer as soon after receiving the information under subd. 1. as practicable, of the results of the firearms restrictions record search as follows:

a. If the search indicates that the transferee is prohibited from possessing a firearm under s. 941.29, the department shall provide the firearms dealer with a unique nonapproval number. The department may not disclose to the firearms dealer the reason the transferee is prohibited from possessing a firearm under s. 941.29.

b. If the search indicates that the transferee is not prohibited from possessing a firearm under s. 941.29, the department shall provide the firearms dealer with a unique approval number.

c. If the search indicates that it is unclear whether the person is prohibited under state or federal law from possessing a firearm and the department needs more time to make the determination, the department shall make every reasonable effort to determine whether the person is prohibited under state or federal law from possessing a firearm and notify the firearms dealer of the results as soon as practicable but no later than 5 working days after the search was requested.

(d)

1. The department of justice shall promulgate rules to convey information in a timely manner to the national instant criminal background check system regarding individuals ordered not to possess a firearm under s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a).

2. The department of justice shall promulgate rules to convey information in a timely manner to the national instant criminal background check system regarding the cancellation under s. 51.20 (13) (cv) 1m. c., 51.45 (13) (i) 2. c., 54.10 (3) (f) 2. c., or 55.12 (10) (b) 3. of an order not to possess a firearm.

(2h) Upon the request of any firearms dealer, the department of justice shall provide that firearms dealer with a unique firearms dealer identification number for use under this section.

(2i) The department shall charge a firearms dealer a \$ 10 fee for each firearms restrictions record search that the firearms dealer requests under sub. (2) (c). The firearms dealer may collect the fee from the transferee. The department may refuse to conduct firearms restrictions record searches for any firearms dealer who fails to pay any fee under this subsection within 30 days after billing by the department.

(2j) A firearms dealer shall maintain the original record of all completed notification forms and a record of all confirmation numbers and corresponding approval or nonapproval numbers that he or she receives regarding firearms restrictions record searches under sub. (2g). If, under sub. (2g) (c) 1., the firearms dealer conveys the information from the notification form using the toll-free telephone number, the firearms dealer shall mail the duplicate copy of each completed notification form to the department of justice. If, under sub. (2g) (c) 1., the firearms dealer conveys the information from the notification form using the alternative means, the firearms dealer shall transmit, using a means the department approves, each completed notification form to the department of justice.

(2k)

(ag) In this subsection:

1. "**Law enforcement agency of a physically adjacent state**" has the meaning given in s. 175.46 (1) (b).
2. "**Wisconsin law enforcement agency**" means a governmental unit of 1 or more persons employed by this state or a political subdivision of this state for the purpose of preventing and detecting crime and enforcing state laws or local ordinances, employees of which unit are authorized to make arrests for crimes while acting within the scope of their authority.

(ar) Except as provided in pars. (b) to (j) and as necessary to administer this section, the department of justice shall do all of the following:

1. Deny access to any record kept under this section.
2. Check each notification form received under sub. (2j) against the information recorded by the department regarding the corresponding request for a firearms restrictions record search under sub. (2g). If the department previously provided a unique approval number regarding the request and nothing in the completed notification form indicates that the transferee is prohibited from possessing a firearm under s. 941.29, the department shall destroy all records regarding that firearms restrictions record search within 30 days after receiving the notification form.

(b) Notwithstanding par. (ar), the department of justice may maintain all of the following:

1. Records necessary to comply with federal law.
2.
 - a. Except as provided in subd. 2. b., a log of dates of requests for firearms restrictions record searches under sub. (2g) together with confirmation numbers, unique approval and nonapproval numbers and firearms dealer identification numbers corresponding to those dates.
 - b. Within 3 years after the department issues a unique approval number, the department shall destroy all corresponding information contained in the log under subd. 2. a.
3. Records necessary to administer this section.

(c) Notwithstanding par. (ar), the department of justice shall provide access to any record under this section under all of the following circumstances:

1. The department of justice receives a record request that is submitted in writing by a Wisconsin law enforcement agency.
2. The request submitted under subd. 1. appears on the Wisconsin law enforcement agency's letterhead and contains all of the following:
 - a. A statement that the Wisconsin law enforcement agency is conducting an investigation of a crime in which a handgun was used or was attempted to be used or was unlawfully possessed.
 - b. A statement by a division commander or higher authority within the Wisconsin law enforcement agency that he or she has a reasonable suspicion that the person who is the subject of the information request has obtained or is attempting to obtain a handgun.
 - c. The signature of a division commander or higher authority within the Wisconsin law enforcement agency.

(d) Whenever a Wisconsin law enforcement agency makes a request for information under par. (c), the agency shall report to the subject of the information request the fact that a request has been made and the name of the Wisconsin law enforcement agency that made the request. The agency shall make the report whenever the earliest of the following occurs:

1. The person who is the subject of the information request under par. (c) 2. b. is no longer material to the investigation conducted under par. (c) 2. a.
2. The Wisconsin law enforcement agency has completed its investigation under par. (c) 2. a.
3. One year after the date that the Wisconsin law enforcement agency made the request under par. (c).

(e) A Wisconsin law enforcement agency may disclose information that is provided by the department of justice under par. (c) to another law enforcement agency. If there is a request for information from a requester other than a law enforcement agency, the Wisconsin law enforcement agency shall not disclose information to the requester that is provided by the department of justice under par. (c). If there is a request by a requester other than a law enforcement

agency to copy or inspect any record of the Wisconsin law enforcement agency that contains that information, the agency, acting under s. 19.36 (6), shall delete any portion of the record that relates to that information before release.

(f) A Wisconsin law enforcement agency that is provided access to a record under par. (c) shall destroy all corresponding information contained in the record when the earliest of the following occurs:

1. The person who is the subject of the information request under par. (c) 2. b. is no longer material to the investigation conducted under par. (c) 2. a.
2. The Wisconsin law enforcement agency has completed its investigation under par. (c) 2. a.
3. One year after the date the Wisconsin law enforcement agency made the request under par. (c).

(g) If a search conducted under sub. (2g) indicates that the transferee is prohibited from possessing a firearm under s. 941.29, the attorney general or his or her designee may disclose to a law enforcement agency that the transferee has attempted to obtain a handgun.

(h) If a search conducted under sub. (2g) indicates a felony charge without a recorded disposition and the attorney general or his or her designee has reasonable grounds to believe the transferee may pose a danger to himself, herself or another, the attorney general or his or her designee may disclose to a law enforcement agency that the transferee has obtained or has attempted to obtain a handgun.

(i) The department of justice may not charge a fee for any services that the department provides under pars. (c) to (j).

(j) If a law enforcement agency of a physically adjacent state makes a request under par. (c), the department shall comply with the request under all of the following circumstances:

1. The law enforcement agency of the physically adjacent state agrees to comply with all the requirements under this subsection.
2. The physically adjacent state allows Wisconsin law enforcement agencies similar or greater access to similar information from that physically adjacent state.

(2L) The department of justice shall promulgate rules providing for the review of nonapprovals under sub. (2g) (c) 4. a. Any person who is denied the right to purchase a handgun because the firearms dealer received a nonapproval number under sub. (2g) (c) 4. a. may request a firearms restrictions record search review under those rules. If the person disagrees with the results of that review, the person may file an appeal under rules promulgated by the department.

(2t) This section does not apply to any of the following:

- (a)** Transfers of any handgun classified as an antique by regulations of the U.S. department of the treasury.
- (b)** Transfers of any handgun between firearms dealers or between wholesalers and dealers.
- (c)** Transfers of any handgun to law enforcement or armed services agencies.

(3)

(a) Any person who intentionally violates sub. (2), (2f), or (2j) shall be fined not less than \$500 nor more than \$10,000 and may be imprisoned for not more than 9 months.

(b)

1. Except as provided in subd. 2., a person who intentionally violates sub. (2e) shall be fined not less than \$500 nor more than \$10,000 and may be imprisoned for not more than 9 months.
2. A person who violates sub. (2e) by intentionally providing false information regarding whether he or she is purchasing the firearm with the purpose or intent to transfer the firearm to another who the person knows or reasonably should know is prohibited from possessing a firearm under state or federal law is guilty of a Class H felony. The penalty shall include a fine that is not less than \$500.

(4) The department of justice or the district attorney may institute, manage, control, and direct, in the proper county, a prosecution for a violation of sub. (2e) that is punishable under sub. (3) (b) 2. When prosecuting such a violation, the department of justice shall have and exercise all powers conferred upon district attorneys.

Section 175.37. Warning whenever transferring a firearm.

(1) Upon the retail commercial sale or retail commercial transfer of any firearm, the seller or transferor shall provide to the buyer or transferee the following written warning in block letters not less than 1/4 inch in height: "IF YOU LEAVE A LOADED FIREARM WITHIN THE REACH OR EASY ACCESS OF A CHILD YOU MAY BE FINED OR IMPRISONED OR BOTH IF THE CHILD IMPROPERLY DISCHARGES, POSSESSES OR EXHIBITS THE FIREARM."

(2) Any person who violates sub. (1) may be fined not more than \$500 or imprisoned for not more than 30 days or both.

Civil Procedure
Chapter 813 – Injunctions, Ne Exeat and Receivers

Section 813.12. Domestic abuse restraining orders and injunctions.

(2) Commencement of action and response.

(a) No action under this section may be commenced by complaint and summons. An action under this section may be commenced only by a petition described under sub. (5) (a). ...

(c) When the respondent is served with the petition under this subsection, the person who serves the respondent shall also provide the respondent all of the following information:

1. Notice of the requirements and penalties under s. 941.29 and notice of any similar applicable federal laws and penalties.
2. An explanation of s. 813.1285, including the procedures for surrendering a firearm and the circumstances listed under s. 813.1285 under which a respondent must appear at a hearing to surrender firearms.
3. A firearm possession form developed under s. 813.1285 (5) (a), with instructions for completing and returning the form.

(3) Temporary restraining order.

(b) Notice need not be given to the respondent before issuing a temporary restraining order under this subsection. A temporary restraining order may be entered only against the respondent named in the petition.

(c) The temporary restraining order is in effect until a hearing is held on issuance of an injunction under sub. (4), except that the court may extend the temporary restraining order under s. 813.1285. The temporary restraining order is not voided if the respondent is admitted into a dwelling that the order directs him or her to avoid. A judge or circuit court commissioner shall hold a hearing on issuance of an injunction within 14 days after the temporary restraining order is issued, unless the time is extended upon the written consent of the parties, extended under s. 801.58 (2m), or extended once for 14 days upon a finding that the respondent has not been served with a copy of the temporary restraining order although the petitioner has exercised due diligence. A judge or court commissioner may not extend the temporary restraining order in lieu of ruling on the issuance of an injunction.

(4m) Notice of restriction on firearm possession; surrender of firearms.

(a) An injunction issued under sub. (4) shall do all of the following:

1. Inform the respondent named in the petition of the requirements and penalties under s. 941.29 and any similar applicable federal laws and penalties.
2. Except as provided in par. (ag), require in writing the respondent to surrender any firearms that he or she owns or has in his or her possession to the sheriff of the county in which the action under this section was commenced, to the sheriff of the county in which the respondent resides or to another person designated by the respondent and approved by the judge or circuit court commissioner, in accordance with s. 813.1285.

(ag) If the respondent is a peace officer, an injunction issued under sub. (4) may not require the respondent to surrender a firearm that he or she is required, as a condition of employment, to possess whether or not he or she is on duty.

(6) Enforcement assistance.

(a) If an order is issued under this section, upon request by the petitioner the court or circuit court commissioner shall order the sheriff to accompany the petitioner and assist in placing him or her in physical possession of his or her residence.

(am)

1. If an injunction is issued or extended under sub. (4) or if a tribal injunction is filed under s. 813.128 (3g), the clerk of the circuit court shall notify the department of justice of the injunction and shall provide the department of justice with information concerning the period during which the injunction is in effect and information necessary to identify the respondent for purposes of responding to a request under s. 165.63 or for purposes of a firearms restrictions record search under s. 175.35 (2g) (c) or a background check under s. 175.60 (9g) (a).
2. Except as provided in subd. 3., the department of justice may disclose information that it receives under subd. 1. only to respond to a request under s. 165.63 or as part of a firearms restrictions record search under s. 175.35 (2g) (c) or a background check under s. 175.60 (9g) (a).
3. The department of justice shall disclose any information that it receives under subd. 1. to a law enforcement agency when the information is needed for law enforcement purposes.

(c) No later than 24 hours after receiving the information under par. (b), the sheriff or other appropriate local law enforcement agency under par. (b) shall enter the information concerning an order or injunction issued, extended, modified or vacated under this section into the transaction information for management of enforcement system. The sheriff or other appropriate local law enforcement agency shall also make available to other law enforcement agencies, through a verification system, information on the existence and status of any order or injunction issued under this section. The information need not be maintained after the order or injunction is no longer in effect.

(d) The issuance of an order under s. 813.12 (3) or (4) is enforceable despite the existence of any other criminal or civil order restricting or prohibiting contact.

(7) Arrest.

(am) A law enforcement officer shall arrest and take a person into custody if all of the following occur:

2. The law enforcement officer has probable cause to believe that the person has violated the court order issued under sub. (3) or (4) by any circuit court in this state.

(8) Penalty.

(a) Whoever knowingly violates a temporary restraining order or injunction issued under sub. (3) or (4) shall be fined not more than \$10,000 or imprisoned for not more than 9 months or both.

(b) The petitioner does not violate the court order under sub. (3) or (4) if he or she admits into his or her residence a person ordered under sub. (3) or (4) to avoid that residence.

Section 813.122. Child abuse restraining orders and injunctions.

(2) Commencement of action and response.

(a) No action under this section may be commenced by complaint and summons. An action under this section may be commenced only by a petition described under sub. (6) (a). The action commences with service of the petition upon the respondent if a copy of the petition is filed before service or promptly after service. ...

(b) When the respondent is served with the petition under this subsection, the person who serves the respondent shall also provide the respondent with all of the following information:

1. Notice of the requirements and penalties under s. 941.29 and notice of any similar applicable federal laws and penalties.
2. An explanation of s. 813.1285, including the procedures for surrendering a firearm and the circumstances listed under s. 813.1285 under which a respondent must appear at a hearing to surrender firearms.
3. A firearm possession form developed under s. 813.1285 (5) (a), with instructions for completing and returning the form.

(5m) Notice of restriction on firearm possession; surrender of firearms.

(a) An injunction issued under sub. (5) shall do all of the following:

1. Inform the respondent named in the petition of the requirements and penalties under s. 941.29 and any similar applicable federal laws and penalties.
2. Except as provided in par. (ag), require in writing the respondent to surrender any firearms that he or she owns or has in his or her possession to the sheriff of the county in which the action under this section was commenced, to the sheriff of the county in which the respondent resides or to another person designated by the respondent and approved by the judge or circuit court commissioner, in accordance with s. 813.1285.

(ag) If the respondent is a peace officer, an injunction issued under sub. (5) may not require the respondent to surrender a firearm that he or she is required, as a condition of employment, to possess whether or not he or she is on duty.

Section 813.123. Restraining orders and injunctions for individuals at risk.

(5) Injunction.

(a) Unless the individual at risk, guardian, or guardian ad litem consents in writing to a contact and the judge agrees that the contact is in the best interests of the individual at risk, a judge may grant an injunction ordering the respondent as specified in par. (ar), if all of the following occur:

1. The petitioner files a petition alleging the elements set forth under sub. (6).
2. The petitioner serves upon the respondent a copy of the petition and notice of the time for hearing on the issuance of the injunction, or the respondent serves upon the petitioner notice of the time for hearing on the issuance of the injunction. The notice served under this subdivision shall inform the respondent that, if the judge

or circuit court commissioner issues an injunction, the judge or circuit court commissioner may also order the respondent not to possess a firearm while the injunction is in effect. The person who serves the respondent with the notice shall also provide the respondent with all of the following information:

- a. Notice of the requirements and penalties under s. 941.29 and notice of any similar applicable federal laws and penalties.
- b. An explanation of s. 813.1285, including the procedures for surrendering a firearm and the circumstances listed under s. 813.1285 under which a respondent must appear at a hearing to surrender firearms.
- c. A firearm possession form developed under s. 813.1285 (5) (a), with instructions for completing and returning the form.

(5m) Restriction on firearm possession; surrender of firearms.

(a) If a judge or circuit court commissioner issues an injunction under sub. (5) and the judge or circuit court commissioner determines, based on clear and convincing evidence presented at the hearing on the issuance of the injunction, that the respondent may use a firearm to cause physical harm to another or to endanger public safety, the judge or circuit court commissioner may prohibit the respondent from possessing a firearm.

(b) An order prohibiting a respondent from possessing a firearm issued under par. (a) remains in effect until the expiration of the injunction issued under sub. (5).

(c) An order issued under par. (a) that prohibits a respondent from possessing a firearm shall do all of the following:

1. Inform the respondent named in the petition of the requirements and penalties under s. 941.29 and any similar applicable federal laws and penalties.
2. Except as provided in par. (d), require in writing the respondent to surrender any firearms that he or she owns or has in his or her possession to the sheriff of the county in which the action under this section was commenced, to the sheriff of the county in which the respondent resides, or to another person designated by the respondent and approved by the judge or circuit court commissioner, in accordance with s. 813.1285.

(d) If the respondent is a peace officer, an order issued under par. (a) may not require the respondent to surrender a firearm that he or she is required, as a condition of employment, to possess whether or not he or she is on duty.

Section 813.125. Harassment restraining orders and injunctions.

(2) Commencement of action.

(a) An action under this section may be commenced by filing a petition described under sub. (5) (a). No action under this section may be commenced by service of summons. The action commences with service of the petition upon the respondent if a copy of the petition is filed before service or promptly after service. ...

(2m) Two-part procedure.

If the fee under s. 814.61 (1) for filing a petition under this section is waived under s. 814.61 (1) (e), the procedure for an action under this section is in 2 parts. First, if the petitioner requests a temporary restraining order the court shall issue or refuse to issue that order. Second, the court shall hold a hearing under sub. (4) on whether to issue an injunction, which is the final relief. If the court issues a temporary restraining order, the order shall set forth the date for the hearing on an injunction. If the court does not issue a temporary restraining order, the date for the hearing shall be set upon motion by either party.

(3) Temporary restraining order.

(b) Notice need not be given to the respondent before issuing a temporary restraining order under this subsection. A temporary restraining order may be entered only against the respondent named in the petition.

(c) The temporary restraining order is in effect until a hearing is held on issuance of an injunction under sub. (4), except that the court may extend the temporary restraining order under s. 813.1285. ...

(4m) Restriction on firearm possession; surrender of firearms.

(a) If a judge or circuit court commissioner issues an injunction under sub. (4) and the judge or circuit court commissioner determines, based on clear and convincing evidence presented at the hearing on the issuance of the injunction, that the respondent may use a firearm to cause physical harm to another or to endanger public safety, the judge or circuit court commissioner may prohibit the respondent from possessing a firearm.

(b) An order prohibiting a respondent from possessing a firearm issued under par. (a) remains in effect until the expiration of the injunction issued under sub. (4).

(c) An order issued under par. (a) that prohibits a respondent from possessing a firearm shall do all of the following:

1. Inform the respondent named in the petition of the requirements and penalties under s. 941.29 and any similar applicable federal laws and penalties.

2. Except as provided in par. (cg), require in writing the respondent to surrender any firearms that he or she owns or has in his or her possession to the sheriff of the county in which the action under this section was commenced, to the sheriff of the county in which the respondent resides or to another person designated by the respondent and approved by the judge or circuit court commissioner, in accordance with s. 813.1285.

(cg) If the respondent is a peace officer, an order issued under par. (a) may not require the respondent to surrender a firearm that he or she is required, as a condition of employment, to possess whether or not he or she is on duty.

(5g) Enforcement assistance.

(c) If an order is issued under this section, upon request by the petitioner the court or circuit court commissioner shall order the sheriff to accompany the petitioner and assist in placing him or her in physical possession of his or her residence.

(d) The issuance of an order or injunction under sub. (3) or (4) is enforceable despite the existence of any other criminal or civil order restricting or prohibiting contact.

(5r) Notice to department of justice.

(a) If an order prohibiting a respondent from possessing a firearm is issued under sub. (4m), the clerk of the circuit court shall notify the department of justice of the existence of the order prohibiting a respondent from possessing a firearm and shall provide the department of justice with information concerning the period during which the order is in effect and information necessary to identify the respondent for purposes of responding to a request under s. 165.63 or for purposes of a firearms restrictions record search under s. 175.35 (2g) (c) or a background check under s. 175.60 (9g) (a).

(b) Except as provided in par. (c), the department of justice may disclose information that it receives under par. (a) only to respond to a request under s. 165.63 or as part of a firearms restrictions record search under s. 175.35 (2g) (c) or a background check under s. 175.60 (9g) (a).

(c) The department of justice shall disclose any information that it receives under par. (a) to a law enforcement agency when the information is needed for law enforcement purposes.

(6) Arrest.

(am) A law enforcement officer shall arrest and take a person into custody if all of the following occur:

1. A person named in a petition under sub. (5) presents the law enforcement officer with a copy of a court order issued under sub. (3) or (4), or the law enforcement officer determines that such an order exists through communication with appropriate authorities.

2. The law enforcement officer has probable cause to believe that the person has violated the court order issued under sub. (3) or (4).

(7) Penalty.

Whoever violates a temporary restraining order or injunction issued under this section shall be fined not more than \$10,000 or imprisoned not more than 9 months or both.

Section 813.1285. Notice and process for firearm surrender.

(1) Definitions. In this section:

(a) “**Firearm possession form**” means the form developed under sub. (5) (a).

(am) “**Injunction**” means an injunction issued under s. 813.12 (4) or 813.122 (5); an injunction issued under s. 813.123 if the court has required the individual to surrender his or her firearms under s. 813.123 (5m); or an injunction issued under s. 813.125 if the court has required the individual to surrender his or her firearms under s. 813.125 (4m). “Injunction” includes an injunction that has been stayed under this section.

(b) “**Petitioner**” means an individual who is applying for, or for whom a court has granted, an injunction.

(c) “**Petition for the return of firearms**” means a petition developed under sub. (5) (b).

(d) “**Respondent**” means the individual who is the subject of an injunction.

(e) “**Surrender and extend order**” means an order under sub. (1g).

(1g) Surrender and extend order. If the court issues a surrender and extend order, the court shall do all of the following:

(a) Order the respondent to surrender, within a period that is no longer than 48 hours, any firearm that he or she owns or possesses to the sheriff or, in the court's discretion, to another person.

(b) Order that the respondent may possess or transport a firearm only for the purpose of complying with par. (a).

(c) If the court stays an injunction, order the respondent subject to a temporary restraining order during the stay of the injunction and extend the temporary restraining order for a period of 48 hours for the purpose of firearm surrender.

(d) Inform the respondent when the injunction will take effect and the penalty for possessing a firearm while the injunction is in effect.

(e) Instruct the respondent how to surrender any firearm.

(f) If appropriate, order the respondent to attend a hearing to surrender firearms.

(1m) Temporary restraining orders. If the court is required to extend a temporary restraining order under this section, and a temporary restraining order was not previously granted, the court shall, on its own motion, reconsider and grant the temporary restraining order.

(2) Firearm possession determination.

(a) If the respondent is present at the injunction hearing, the court shall stay the injunction for a period not to exceed 48 hours and shall extend the temporary restraining order for 48 hours for the purpose of firearm surrender. The respondent shall provide the court a completed firearm possession form. The court shall verify the information on the firearm possession form and shall make an inquiry on the record as to the contents of the firearm possession form.

(b) If the respondent is not present at the injunction hearing, the court shall provide the petitioner with an opportunity to inform the court orally or in writing whether he or she believes that the respondent possesses a firearm. If the petitioner informs the court that the respondent possesses a firearm, the court shall request the petitioner to inform the court orally or in writing how many firearms he or she believes the respondent possesses, the make and model of any firearm he or she believes the respondent possesses, and the location of any firearm he or she believes the respondent possesses.

(c)

1. If the firearm possession form submitted to the court under par. (a) or (b) indicates the respondent does not possess a firearm, and the court, after an inquiry, is satisfied that the respondent does not possess a firearm, the court shall file the firearm possession form, lift the stay of the injunction, and dismiss the temporary restraining order extended under par. (a).

2. If, under par. (a), the firearm possession form submitted to the court indicates the respondent possesses a firearm, and the respondent has not surrendered his or her firearm as described under sub. (3) (a), the court shall continue to stay the injunction as provided under par. (a) for a period not to exceed 48 hours, issue a surrender and extend order, and schedule a hearing to surrender firearms to occur within one week of the injunction hearing.

3. If, under par. (b), the petitioner indicates that the respondent possesses a firearm or if the court is not satisfied under subd. 1. that the respondent does not possess a firearm, the court shall schedule a hearing to surrender firearms to occur within one week of the injunction hearing. The court shall do one of the following:

a. Continue the stay under par. (a) of the injunction and issue a surrender and extend order.

b. Lift the stay of the injunction.

4. The court may schedule a hearing to surrender firearms for any reason relevant to the surrender of firearms.

(3) Surrender of firearms.

(a) Unless the court has noted another reason that is relevant to the surrender of firearms that would require the hearing to surrender firearms to occur, the court shall dismiss the hearing to surrender firearms scheduled under sub. (2) (c) 2. or 3. if the respondent surrenders his or her firearm in one of the following manners:

1. The respondent surrenders his or her firearm to another person and all of the following apply:

a. The respondent and the person to whom the respondent is surrendering his or her firearm appear at the injunction hearing.

b. At the injunction hearing, the person testifies under oath that the person has received the firearms listed on the respondent's firearm possession form.

c. At the injunction hearing, the court determines that the person is not prohibited from possessing a firearm.

d. The court informs the person to whom the firearm is surrendered of the requirements and penalties under s. 941.2905.

e. The court, after considering all relevant factors and any input from the petitioner, approves the surrender of the firearm.

f. The court does not use the process under subd. 3.

2. The respondent surrenders his or her firearm to a sheriff no later than 48 hours after the injunction hearing ordering the respondent to surrender his or her firearm and provides a copy of the receipt to the clerk of courts as provided in sub. (6) (b).

3. The respondent surrenders his or her firearm to a sheriff as provided under subd. 2., and a person who appeared at the injunction hearing takes possession of the firearm from the sheriff, if all of the following apply:

a. Subdivision 1. d. and e. apply.

b. The sheriff determines that the person is not prohibited from possessing a firearm.

(b) If the court approves the surrender under par. (a) 1., and if the court has issued a surrender and extend order and has stayed the injunction, the court shall lift the stay and dismiss the temporary restraining order.

(4) Hearing to surrender firearms.

(a) Unless the court dismisses the hearing to surrender firearms, a respondent for whom a hearing to surrender firearms has been scheduled must attend the hearing. If the respondent fails to attend the hearing to surrender firearms, the court shall issue an arrest warrant for the respondent.

(b) At the hearing to surrender firearms, the court shall stay the injunction for a period not to exceed 48 hours, shall extend the temporary restraining order for 48 hours, shall ensure that the respondent has completed a firearm possession form and verify the information provided on the firearm possession form if the information was not already verified under sub. (2) (a), shall make an inquiry on the record as to the contents of the firearm possession form, and shall do one of the following:

1. If the respondent wants to surrender his or her firearms to a person who is not the sheriff and who appears at the hearing to surrender firearms, and if the court, after considering all relevant factors and input from the petitioner, approves the surrender and informs the person to whom the firearms are surrendered of the requirements and penalties under s. 941.2905, order the respondent to surrender his or her firearms in one of the following ways:

a. To the person, after the person testifies under oath that he or she has received the firearms listed on the respondent's firearm possession form and after the court determines that the person is not prohibited from possessing a firearm.

b. To the sheriff, who shall transfer the firearms to the person after determining that the person is not prohibited from possessing a firearm.

1m. If the respondent claims to have surrendered his or her firearms to the sheriff in accordance with sub. (6), verify that the respondent has surrendered all such firearms, lift the stay of the injunction, and dismiss the temporary restraining order.

2. Order the respondent to surrender any firearm that the court finds the respondent owns or possesses to a sheriff in accordance with sub. (6). If the respondent has not provided to the court, within 48 hours of the hearing to surrender firearms, a receipt as specified in sub. (6) (b) that shows surrender of all of the firearms that were subject to the order, the court shall presume the respondent is violating the order and the injunction and may do any of the following:

a. Notify the sheriff of the violation for investigation and appropriate action.

b. Schedule another hearing to surrender firearms.

c. Issue a warrant to the sheriff ordering that the respondent be brought before the court to show cause why the respondent should not be held in contempt.

3.

a. If, under subd. 1. b. or 2., the court orders the respondent to surrender his or her firearms to the sheriff, the court shall issue a surrender and extend order.

b. If, under subd. 1. a., the court orders the respondent to surrender his or her firearms to a person who is not the sheriff, the court shall lift any stay of the injunction and dismiss the temporary restraining order.

4. If the firearm possession form indicates that the respondent does not possess a firearm, and the court, after an inquiry, is satisfied that the respondent does not possess a firearm, the court shall file the firearm possession form, lift any stay of the injunction, and dismiss the temporary restraining order.

(5) Firearm possession form and petition for the return of firearms.

(a) The director of state courts shall develop a firearm possession form. Any false information provided on the form by the respondent may be subject to a penalty of false swearing under s. 946.32. The director of state courts shall ensure that the firearm possession form does all of the following:

1. Requires the respondent to list his or her name and address.
2. Includes space for the respondent's signature and date signed.
3. Requires the respondent to indicate whether he or she owns or possesses any firearm or has owned or possessed any firearm in the 6 months immediately preceding the issuance of the injunction, and, if the answer is yes, to list the quantity and the make and model of each firearm and to note whether the firearm was sold or surrendered and whether he or she has a receipt for the firearm sale or surrender.
4. Gives notice of the penalty for false swearing under s. 946.32.

(5m) Notification to local law enforcement.

(a) Within one business day after the court issues an order, extends or modifies a temporary restraining order, or stays or lifts a stay on an injunction under this section, the clerk of the circuit court shall send a copy of the order, the extension or modification, or the stay or lift to the sheriff or to any other local law enforcement agency that is the repository for such actions and that has jurisdiction over the premises of the petitioner.

(b) No later than 24 hours after receiving the information under par. (a), the sheriff or other local law enforcement agency under par. (a) shall enter the information concerning the order issued, the extension or modification, or the stay or lift of the injunction under par. (a) into the transaction information for management of enforcement system. The sheriff or other local law enforcement agency shall also make available to other law enforcement agencies, through a verification system, the information received and entered under this paragraph. The information need not be maintained after the order or injunction is no longer in effect.

(6) Surrender of firearm to sheriff.

(a) When a respondent surrenders a firearm under sub. (3) (a) 2. or (4) (b) 2. to a sheriff, the sheriff who is receiving the firearm shall prepare a receipt for each firearm surrendered to him or her. The receipt shall include the date on which the firearm was surrendered and the manufacturer, model, and serial number of the firearm surrendered to the sheriff and shall be signed by the respondent and by the sheriff to whom the firearm is surrendered.

(b) The sheriff shall keep the original of a receipt prepared under par. (a) and shall provide 2 copies of the receipt to the respondent. The respondent shall provide one copy of the receipt to the clerk of courts within 48 hours of the order to surrender firearms. When the firearm covered by the receipt is returned to the respondent under sub. (7), the sheriff shall surrender to the respondent the original receipt and all of his or her copies of the receipt.

(c) A receipt prepared under par. (a) is conclusive proof that the respondent owns the firearm for purposes of returning the firearm covered by the receipt to the respondent under sub. (7).

(d) The sheriff may not enter any information contained on a receipt prepared under par. (a) into any computerized or direct electronic data transfer system in order to store the information or, except as provided in par. (b), disseminate or provide access to the information.

(e)

1. A sheriff may store a firearm surrendered to him or her under sub. (3) (a) 2. or (4) (b) 2. in a warehouse that is operated by a public warehouse keeper licensed under ch. 99. If a sheriff stores a firearm at a warehouse under this subdivision, the respondent shall pay the costs charged by the warehouse for storing that firearm.
2. If an injunction expires and is not extended, or an injunction is vacated, a sheriff may charge the respondent for any costs incurred 30 days after the injunction expires for storage of the firearm surrendered to the sheriff due to that injunction. A sheriff may dispose of a firearm surrendered to the sheriff due to that injunction 12 months after the injunction expires or is vacated and, if the sheriff disposes of the firearm, the sheriff may charge the respondent for the costs of disposal.

(7) Return of firearm.

(a) A firearm surrendered under this section may not be returned to the respondent until the respondent completes a petition for the return of firearms and a judge or circuit court commissioner determines all of the following:

1. That the injunction has been vacated or has expired and not been extended.

2. That the person is not prohibited from possessing a firearm under any state or federal law or by the order of any federal court or state court, other than an order from which the judge or circuit court commissioner is competent to grant relief. The court or commissioner shall use the information provided under s. 165.63 to aid in making the determination under this subdivision.

(b) If a respondent surrenders a firearm under this section that is owned by a person other than the respondent, the person who owns the firearm may apply for its return to the circuit court for the county in which the person to whom the firearm was surrendered is located. The court shall order such notice as it considers adequate to be given to all persons who have or may have an interest in the firearm and shall hold a hearing to hear all claims to its true ownership. If the right to possession is proved to the court's satisfaction, it shall order the firearm returned. If the court returns a firearm under this paragraph, the court shall inform the person to whom the firearm is returned of the requirements and penalties under s. 941.2905.

(8) Penalties. A respondent who violates an order described under sub. (1g) (a) or (b) is subject to a fine of not more than \$10,000 or imprisonment for not more than 9 months or both in addition to any other penalty to which he or she is subject.

Criminal Code
Chapter 939 – Crimes – General Provisions
Subchapter I – Preliminary Provisions

Section 939.22. Words and phrases defined.

In chs. 939 to 948 and 951, the following words and phrases have the designated meanings unless the context of a specific section manifestly requires a different construction or the word or phrase is defined in s. 948.01 for purposes of ch. 948:

(10) "**Dangerous weapon**" means any firearm, whether loaded or unloaded; any device designed as a weapon and capable of producing death or great bodily harm; any ligature or other instrumentality used on the throat, neck, nose, or mouth of another person to impede, partially or completely, breathing or circulation of blood; any electric weapon, as defined in s. 941.295 (1c) (a); or any other device or instrumentality which, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm.

Chapter 941 – Crimes Against Public Health and Safety
Subchapter III – Weapons

Section 941.25. Manufacturer to register machine guns.

(1) In this section, "**machine gun**" means any of the following:

- (a) Any weapon that shoots, is designed to shoot or can be readily restored to shoot, automatically more than 1 shot, without manual reloading, by a single function of the trigger.
- (b) The frame or receiver of any weapon described under par. (a) or any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a weapon described under par. (a).
- (c) Any combination of parts from which a weapon described under par. (a) can be assembled if those parts are in the possession or under the control of a person.

(2) Every manufacturer shall keep a register of all machine guns manufactured or handled by him or her. This register shall show the model and serial number, date of manufacture, sale, loan, gift, delivery, or receipt, of every machine gun, the name, address, and occupation of the person to whom the machine gun was sold, loaned, given, or delivered, or from whom it was received; and the purpose for which it was acquired by the person to whom the machine gun was sold, loaned, given, or delivered, or from whom received. Upon demand every manufacturer shall permit any marshal, sheriff, or police officer to inspect his or her entire stock of machine guns, parts, and supplies therefor, and shall produce the register required under this subsection for inspection. Whoever violates any provision of this subsection is subject to a Class B forfeiture.

(3) This section does not prohibit or interfere with the manufacture for, and sale of, machine guns to the military forces or the peace officers of the United States or of any political subdivision thereof, or the transportation required for that purpose; the possession of a machine gun for scientific purpose, or the possession of a machine gun not usable as a weapon and possessed as a curiosity, ornament, or keepsake; or the possession of a machine gun other than one adapted to use pistol cartridges for a purpose manifestly not aggressive or offensive.

Section 941.26. Machine guns and other weapons; use in certain cases; penalty.

(1c) In this section, "**machine gun**" has the meaning given in s. 941.25 (1).

(1g)

(a) No person may sell, possess, use or transport any machine gun or other full automatic firearm.

(b) Except as provided in sub. (4), no person may sell, possess, use or transport any tear gas bomb, hand grenade, projectile or shell or any other container of any kind or character into which tear gas or any similar substance is used or placed for use to cause bodily discomfort, panic, or damage to property.

(1m) No person may take a firearm that is not designed to shoot more than 1 shot, without manual reloading, by a single function of the trigger and modify the firearm so that it does shoot more than 1 shot, without manual reloading, by a single function of the trigger.

(2)

(a) Any person violating sub. (1g) (a) is guilty of a Class H felony.

(b) Any person violating sub. (1m) is guilty of a Class F felony.

(c) Except as provided in par. (d), any person who violates sub. (1g) (b) regarding the possession, noncommercial transportation or use of the bomb, grenade, projectile, shell, or container under sub. (1g) (b) is guilty of a Class A misdemeanor.

(d) Any person who violates sub. (1g) (b) regarding the possession, noncommercial transportation or use of the bomb, grenade, projectile, shell, or container under sub. (1g) (b) in self-defense or defense of another, as allowed under s. 939.48, is subject to a Class D forfeiture.

(e) Any person who violates sub. (1g) (b) regarding the sale or commercial transportation of the bomb, grenade, projectile, shell, or container under sub. (1g) (b) is guilty of a Class H felony.

(f) Any person who violates sub. (1g) (b) regarding the use of the bomb, grenade, projectile, shell or container under sub. (1g) (b) to cause bodily harm or bodily discomfort to a person who the actor knows, or has reason to know, is a peace officer who is acting in an official capacity is guilty of a Class H felony.

(g) Any person who violates sub. (1g) (b) regarding the use of the bomb, grenade, projectile, shell or container under sub. (1g) (b) during his or her commission of another crime to cause bodily harm or bodily discomfort to another or who threatens to use the bomb, grenade, projectile, shell, or container during his or her commission of another crime to incapacitate another person is guilty of a Class H felony.

(3) This section does not apply to the sale, possession, modification, use or transportation of any weapons or containers under sub. (1g) or (1m) to or by any armed forces or national guard personnel in the line of duty, any civil enforcement officer of the state or of any city or county. This section does not apply to the sale, possession, modification, use, or transportation of weapons under sub. (1g) (a) or (1m) to or by any person duly authorized by the chief of police of any city or the sheriff of any county. This section does not apply to the restoration of any weapon under sub. (1g) (a) or (1m) by a person having a license to collect firearms as curios or relics issued by the U.S. department of the treasury. The restriction on transportation contained in this section does not apply to common carriers.

(4)

(a) Subsections (1g) to (3) do not apply to any device or container that contains a combination of oleoresin of capsicum and inert ingredients but does not contain any other gas or substance that will cause bodily discomfort.

(b) Whoever intentionally uses a device or container described under par. (a) to cause bodily harm or bodily discomfort to another is guilty of a Class A misdemeanor.

(c) Paragraph (b) does not apply to any of the following:

1. Any person acting in self-defense or defense of another, as allowed under s. 939.48.
2. Any peace officer acting in his or her official capacity. Notwithstanding s. 939.22 (22), for purposes of this subdivision, peace officer does not include a commission warden who is not a state-certified commission warden.
3. Any armed forces or national guard personnel acting in the line of duty.

(d) Whoever intentionally uses a device or container described under par. (a) to cause bodily harm or bodily discomfort to a person who the actor knows, or has reason to know, is a peace officer who is acting in an official capacity is guilty of a Class H felony.

(e) Whoever uses a device or container described under par. (a) during his or her commission of another crime to cause bodily harm or bodily discomfort to another or who threatens to use the device or container during his or her commission of another crime to incapacitate another person is guilty of a Class H felony.

(g)

1. Any person who sells or distributes a device or container described under par. (a) to a person who has not attained 18 years of age is subject to a Class C forfeiture.

1m. Subdivision 1. does not apply to an actor who is a parent, guardian, or legal custodian of a person who has not attained 18 years of age if the actor gives the person the device or container.

2. A person who proves all of the following by a preponderance of the evidence has a defense to prosecution under subd. 1.:

a. That the purchaser or distributee falsely represented that he or she had attained the age of 18 and presented an identification card.

b. That the appearance of the purchaser or distributee was such that an ordinary and prudent person would believe that the purchaser or distributee had attained the age of 18.

c. That the sale was made in good faith, in reasonable reliance on the identification card and appearance of the purchaser or distributee and in the belief that the purchaser or distributee had attained the age of 18.

(j) Whoever intentionally sells a device or container described under par. (a) without providing the purchaser with a proper label on the device or container and written safety instructions for using the device or container is guilty of a Class A misdemeanor.

(k)

1. Except as provided in subd. 2., any person who has not attained the age of 18 years and who possesses a device or container described under par. (a) is subject to a Class E forfeiture.

2. Subdivision 1. does not apply if the persons parent, guardian, or legal custodian purchased the device or container for him or her or gave the device or container to him or her.

(L) Any person who has been convicted of a felony in this state or has been convicted of a crime elsewhere that would be a felony if committed in this state who possesses a device or container described under par. (a) is subject to a Class A misdemeanor. This paragraph does not apply if the person has received a pardon for the felony or crime.

(m) The department of justice may not promulgate or enforce any rule that regulates a device or container described under par. (a).

(5) This section does not prohibit or interfere with the manufacture for, and sale of, machine guns to the military forces or the peace officers of the United States or of any political subdivision thereof, or the transportation required for that purpose; the possession of a machine gun for scientific purpose, or the possession of a machine gun not usable as a weapon and possessed as a curiosity, ornament, or keepsake; or the possession of a machine gun other than one adapted to use pistol cartridges for a purpose manifestly not aggressive or offensive.

Section 941.28. Possession of short-barreled shotgun or short-barreled rifle.

(1) In this section:

(a) "Rifle" means a firearm designed or redesigned, made or remade, and intended to be fired from the shoulder or hip and designed or redesigned and made or remade to use the energy of a propellant in a metallic cartridge to fire through a rifled barrel a single projectile for each pull of the trigger.

(b) "Short-barreled rifle" means a rifle having one or more barrels having a length of less than 16 inches measured from closed breech or bolt face to muzzle or a rifle having an overall length of less than 26 inches.

(c) "Short-barreled shotgun" means a shotgun having one or more barrels having a length of less than 18 inches measured from closed breech or bolt face to muzzle or a shotgun having an overall length of less than 26 inches.

(d) "Shotgun" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder or hip and designed or redesigned and made or remade to use the energy of a propellant in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

(2) No person may sell or offer to sell, transport, purchase, possess or go armed with a short-barreled shotgun or short-barreled rifle.

(3) Any person violating this section is guilty of a Class H felony.

(4) This section does not apply to the sale, purchase, possession, use or transportation of a short-barreled shotgun or short-barreled rifle to or by any armed forces or national guard personnel in line of duty, any peace officer of the United States or of any political subdivision of the United States or any person who has complied with the licensing and registration requirements under 26 USC 5801 to 5872. This section does not apply to the manufacture of short-barreled shotguns or short-barreled rifles for any person or group authorized to possess these weapons. The restriction on

transportation contained in this section does not apply to common carriers. This section shall not apply to any firearm that may be lawfully possessed under federal law, or any firearm that could have been lawfully registered at the time of the enactment of the national firearms act of 1968.

(5) Any firearm seized under this section is subject to s. 968.20 (3) and is presumed to be contraband.

Section 941.29. Possession of a firearm.

(1g) In this section:

(a) "Violent felony" means any felony under s. 943.23 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., this section, or s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.20, 940.201, 940.203, 940.21, 940.225, 940.23, 940.235, 940.285 (2), 940.29, 940.295 (3), 940.30, 940.302, 940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.2905, 941.292, 941.30, 941.327 (2) (b) 3. or 4., 943.02, 943.04, 943.06, 943.10 (2), 943.23 (1g), 943.32, 943.87, 946.43, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.051, 948.06, 948.07, 948.08, 948.085, or 948.30.

(b) "Violent misdemeanor" means a violation of s. 813.12, 813.122, 813.125, 940.19 (1), 940.195, 940.42, 940.44, 941.20 (1), 941.26, 941.38 (3), 941.39, 947.013, 948.55, 951.02, 951.08, 951.09, or 951.095 or a violation to which a penalty specified in s. 939.63 (1) is applied.

(1m) A person who possesses a firearm is guilty of a Class G felony if any of the following applies :

(a) The person has been convicted of a felony in this state.

(b) The person has been convicted of a crime elsewhere that would be a felony if committed in this state.

(bm) The person has been adjudicated delinquent for an act committed on or after April 21, 1994, that if committed by an adult in this state would be a felony.

(c) The person has been found not guilty of a felony in this state by reason of mental disease or defect.

(d) The person has been found not guilty of or not responsible for a crime elsewhere that would be a felony in this state by reason of insanity or mental disease, defect or illness.

(e) The person has been committed for treatment under s. 51.20 (13) (a) and is subject to an order not to possess a firearm under s. 51.20 (13) (cv) 1., 2007 stats.

(em) The person is subject to an order not to possess a firearm under s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a).

(f) The person is subject to an injunction issued under s. 813.12 or 813.122 or under a tribal injunction, as defined in s. 813.12 (1) (e), issued by a court established by any federally recognized Wisconsin Indian tribe or band, except the Menominee Indian tribe of Wisconsin, that includes notice to the respondent that he or she is subject to the requirements and penalties under this section and that has been filed under 813.128 (3g).

(g) The person is subject to an order not to possess a firearm under s. 813.123 (5m) or 813.125 (4m).

(3) Any firearm involved in an offense under this section is subject to s. 968.20 (3).

(4m)

(a) If a person commits a violation of sub. (1m), the court shall impose a bifurcated sentence under s. 973.01 and the confinement portion of the bifurcated sentence imposed on the person shall be not less than 3 years if all of the following are true:

1. The person is subject to this section because he or she was convicted of, adjudicated delinquent for, or found not guilty of by reason of mental disease or defect, committing, soliciting, conspiring, or attempting to commit a violent felony.

2. Any of the following applies:

a. The person committed the current offense within 5 years after completing his or her sentence, including any parole or extended supervision, or after completing a period of probation imposed for a prior felony or violent misdemeanor. b. The person committed the current offense while on probation, parole, extended supervision, or conditional release for the commission of a prior felony or violent misdemeanor.

c. The person committed the current offense within 5 years after being discharged from commitment under ch. 971 for the commission of a prior felony or violent misdemeanor.

(b) This subsection does not apply to sentences imposed after July 1, 2020.

(5) This section does not apply to any person specified in sub. (1m) who:

(a) Has received a pardon with respect to the crime or felony specified in sub. (1m) or (4m) and has been expressly authorized to possess a firearm under 18 USC app. 1203; or

(b) Has obtained relief from disabilities under 18 USC 925 (c).

(6) The prohibition against firearm possession under this section does not apply to any correctional officer employed before May 1, 1982, who is required to possess a firearm as a condition of employment. This exemption applies if the officer is eligible to possess a firearm under any federal law and applies while the officer is acting in an official capacity.

(7) This section does not apply to any person who has been found not guilty or not responsible by reason of insanity or mental disease, defect or illness if a court subsequently determines both of the following:

(a) The person is no longer insane or no longer has a mental disease, defect or illness.

(b) The person is not likely to act in a manner dangerous to public safety.

(8) This section does not apply to any person specified in sub. (1m) (bm) if a court subsequently determines that the person is not likely to act in a manner dangerous to public safety. In any action or proceeding regarding this determination, the person has the burden of proving by a preponderance of the evidence that he or she is not likely to act in a manner dangerous to public safety.

(9)

(a) This section does not apply to a person specified in sub. (1m) (e) if the prohibition under s. 51.20 (13) (cv) 1., 2007 stats., has been canceled under s. 51.20 (13) (cv) 2. or (16) (gm), 2007 stats., or under s. 51.20 (13) (cv) 1m. c.

(b) This section does not apply to a person specified in sub. (1m) (em) if the order under s. 51.20 (13) (cv) 1. is canceled under s. 51.20 (13) (cv) 1m. c., if the order under s. 51.45 (13) (i) 1. is canceled under s. 51.45 (13) (i) 2. c., if the order under s. 54.10 (3) (f) 1. is canceled under s. 54.10 (3) (f) 2. c., or if the order under s. 55.12 (10) (a) is canceled under s. 55.12 (10) (b) 3.

(10) The prohibition against firearm possession under this section does not apply to a person specified in sub. (1m) (f) if the person satisfies any of the following:

(a) The person is a peace officer and the person possesses a firearm while in the line of duty or, if required to do so as a condition of employment, while off duty. Notwithstanding s. 939.22 (22), for purposes of this paragraph, peace officer does not include a commission warden who is not a state-certified commission warden.

(b) The person is a member of the U.S. armed forces or national guard and the person possesses a firearm while in the line of duty.

Section 941.2905. Straw purchasing of firearms.

(1) Whoever intentionally furnishes, purchases, or possesses a firearm for a person, knowing that the person is prohibited from possessing a firearm under s. 941.29 (1m), is guilty of a Class G felony.

(2) The prohibition in sub. (1) against possessing a firearm for a person who is prohibited from possessing a firearm does not apply to the possession of a firearm by any of the following:

(a) A person to whom the firearm is surrendered under s. 813.1285.

(b) A person who has been designated under s. 51.20 (13) (cv) 3. to store the firearm during the duration of the order under s. 51.20 (13) (cv) 1. not to possess a firearm.

(c) A person who has been designated under s. 51.45 (13) (i) 3. to store the firearm during the duration of the order under s. 51.45 (13) (i) 1. not to possess a firearm.

(d) A person who has been designated under s. 54.10 (3) (f) 3. to store the firearm during the duration of the order under s. 54.10 (3) (f) 1.

(e) A person who has been designated under s. 55.12 (10) (c) to store the firearm during the duration of the order under s. 55.12 (10) (a).

(f) A person not covered under pars. (a) to (e) who has been designated to store the firearm during the duration of any temporary prohibition on the possession of a firearm.

Section 941.298. Firearm silencers.

(1) In this section, "**firearm silencer**" means any device for silencing, muffling or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating such a device, and any part intended only for use in that assembly or fabrication.

(2) Whoever sells, delivers or possesses a firearm silencer is guilty of a Class H felony.

(3) Subsection (2) does not apply to sales or deliveries of firearm silencers to or possession of firearm silencers by any of the following:

(a) Any peace officer who is acting in compliance with the written policies of the officers department or agency. This paragraph does not apply to any officer whose department or agency does not have such a policy. Notwithstanding s. 939.22 (22), this paragraph does not apply to a commission warden.

(b) Any armed forces or national guard personnel, while in the line of duty.

(c) Any person who has complied with the licensing and registration requirements under 26 USC 5801 to 5872.

Chapter 948 – Crimes Against Children

Section 948.60. Possession of a dangerous weapon by a person under 18.

(1) In this section, "**dangerous weapon**" means any firearm, loaded or unloaded; any electric weapon, as defined in s. 941.295 (1c) (a);

(2)

(a) Any person under 18 years of age who possesses or goes armed with a dangerous weapon is guilty of a Class A misdemeanor.

(b) Except as provided in par. (c), any person who intentionally sells, loans or gives a dangerous weapon to a person under 18 years of age is guilty of a Class I felony.

(c) Whoever violates par. (b) is guilty of a Class H felony if the person under 18 years of age under par. (b) discharges the firearm and the discharge causes death to himself, herself or another.

(d) A person under 17 years of age who has violated this subsection is subject to the provisions of ch. 938 unless jurisdiction is waived under s. 938.18 or the person is subject to the jurisdiction of a court of criminal jurisdiction under s. 938.183.

(3)

(a) This section does not apply to a person under 18 years of age who possesses or is armed with a dangerous weapon when the dangerous weapon is being used in target practice under the supervision of an adult or in a course of instruction in the traditional and proper use of the dangerous weapon under the supervision of an adult. This section does not apply to an adult who transfers a dangerous weapon to a person under 18 years of age for use only in target practice under the adults supervision or in a course of instruction in the traditional and proper use of the dangerous weapon under the adults supervision.

(b) This section does not apply to a person under 18 years of age who is a member of the armed forces or national guard and who possesses or is armed with a dangerous weapon in the line of duty. This section does not apply to an adult who is a member of the armed forces or national guard and who transfers a dangerous weapon to a person under 18 years of age in the line of duty.

(c) This section applies only to a person under 18 years of age who possesses or is armed with a rifle or a shotgun if the person is in violation of s. 941.28 or is not in compliance with ss. 29.304 and 29.593. This section applies only to an adult who transfers a firearm to a person under 18 years of age if the person under 18 years of age is not in compliance with ss. 29.304 and 29.593 or to an adult who is in violation of s. 941.28.

Section 948.605. Gun-free school zones.

(1) Definitions. In this section:

(a) "**Encased**" has the meaning given in s. 167.31 (1) (b).

(ac) "**Firearm**" does not include any beebee or pellet-firing gun that expels a projectile through the force of air pressure or any **starter** pistol.

(ag) "**Former officer**" has the meaning given in s. 941.23 (1) (c).

(ar) "**Qualified out-of-state law enforcement officer**" has the meaning given in s. 941.23 (1) (g).

(am) "**Motor vehicle**" has the meaning given in s. 340.01 (35).

(b) "**School**" has the meaning given in s. 948.61 (1) (b).

(c) "**School zone**" means any of the following:

1. In or on the grounds of a school.
2. Within 1,000 feet from the grounds of a school.

(2) Possession of firearm in school zone.

(a) Any individual who knowingly possesses a firearm at a place that the individual knows, or has reasonable cause to believe, is in or on the grounds of a school is guilty of a Class I felony. Any individual who knowingly possesses a firearm at a place that the individual knows, or has reasonable cause to believe, is within 1,000 feet of the grounds of a school is subject to a Class B forfeiture.

(b) Paragraph (a) does not apply to the possession of a firearm by any of the following:

- 1m.** A person who possesses the firearm in accordance with 18 USC 922 (q) (2) (B) (i), (iv), (v), (vi), or (vii).
- 1r.** Except if the person is in or on the grounds of a school, a licensee, as defined in s. 175.60 (1) (d), or an out-of-state licensee, as defined in s. 175.60 (1) (g).
- 2d.** A person who is employed in this state by a public agency as a law enforcement officer and to whom s. 941.23 (1) (g) 2. to 5. and (2) (b) 1. to 3. applies.
- 2f.** A qualified out-of-state law enforcement officer to whom s. 941.23 (2) (b) 1. to 3. applies.
- 2h.** A former officer to whom s. 941.23 (2) (c) 1. to 7. applies.
- 2m.** A state-certified commission warden acting in his or her official capacity.
- 3.** A person possessing a gun that is not loaded and is any of the following:
 - a.** Encased.
 - b.** In a locked firearms rack that is on a motor vehicle.
- 3m.** A person who is legally hunting in a school forest if the school board has decided that hunting may be allowed in the school forest under s. 120.13 (38).

Criminal Procedure

Chapter 971 – Criminal Procedure – Proceedings Before and at Trial

Section 971.17. Commitment of persons found not guilty by reason of mental disease or mental defect.

(1) Commitment period.

(a) Felonies committed before July 30, 2002. Except as provided in par. (c), when a defendant is found not guilty by reason of mental disease or mental defect of a felony committed before July 30, 2002, the court shall commit the person to the department of health services for a specified period not exceeding two-thirds of the maximum term of imprisonment that could be imposed against an offender convicted of the same felony, including imprisonment authorized by any applicable penalty enhancement statutes, subject to the credit provisions of s. 973.155.

(b) Felonies committed on or after July 30, 2002. Except as provided in par. (c), when a defendant is found not guilty by reason of mental disease or mental defect of a felony committed on or after July 30, 2002, the court shall commit the person to the department of health services for a specified period not exceeding the maximum term of confinement in prison that could be imposed on an offender convicted of the same felony, plus imprisonment authorized by any applicable penalty enhancement statutes, subject to the credit provisions of s. 973.155.

(c) Felonies punishable by life imprisonment. If a defendant is found not guilty by reason of mental disease or mental defect of a felony that is punishable by life imprisonment, the commitment period specified by the court may be life, subject to termination under sub. (5).

(1g) Notice of restriction on firearm possession. If the defendant under sub. (1) is found not guilty of a felony by reason of mental disease or defect, the court shall inform the defendant of the requirements and penalties under s. 941.29.

Functions and Government of Municipalities
Chapter 66 – General Municipality Law
Subchapter IV – Regulation

Section 66.0409. Local regulation of weapons.

(1) In this section:

(a) "Firearm" has the meaning given in s. 167.31 (1) (c).

(b) "Political subdivision" means a city, village, town or county.

(2) Except as provided in subs. (3) and (4), no political subdivision may enact or enforce an ordinance or adopt a resolution that regulates the sale, purchase, purchase delay, transfer, ownership, use, keeping, possession, bearing, transportation, licensing, permitting, registration, or taxation of any knife or any firearm or part of a firearm, including ammunition and reloader components, unless the ordinance or resolution is the same as or similar to, and no more stringent than, a state statute.

(3)

(a) Nothing in this section prohibits a county from imposing a sales tax or use tax under subch. V of ch. 77 on any knife or any firearm or part of a firearm, including ammunition and reloader components, sold in the county.

(4)

(a) Nothing in this section prohibits a political subdivision from continuing to enforce an ordinance or resolution that is in effect on November 18, 1995, and that regulates the sale, purchase, transfer, ownership, use, keeping, possession, bearing, transportation, licensing, permitting, registration or taxation of any firearm or part of a firearm, including ammunition and reloader components, if the ordinance or resolution is the same as or similar to, and no more stringent than, a state statute.

(am) Nothing in this section prohibits a political subdivision from continuing to enforce until November 30, 1998, an ordinance or resolution that is in effect on November 18, 1995, and that requires a waiting period of not more than 7 days for the purchase of a handgun.

(b) If a political subdivision has in effect on November 17, 1995, an ordinance or resolution that regulates the sale, purchase, transfer, ownership, use, keeping, possession, bearing, transportation, licensing, permitting, registration or taxation of any firearm or part of a firearm, including ammunition and reloader components, and the ordinance or resolution is not the same as or similar to a state statute, the ordinance or resolution shall have no legal effect and the political subdivision may not enforce the ordinance or resolution on or after November 18, 1995.

(5) A county ordinance that is enacted or a county resolution that is adopted by a county under sub. (2) or a county ordinance or resolution that remains in effect under sub. (4) (a) or (am) applies only in those towns in the county that have not enacted an ordinance or adopted a resolution under sub. (2) or that continue to enforce an ordinance or resolution under sub. (4) (a) or (am), except that this subsection does not apply to a sales or use tax that is imposed under subch. V of ch. 77.

Allouez Code of Ordinances
Current through June 18, 2019.

Chapter 475 – Zoning
Article II – General Provisions

Section 475-11. Home occupations.

K. The following nonexhaustive uses are not appropriate as home occupations and are not permitted:

(19) Ammunition manufacturing or the sale of ammunition.

Arena Code of Ordinances
Current through August 7, 2018.

Title 5 – Business Licenses and Regulations
Chapter 5.20 – Flea Markets and Rummage, Garage and Yard Sales

Section 5.20.015. Regulation of rummage/yard/garage sales.

(f) Purchases/Sales/Barter of Firearms. No person shall buy, sell, or trade any firearm at a rummage/yard/garage sale.

Athens Code of Ordinances
Current through November 26, 2018.

Chapter 335 – Peace and Good Order
Article II – Offenses Against Public Safety and Peace

Section 335-4. Open or concealed firearms and dangerous weapons.

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

Dangerous Weapon: Any firearm, whether loaded or unloaded; any device designed as a weapon and capable of producing death or great bodily harm; any ligature or other instrumentality used on the throat, neck, nose, or mouth of another person to impede, partially or completely, breathing or circulation of blood; any electric weapon, as defined in § 941.295(1c)(a), Wis. Stats.; or any other device or instrumentality which, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm. (§ 939.22, Wis. Stats.)

Firearm: A weapon that acts by force of gunpowder.

B. Firearms and dangerous weapons regulations.

(3) Miscellaneous regulations.

(a) No person may carry any open or concealed firearm or dangerous weapon onto school property or within 1,000 feet of a school.

Barton Code of Ordinances
Current through May 15, 2018.

Chapter 500 – Zoning
Attachment 5

Table 5. Permitted and special uses in nonresidential districts.

Key:

P = Permitted use.

S = Special use.

Blank = Not permitted.

SIC No.	Standard Industrial Classification Title	NHB	CB	FB	LM	BP	QE	I	PR	EA	AT	GA	PUD	HFA
3482	Small arms ammunition													
3483	Ammunition, except for small arms, not elsewhere classified													
3484	Small Arms													

Bayside Code of Ordinances
Current through Ordinance 19-704, enacted September 26, 2019. (Supplement 2, Update 4)

Chapter 125 – Zoning
Article III – Districts

Section 125-94. "D" and "D-1" business districts use regulations.

(c) Conditional uses. The following uses may be conditionally permitted when specifically approved by the village board after referral to and review by the village plan commission pursuant to the procedures set forth in subsection (d) of this section:

(8) Retail and service stores, except for the commercial sale or purchase of firearms.

Bellevue Code of Ordinances
Current through January 9, 2019.

Chapter 500 – Zoning
Part 500-300 – Definitions
Article 2 – General Definitions

Section 500-302. General definitions.

Firearms Sales and Service. Any business that sells or services firearms and ammunition as its primary sale item.

Part 500-700 – Industrial Districts
Article 1 – General Provisions

Section 500-602. Principal Uses for Business Districts.

- A.** In general. Table 6-1 lists all permitted and conditional uses allowed in the business districts.
- B.** Permitted uses. Uses specified with a "P" are permitted in the district or districts where designated, provided that the use complies with all other applicable provisions of this chapter.
- C.** Conditional uses. Uses specified with a "C" are allowed as a conditional use in the district or districts where designated, provided that the use complies with all other applicable provisions of this chapter.
- D.** Prohibited uses. Any use not listed as either "P" (permitted) or "C" (conditional) in a particular district or any use not determined by the Community Development Director or his/her designee to be substantially similar to a use listed as permitted or conditional shall be prohibited in that district. Such determination shall be made in the manner provided for in Part 500-200, Administration and Enforcement, governing determination of substantially similar uses.
- E.** Specific development standards. Permitted and conditional uses specified with an "X" under the specific Development Standards column shall be subject to the standards identified in other areas of this chapter.

Table 6-1. Principal Uses in Business Districts

	B-1	B-2	B-3	Development Standards
Commercial Uses				
Firearm sales and service			P	x

Section 500-702. Principal uses for industrial districts.

- A.** In general. Table 7-1 lists all permitted and conditional uses allowed in the Industrial Districts.
- B.** Permitted uses. Uses specified with a "P" are permitted in the district or districts where designated, provided that the use complies with all other applicable provisions of this chapter.
- C.** Conditional uses. Uses specified with a "C" are allowed as a conditional use in the district or districts where designated, provided that the use complies with all other applicable provisions of this chapter.
- D.** Prohibited uses. Any use not listed as either "P" (permitted) or "C" (conditional) in a particular district or any use not determined by the Community Development Director or his/her designee to be substantially similar to a use listed as permitted or conditional shall be prohibited in that district. Such determination shall be made in the manner provided for in Part 500-200, Administration and Enforcement, governing determination of substantially similar uses.
- E.** Specific development standards. Permitted and conditional uses specified with an "x" under the Specific Development Standards column shall be subject to the standards identified in other areas of this chapter.

Table 7-1. Principal Uses in Industrial Districts

	LI	HI	Development Standards
Commercial Uses			
Firearm sales and service	P	C	x

Part 500-1700 – Physical Development Standards

Section 500-1709. Use-specific development standards.

Specific development standards are established as supplemental regulations that address unique characteristics of certain land uses. The standards and conditions listed below apply to both permitted and conditional uses, in addition to all other applicable regulations of this chapter. Standards shall apply in all zoning districts where the use in question is allowed, except where specific districts are specified.

D. Fire arm sales and service.

- (1) Firearms sales and service establishments shall be protected by a security system, as found acceptable by the Brown County Sheriff's Office;
- (2) All sales and service of firearms shall be conducted within a completely enclosed building;
- (4) Firearms sales and service establishments shall meet all other requirements of the Municipal Code.

Blanchardville Code of Ordinances
Current through August 5, 2019.

Chapter 198 – Firearms and Weapons

Section 198-1. Definitions.

For the purpose of this chapter, the following definitions shall apply:

Firearm. Any weapon which acts by force of gunpowder.

Public Building. Any building owned by the Village, the county, or the school district.

Section 198-2. Possession of firearms in public places.

In addition to the provisions of § 198-3 below, no person except duly authorized city, Village, county, state, or federal law enforcement officers specifically authorized by law to carry firearms shall possess a firearm while in any public building, as defined in § 198-1 above, within the Village, as provided in § 941.235, Wis. Stats., within any school zone as provided in § 948.605, Wis. Stats., or go armed with a handgun in any tavern within the Village as provided in § 941.237, Wis. Stats.

Bonduel Code of Ordinances
Current through Ordinance 2018-02, enacted February 14, 2018. (Supplement 6)

Chapter 22 – Orderly Conduct

Section 22-2. Possession and use of firearms and other dangerous weapons.

(a) Definitions.

Firearm means a weapon that acts by force of gunpowder.

Law enforcement means any person employed by the State of Wisconsin or any political subdivision of this state, for the purpose of detecting and preventing crime and enforcing laws or ordinances and who is authorized to make arrests for violations of the laws or ordinances he or she is employed to enforce.

Public building means any building owned by the village, the county or the school district.

Weapon means a handgun, an electronic weapon as defined at Wis. Stats. 941.24, or a billy club.

(b) Carrying of a weapon or firearm prohibited in public building. In addition to the provisions of Wis. Stats. 175.60 enumerating places where the carrying of a weapon or a firearm is prohibited, including exceptions thereto, it shall be unlawful for any person other than a law enforcement officer to enter a public building while carrying a weapon or a firearm.

(c) Signage. Signs meeting the requirements of Wis. Stats. 943.13(2)(bm)1 shall be posted in prominent places near all entrances of such buildings regarding such restrictions.

(d) Trespassing. Any person who enters or remains in any aforementioned municipal building contrary to such signage shall be considered a trespasser subject to penalty as proscribed under chapter 1 of this Code.

Brillion Code of Ordinances
Current through Ordinance OR18-10, enacted December 17, 2018. (Supplement 17)

Chapter 58 – Offenses and Miscellaneous Provisions
Article IV – Minors
Division 1 – Generally

Section 58-101. Firearms to minors.

No dealer or other person in the city shall loan, sell or give any pistol or revolver to any minor.

Brookfield Code of Ordinances

Current through Ordinance 2573-19, passed October 15, 2019.

Title 5 – Business Licenses and Regulations

Chapter 5.32 – Regulation of Secondhand Article Dealers

Section 5.32.020. Definitions.

A. When used in this chapter, the following definitions shall apply:

1. **“Article”** means any of the following objects:

b. Firearms, knives, and ammunition.

6. **“Secondhand article dealer”** means a person or entity who purchases or receives on consignment any secondhand article for the purpose of resale.

8. **“Secondhand”** means property owned by any person, except a wholesaler, retailer, or licensed secondhand article dealer immediately before the transaction at hand.

B. A person is not acting as a secondhand article dealer when engaging in any of the following:

1. Any transaction at an occasional garage or yard sale, or an estate sale.

2. Any transaction entered into by a person engaged in the business of junk collector, dealer, or scrap processor, as described in Section 70.995(2), Wisconsin Statutes.

3. Any transaction while operating as a charitable organization or conducting a sale, the proceeds of which are donated to a charitable organization.

4. Any transaction between a buyer of a new article and the person who sold the article when new that involves any of the following:

a. The return of the article.

b. The exchange of the article for a different, new article.

5. Any transaction as a purchaser of a secondhand article from a charitable organization if the secondhand article was a gift to the charitable organization, or as a seller of a secondhand article that the person bought from a charitable organization if the secondhand article was a gift to the charitable organization.

6. Any transaction as a seller of a secondhand article made or conducted by a public officer, receiver, trustee, personal representative or a private auctioneer or estate seller pursuant to a judicial sale or a court ordered or authorized liquidation sale, or of a secondhand article that the person bought from public officer, receiver, trustee, personal representative or a private auctioneer or estate seller pursuant to a judicial sale or a court ordered or authorized liquidation sale.

Section 5.32.030. License required.

A. A person wishing to operate as secondhand article dealer shall apply for a license to the city clerk. ...

Brown Deer Code of Ordinances

Current through Ordinance 19-02, enacted July 15, 2019. (Supplement 18)

Chapter 34 – Miscellaneous Offenses and Provisions

Article II – Offenses Involving Personal Injury or Danger

Section 34-28. Firearms, weapons, missiles, and fireworks.

(a) Discharging and carrying firearms; prohibitions.

(3) No person, except a peace or law enforcement officer or member of the military in the line of duty as defined in Wisconsin Statutes, may carry, possess, or control a firearm within or directed at the confines of any village or publicly owned structure including but not limited to the village hall, public works building, any North Shore Fire Department facility, salt storage shed, police department, on school grounds as hereinafter set forth, any public library, or any privately owned property posting a prohibition against such carry. This section shall apply in a school, on school grounds, or within 1,000 feet of school grounds, except for private property within 1,000 feet of school grounds. A person who is a CCW licensee or out of state CCW licensee may possess a weapon or firearm within 1,000 feet of the grounds of a school, but not in or on school grounds. These restrictions do not apply to a person who drives a motor vehicle in which a weapon or firearm is located onto school premises for school sanctioned purposes or for the purpose of delivering or picking up passengers or property if the weapon is not removed from the vehicle or used in any way.

Burlington Code of Ordinances
Current through April 3, 2019.

Chapter 315 – Zoning
Article III – Zoning Districts

Section 315-26. B-1 Neighborhood Business District

D. Conditional uses (see § 315-130).

(30) Gun stores.

Section 315-27. B-2 Central Business District

D. Conditional uses (see § 315-130).

(27) Gun stores.

315 – Attachment 4

Permitted and conditional uses in the M-3 District

SIC No.	Standard Industrial Classification Title	Zoning District M-3
3482	Small arms ammunition	
3483	Ammunition, except for small arms, not elsewhere classified	
3484	Small Arms	

Permitted Use = P, Conditional Use = C, Not Permitted = Blank

Campbellsport Code of Ordinances

Current through Ordinance of May 9, 2016. (Supplement 10)

Chapter 11 – Business
Article IV – Secondhand Dealers

Section 11-75. Recordkeeping and inspection of purchases; consent required for purchasing from persons under 18 years of age.

(a) Every dealer in used or secondhand guns, watches and electric motors, whether licensed as a junk dealer or not, shall keep a record of all guns, watches and electric motors, with the name and address of the party from whom purchased, the kind and quantity purchased, and the date of the transaction, and such record shall be kept in the English language, legibly entered in a book which shall be open to inspection by the law enforcement officer at any time. No such dealer shall purchase any of such articles from any person under the age of 18 years without the consent in writing of the parent or guardian of such person.

(b) Any person violating any of the provisions of this section shall, upon conviction, be subject to a penalty as provided in section 1-11.

Clyman Code of Ordinances

Current through March 25, 2019.

Chapter 311 – Peace and Good Order
Article II – Offenses Against Public Safety and Peace

Section 311-4. Open and concealed firearms and dangerous weapons.

A. Definitions. The following definitions shall be applicable in this section:

Dangerous Weapon. Any firearm, whether loaded or unloaded; any device designed as a weapon capable of producing death or great bodily harm; any ligature or other instrumentality used on the throat, neck, nose, or mouth of another person to impede, partially or completely, breathing or circulation of blood; any electric weapon as defined in § 941.295(1c)(a), Wis. Stats.; or any other device or instrumentality which, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm. (Section 939.22, Wis. Stats.)

Firearm. A weapon that acts by force of gunpowder.

B. Firearms and dangerous weapons regulations.

(5) Miscellaneous regulations.

(a) No person may carry any open or concealed firearm or dangerous weapon onto school property or within 1,000 feet of a school.

Coloma Code of Ordinances
Current through November 16, 2017.

Chapter 480 – Zoning
Attachment 1

Land Use and Activities Table

Key:
P = Permitted Use
C = Conditional Use
NP = Not Permitted
X = Site Plan Approval Necessary

Category	R-1	R-2	R-3	R-4	RC-1	RC-2	C-1	C-2	C-3	I-1	I-2
Firearms sales and service	NP	NP	NP	NP	C,X	C,X	C	P	P	P	P

Cudahy Code of Ordinances

Current through Ordinance 2484, enacted August 13, 2019. (Supplement 7)

Chapter 8 – Businesses
Article X – Other Businesses and Business Activities

Section 8-383. Secondhand article and jewelry dealers.

- (a) Secondhand article and jewelry dealers' licenses shall include transactions consisting of purchasing, selling, receiving or exchanging of coins, stamps and guns, except as exempt by Wis. Stats. 134.71(l)(g) and (h).
- (b) Any person who primarily or exclusively engages in the business of purchasing, selling, receiving or exchanging coins, stamps or guns shall obtain a license from the city clerk.
- (c) All the provisions of Wis. Stats. 134.71 not in conflict with the foregoing sections are incorporated into this section.
- (d) All license applications during the license year shall be prorated.
- (e) Any dealer licensed pursuant to Wis. Stats. 134.71 who knowingly records or makes entry on its records or declaration of ownership registration card any false or incorrect information as to the ownership of the property identity, address and age of the seller and buyer of property subject to Wis. Stats. 134.71 or this section shall be subject to a forfeiture of not less than \$50.00 nor more than \$1,000.00 and, upon conviction of such a violation, shall have the license issued under this section revoked for a period of time not less than 60 days.

Chapter 28 – Offenses
Article I – In General

Section 28-2. Firearms and weapons.

- (a) Sale of firearms and weapons.
 - (1) To minors prohibited. No person shall sell to a minor and no such minor shall purchase any blackjack, billyclub, bludgeon, metal knuckles or hand gun.
 - (2) To felons prohibited. No person shall sell a firearm or other dangerous weapon to a person who has been convicted of a felony unless such person has been pardoned.
- (c) Firearm possession. Any state laws that regulate firearms adopted within this chapter, and any additions or amendments to the statutes or this chapter, shall remain in full force and effect.

Delafield Code of Ordinances

Current through Ordinance 742, enacted November 20, 2017. (Supplement 30)

Chapter 9 – Public Peace and Good Order

Firearms, Bows and Arrows, Crossbows, Missiles and Projectiles. (Rep. & recr. # 738)

(2) Definitions. For purposes of this section:

Building has the meaning given in 29.038(3)(b)1.a., Wis. Stats.

Firearms. A rifle, smooth bore muzzle-loading firearm, of any caliber, spring powered rifle, air rifle, shotgun of any gauge, or handgun as defined in Chapter 175, Wis. Stats., of any caliber.

(4) Possession of firearms, bows and arrows and crossbows restricted. No person may possess any firearms, bows and arrows or crossbows in the following locations:

(b) On property or in a building owned by a public or private school unless that person is a licensee as defined in 175.60(1)(d), Wis. Stats., or an out-of-State licensee as defined in 175.60(1)(g), Wis. Stats.

(9) Penalties. In addition to any other penalties, the provisions of 25.04 of this Municipal Code shall apply to this section.

Edgerton Code of Ordinances

Current through Ordinance 18-05, passed June 18, 2018.

Chapter 16 – Disorderly Conduct

Section 16.30. Discharge and carrying firearms and guns prohibited.

(5) Possession of pistol by minor.

(a) Any minor who goes armed with a pistol or any person who intentionally sells, loans or gives a pistol to a minor shall be, upon conviction, subject to s48.343, Wis. Stats.

(b) This section does not apply to a minor who is armed with a pistol when such pistol is being used in target practice under the supervision of an adult nor does it apply to an adult who transfers a pistol to a minor for use only in target practice under his supervision.

(c) All sheriffs, their undersheriff's, and deputies, constables, and policemen shall take from a minor any pistol found in his possession in violation of this section.

(d) In this section pistol means any firearm having a barrel less than 12 inches long.

Elkhorn Code of Ordinances

Current through Ordinance 18-12, enacted November 19, 2018. (Supplement 35, 12-18)

Chapter 9 – Public Peace and Good Order

Section 9.045. Possession of a firearm.

No person, except a duly authorized current or qualified retired, peace officer, shall, within the City of Elkhorn, possess or carry in any manner any firearm, spring or air gun of any description or tipped arrow:

(h) If the person is under the age of 18 (Section 948.60, Wis. Stats.);

(i) On the grounds of any school or within 1,000 feet of the school grounds, except as permitted by Section 948.605(2)(b), Wis. Stats.;

Footville Code of Ordinances

Current through July 11, 2019.

Chapter 120 – Direct Sellers

Section 120-11. Prohibited merchandise.

The following articles are prohibited for sale, exchange, trade or barter within the Village of Footville for the annual Footville Village-Wide Rummage Sale: firearms, weapons, knives, fire bombs, cigarette lighters, stink bombs, paint blasters, paint balls, paint guns, pellet guns, snap pops, poppers, explosive devices of any type, pornography or drug-related items.

Fox Point Code of Ordinances

Current through November 13, 2018.

Chapter 745 – Zoning

Section 745-18. D Business District.

D. Conditional uses.

(1) Uses. The following uses can be allowed by conditional use permit in the D Business District, pursuant to the conditional uses procedures described below:

(i) Retail and services stores except commercial sale or purchase of guns.

Franklin Code of Ordinances
Current through July 2, 2019.

Chapter 203 – St. Martins Fair

Section 203-8. Prohibited acts.

No person may engage in any of the following acts at the St. Martins Fair:

G. No permit shall be issued for the sale of firearms or prescription or nonprescription medicine, and no person with or without a license may sell any firearm or prescription or nonprescription medicine.

Chapter UDO – Unified Development Ordinance
Attachment 3

Table 15-3.0603 Permitted and special uses in the nonresidential zoning districts.

SIC No	Standard Industrial Classification Title	B-1	B-2	B-3	B-4	B-5	B-6	B-7	CC	VB	I-1
3482	Small arms ammunition										
3483	Ammunition, except for small arms, not elsewhere classified										
3484	Small arms										

SIC No	Standard Industrial Classification Title	P-1	M-1	M-2	BP	OL-1	OL-2	A-1	A-2	M-3	L-1	PDD
3482	Small arms ammunition											
3483	Ammunition, except for small arms, not elsewhere classified											
3484	Small arms											

(Permitted Use = P, Special Use = S, Not Permitted = Blank)

Fredonia Code of Ordinances
Current through November 7, 2019.

Chapter 575 – Zoning
Article IV – Conditional Uses

Section 575-52. Business conditional uses.

B. Firearms, fireworks and fertilizer sales shall be located a minimum of 500 feet from any residence, school or church.

Grafton Code of Ordinances
Current through October 15, 2018.

Title 9 – Public Peace, Morals and Welfare
Chapter 9.63 – Digital Security Imaging System Requirements

Section 9.63.020. Developments required to install Digital Security Imaging Systems (DSIS).

A. It shall be the responsibility of the following property owners and any/all successors in interest or ownership of the properties to provide, install and maintain in good working order the interior and exterior DSIS. The property owner shall furnish to the Chief of Police documentation that describes the system, specifications and the name of the vendor that installed the product.

3. All commercial uses that sell, manufacture or repair firearms will be required to install a remote access DSIS system with a panic button activation feature that will allow remote access viewing of the internal surveillance system to public safety personnel.

B. Date of compliance.

1. All new commercial uses or buildings that require DSIS systems, as set forth above, shall comply with the plan submittal requirements of § 9.63.060 of this chapter.

2. All existing commercial uses or buildings that require DSIS systems, as set forth above, shall comply with the plan submittal requirements of § 9.63.060 when there is a change in ownership. For tenancy changes or increase in total area (square footage) in multitenant or individual commercial use buildings, the affected individual tenant space must comply.

Green Bay Code of Ordinances
Current through August 20, 2018.

Chapter 13 – Zoning Ordinance
Subchapter 13.300 Definitions
Division 2 Definitions

Section 13.303. Land use definitions.

Firearms sales and service: Any business that sells or services firearms and ammunition as its primary sale item.

Subchapter 13.700 – Mixed-Use districts
Division 1 – General Provisions

Section 13.702. Principal uses for the mixed-use districts.

(b) Permitted uses. Uses specified with a "P" are permitted in the district or districts where designated, provided that the use complies with all other applicable provisions of this ordinance. Persons wishing to establish or modify a permitted use, excluding single-family residential uses, shall obtain a zoning certificate for such use as specified in subchapter 13.200, Administration. Condominiums are permitted in all mixed use districts per ch. 703, Wis. Stats.

(c) Conditional uses. Uses specified with a "C" are allowed as a conditional use in the district or districts where designated, provided that the use complies with all other applicable provisions of this ordinance. Persons wishing to establish or expand a conditional use shall obtain a conditional use permit for such use as specified in subchapter 13.200, Administration.

(d) Prohibited uses. Any use not listed as either "P" (permitted) or "C" (conditional) in a particular district or any use not determined by the zoning administrator to be substantially similar to a use listed as permitted or conditional shall be prohibited in that district. Such determination shall be made in the manner provided for in subchapter 13.200, Administration, governing determination of substantially similar uses.

(e) Specific development standards. Permitted and conditional uses specified with an "x" under the development standards column shall be subject to the standards identified in subchapter 13.1600, Development standards.

Table 7-1. Principal Uses in the Mixed-Use Districts

Use	OR	NC	D	Dev. Stds.
Retail Sales				
Firearms sales and service	-	C	P	X

Subchapter 13.800 – Commercial Districts
Division 1 – General Provisions

Section 13.802. Principal uses for the commercial districts.

(b) Permitted uses. Uses specified with a "P" are permitted in the district or districts where designated, provided that the use complies with all other applicable provisions of this ordinance. Persons wishing to establish or modify a permitted use shall obtain a zoning certificate for such use as specified in subchapter 13.200, Administration.

(c) Conditional uses. Uses specified with a "C" are allowed as a conditional use in the district or districts where designated, provided that the use complies with all other applicable provisions of this ordinance. Persons wishing to establish or expand a conditional use shall obtain a conditional use permit for such use as specified in subchapter 13.200, Administration. Condominiums are permitted in all commercial districts per ch. 703, Wis. Stats.

(e) Specific development standards. Permitted and conditional uses specified with an "x" under the development standards column shall be subject to the standards identified in subchapter 13.1600, Development standards.

Table 8-1. Principal Uses in the Commercial Districts

Use	C1	C2	C3	Dev. Stds.
Retail Sales				
Firearms sales and service	P	C	C	X

Subchapter 13.1600 – Land Use Development Standards

Section 13.1606. Commercial uses.

(m) Firearms sales and service in all districts.

(1) Firearms sales and service establishments shall be protected by a security system, as found acceptable by the city police department.

(4) Firearms sales and service establishments shall meet all other requirements of the Municipal Code.

Subchapter 13.2100 – Special Purpose Districts

Division 1 – General Provisions

Section 13.2102. Principal uses for the special purpose districts.

(c) Conditional uses. Uses specified with a "C" are allowed as a conditional use in the district or districts where designated, provided that the use complies with all other applicable provisions of this ordinance. Persons wishing to establish or expand a conditional use shall obtain a conditional use permit for such use as specified in subchapter 13.200, Administration.

(e) Specific development standards. Permitted and conditional uses specified with an "X" under the development standards column shall be subject to the standards identified in this chapter and in subchapter 13.1600, Development standards.

Table 21-1. Principal Uses in the Special Purpose Districts

Use	S-RLI	Dev. Stds.
Retail Sales		
Firearms sales and service	C	X

Chapter 27 – Public Peace and Good Order

Subchapter V – Alarm Systems

Section 27.502. Firearms dealers.

(1) Purpose. The primary purpose of this section is to require businesses which deal in the sale of firearms to install reliable emergency alarm systems in order to provide additional protection from burglary or robbery of large quantities of guns in stock, which in turn adds to the safety and protection of the citizens of the city.

(2) Definitions.

(a) **Firearms dealer.** Any person engaged in the business of selling firearms at wholesale or retail and having a license as a dealer issued by the U.S. Department of Treasury; but such term shall not include a pawn broker or a gunsmith who is engaged in the business of repairing firearms or of making or fitting special barrels, stocks, or trigger mechanisms to the firearms.

(b) **Engaged in the business.** A person who devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms; but such phrase shall not include a person who makes occasional sales, exchanges, or purchases firearms for the enhancement of a personal collection or for a hobby.

(c) **Alarm system, burglar-alarm system, hold-up alarm system, alarm user, answering service, and automatic-dialing device.** See subsection 27.501(2), Green Bay Municipal Code.

(3) Requirement.

(a) A firearm dealer shall install and maintain a burglar and hold-up alarm system in any structure within the city in which guns are displayed, stored, or kept. The alarm system must, either by answering service or automatic-dialing device, immediately notify or signal the city police department of an emergency situation that the alarm system is designed to detect.

(b) Nothing in this chapter shall be construed to limit the alarm user from complying with the provisions of section 27.501, Green Bay Municipal Code.

		Zoning District Classification										HP	A	F	F	GF	S	
NAICS1	Index Item Description	C-1	C-2	C-3	C-4	C-5	O	B	M	I	P	PU	{a}	{b}	{c}	{c}	{c}	{d}
451	Sporting Goods, Hobby, Book, & Music Stores																	
451110 (Am. # 2855)	Sporting Goods Stores – Gun Shops and/or Firearms/Ammunition Sales	S	S	S	S	S		S	S			S						

21.04.0800 Accessory and Temporary Use Standards and Regulations.

Section 21.04.0802. Detailed standards for accessory uses in residential districts.

E. Home occupations and home offices. A Zoning Permit shall be required for all home occupations. The following specific standards shall be used for home occupations and home offices located as accessory uses in all residential districts:

- 9. Home occupation uses, Not permitted. The following uses are not permitted as a home occupation: ... sale of firearms and ammunition, and kennels, among others.

Greenville Code of Ordinances
Current through September 23, 2019.

Chapter 141 – Firearms and Other Dangerous Weapons

Section 141-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

Dangerous Weapons

A. Has the meaning used in § 939.22(10), Wis. Stats., and may include any instrument which by its capabilities of use is liable to produce death or great bodily harm. The following are dangerous per se: ...pistol, revolver, any instrument which impels a missile by compressed air, spring or other means, any weapon upon which loaded or blank cartridges are used, electric weapons as defined by § 941.295, Wis. Stats., cross-knuckles, knuckles of any metal, barbed or blade-type arrowhead, Bowie knife, dirk, dagger, switchblade knife, or any knife which has a blade that may be drawn without the necessity of contact with the blade itself but is instead automatically opened by slight pressure on the handle or some other part of the knife and is commonly known as a "switchblade knife," straight-edge razor or any other knife having a blade three inches or longer. Instruments not herein specifically enumerated are nonetheless dangerous weapons when they fall within the terms of the above definition.

B. The term "dangerous weapon" shall not include antique firearms, as defined in 18 U.S.C. § 931(a)(16), nor those firearms which are incapable of being fired or discharged or which do not fire fixed ammunition, or those manufactured before 1898 for which cartridge ammunition is not commercially available, and which are possessed as curiosities or ornaments or for their historical significance or value.

Section 141-4. Short-barreled shotgun or rifle.

No person except a law enforcement officer or member of the armed forces shall transport, purchase, possess or go armed with a shotgun having one or more barrels having a length of less than 18 inches, measured from closed breech or bolt face to muzzle, or an overall length of less than 26 inches, or a rifle with one or more barrels having a length of less than 16 inches, measured from closed breech or bolt face to muzzle, or an overall length of less than 26 inches.

Section 141-5. Sale to minors.

It shall be unlawful for any person, firm or corporation to engage in the business of buying from or to sell or give away to any minor any weapon listed or defined as dangerous in § 141-2, except household purpose knives or knives having blades less than three inches.

Section 141-6. Possession by minors.

The statutory provisions of § 948.60, Wis. Stats., Possession of a dangerous weapon by a person under 18, exclusive of any provisions therein relating to penalties to be imposed, are hereby adopted by reference and made a part of this section as if fully set forth herein. Acts required to be performed or acts prohibited by the statute are similarly required or prohibited by this section.

Section 141-11. Weapons-free school zones.

It shall be unlawful for any person except a law enforcement officer or member of the armed forces to carry, concealed or openly, either on his person or in a vehicle, any pistol, revolver, dagger, knife, slingshot, bludgeon, or any other dangerous and deadly weapon as defined in § 141-2 or discharge, display or use such weapon in or on the grounds of any school property within the Town of Greenville, except that possession of, or discharge of a firearm in a school zone is subject to the provisions of the Gun-Free School Zone Law set forth in § 948.605, Wis. Stats., or any amendments thereof.

**Chapter 320 – Zoning
Article V – Supplementary Regulations**

Section 320-32. Home occupations.

(15) The following uses are prohibited as home occupations:

- (e) Gun or ammunition sales.

**Hobart Code of Ordinances
Current through May 7, 2019.**

Chapter 170 – Firearms and Other Weapons

Section 170-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

Firearm. Includes all weapons used for the purpose of propelling bullets, shot or other missiles, whether from cartridge, shell or other container, by force of gunpowder.

Section 170-3. Restrictions.

B. No child under the age of 18 shall bear any firearm or other weapon in the Village of Hobart, except under the circumstances set forth in the Wisconsin regulations and statutes. Any parent or guardian of a child under the age of 18 who, knowingly or by negligent supervision, permits a violation of this subsection by their child or ward is also in violation of this section, except under the circumstances set forth in the Wisconsin regulations and statutes.

**Chapter 295 – Zoning
Article XIV – PDD #2 Orlando/Packerland Planned Development District**

Section 295-147. Prohibited land uses.

To provide controls on type, use, economic and environmental impact, and to uphold the health, safety, general welfare and morals of the Village, the following land uses are prohibited throughout the District:

F. Sale of firearm or weapons of any kind unless the sale is part-in-parcel of a large sporting goods or other large retail store,

**Hollandale Code of Ordinances
Current through October 2, 2018.**

Chapter 174 – Firearms and Weapons

Section 174-1. Definitions.

For the purpose of this chapter, the following definitions shall apply:

Firearm. Any weapon which acts by force of gunpowder.

Public Building. Any building owned by the Village, the county or the school district.

Section 74-2. Possession of firearms in public place prohibited.

In addition to the provisions of § 174-3 below, no person except duly authorized city, Village, county, state or federal law enforcement officers specifically authorized by law to carry firearms, shall possess a firearm while in any public building, as defined in § 174-1 above, within the Village, as provided in § 941.235, Wis. Stats., within any school zone as provided in § 948.605, Wis. Stats., or goes armed with a handgun in any tavern within the Village as provided in § 941.237, Wis. Stats.

Jefferson Code of Ordinances
Current through August 20, 2019.

Chapter 270 – Vendors and Transient Merchants

Section 270-2. Farmers Market.

E. The sale of firearms and guns at the Farmers Market is prohibited.

Kewaskum Code of Ordinances
Current through Ordinance 19-07, enacted May 20, 2019. (Supplement 7)

Chapter 95 – Zoning
Article III – Zoning Districts

Section 95-39. B-2 Community Business District.

(c) Conditional uses. The following retail sale and service establishments:

19. Sale of guns, ammunitions, fireworks, fuel oil, and bottled gas.

Kimberly Code of Ordinances
Current through May 20, 2019.

Chapter 525 – Zoning
Article III – Zoning Districts

Section 525-28. I-2 General Industrial District.

A. Permitted uses. Unless otherwise provided in this chapter, buildings or land may be used for any purpose except the following:

Any of the following uses unless the location of such use has been approved by the Village Board after investigation and recommendation by the Plan Commission:

(b) Ammunition manufacture; explosives or fireworks manufacture or storage.

Lake Mills Code of Ordinances
Current through November 5, 2019.

Chapter 512 – Public Market

Section 512-4. Items prohibited from sale or distribution.

The following items may not be offered for sale or distribution at the public market:

D. Firearms, ammunition, fireworks or explosive devices.

Madison Code of Ordinances
Current through Ordinance ORD-19-00072, published October 10, 2019. (Revision 9, Update 1)

Chapter 9 – Licenses and Permits

Section 9.24. Licensing of secondhand dealers.

(2) License Required.

(a) Except as provided in subs. (b) and (c) below, no person shall carry on or operate within the City of Madison a business as a pawnbroker or a business for the purchase or sale of secondhand articles, jewelry or precious metals without first having obtained a license therefor as hereinafter provided.

(d)

1. A secondhand dealer includes a person who is engaged, from a temporary location in the City of Madison, in the business of selling or purchasing articles under this Sec. 9.24. Such persons shall obtain a secondhand dealer's license under this Sec. 9.24. For the purposes of this sub. (d), a temporary location shall include, but shall not be limited to, a hotel or motel meeting room or guest room.

(3) Definitions. The following definitions apply to this section:

Article means any of the following articles except jewelry:

17. Firearms.

Firearm has the meaning given in Sec. 25.01(1), MGO.

Secondhand means owned by any person except a wholesaler, retailer or secondhand article or jewelry dealer licensed under this section or Wis. Stat. § 134.71 or an ordinance adopted pursuant thereto immediately prior to the transaction at hand.

Secondhand article dealer means any person who engages in the business of purchasing, selling, including consignment selling, or exchanging secondhand articles except when engaging in any of the following:

1. Any transaction at an occasional garage or yard sale, an estate sale, a gun, knife, gem or antique show, a convention or an auction.
2. Any transaction entered into by a person while engaged in a business as a pawnbroker or secondhand jewelry dealer for which the person is licensed under Sec. 9.24(1), MGO, or under Wis. Stat. § 134.71 or under an ordinance adopted pursuant thereto.
3. Any transaction entered into by a person while engaged in the business of junk collector, junk dealer, auctioneer or scrap processor as described in Wis. Stat. § 70.995(2).
4. Any transaction while operating as a charitable organization or conducting a sale the proceeds of which are donated to a charitable organization.
5. Any transaction between a buyer of a new article and the person who sold the article when new which involves any of the following:
 - a. The return of the article.
 - b. The exchange of the article for a different, new article.
6. Any transaction as a purchaser of a secondhand article from a charitable organization if the secondhand article was a gift to the charitable organization.
7. Any transaction as a seller of a secondhand article which the person bought from a charitable organization if the secondhand article was a gift to the charitable organization.
8. Any transaction entered into by a person while engaged in a business of smelting, refining, assaying or manufacturing precious metals, gems or valuable articles if the person has no retail or purchasing operation open to the public.
9. Any transaction between a buyer of a new article and a seller of new articles who accepts an occasional secondhand article in trade.

Secondhand dealer means a secondhand article dealer, a secondhand jewelry dealer, a precious metal dealer, a secondhand textbook dealer, or a pawnbroker.

(7) Restrictions and Requirements.

(i) Serial Number Required. No secondhand dealer may receive any item of property that possesses an altered or obliterated serial number or other identification number, or any item of property that has had its serial number removed.

(l) Holding Period.

1. Except as provided in par. 6., any secondhand article or jewelry purchased or received by a pawnbroker shall be kept on the dealer's premises or other place for safekeeping for not less than thirty (30) days after the date of purchase or receipt, unless the person known by the pawnbroker to be the lawful owner of the secondhand article or jewelry recovers it.
2. Except as provided in par. 6., any secondhand article purchased or received by a secondhand article dealer shall be kept on the dealer's premises or other place for safekeeping for not less than ten (10) days after the date of purchase or receipt.
5. During the period set forth in Paragraphs 1., 2., 3. or 4., the secondhand article or jewelry shall be held separate and apart and may not be altered in any manner. The pawnbroker, secondhand article dealer, precious metal dealer or secondhand jewelry dealer shall permit any law enforcement officer to inspect the secondhand article or jewelry during this period. Within twenty-four (24) hours after a written request of a law enforcement officer during this period, a pawnbroker or other secondhand dealer shall make available for inspection any secondhand article or jewelry which is kept off the premises for safekeeping. Any law enforcement officer who has reason to believe any secondhand article or jewelry was not sold or exchanged by the lawful owner may direct a pawnbroker or other secondhand dealer to hold that secondhand article or jewelry for a reasonable length of time which the law enforcement officer considers necessary to identify it.

6. At all times during the terms of the license, the secondhand dealer shall allow law enforcement officials to enter the premises where the business is conducted, including all off-site storage facilities, during normal business hours, for the purpose of inspecting such premises and inspecting the items, ware and merchandise and records therein to verify compliance with this section and other applicable laws.

7. Paragraphs 1. to 4. do not apply to the following:

- a. A secondhand article consigned to a pawnbroker or other secondhand dealer;

Chapter 25 – Offenses Against Public Safety

Section 25.01. Possession and sale of firearms.

(1) Definitions: For the purpose of this section:

Firearm. The term "firearm" means a shotgun or a rifle or any weapon made from a rifle or shotgun (modification or otherwise) or any other weapon, including a pistol or revolver, from which a shot is discharged by an explosive or propellant, but not including a stud gun when used for its intended purpose.

(4) No person under eighteen (18) years of age shall go armed with a pistol or revolver and no person shall intentionally sell, loan or give a pistol or revolver to any person under eighteen (18) years of age. This subsection does not apply to a person, under eighteen (18) years of age who is armed with a pistol or revolver when such pistol or revolver is used in target practice under supervision of an adult nor does it apply to an adult who transfers a pistol or revolver to a person under eighteen (18) years of age for use only in target practice under her/his direct supervision. (Am. by ORD-14-00012, 1-14-14)

(5) No person under the age of eighteen (18) shall go armed with or possess a firearm of any type, or a pneumatic pellet gun or a spring-loaded pellet gun and no person under the age of eighteen (18) years shall have in her/his possession any ammunition for any firearm and no person shall intentionally sell, loan or give any firearm or pneumatic pellet gun or spring-loaded pellet gun or ammunition therefor to any person under the age of eighteen (18) years. This subsection shall not apply to anyone under eighteen (18) years of age who is armed with a firearm, pneumatic pellet gun or spring-loaded pellet gun under the supervision of an adult when such firearm, pneumatic pellet gun or spring-loaded pellet gun is being used in target practice or hunting, nor does it apply to an adult who transfers a firearm, pneumatic pellet gun or spring-loaded pellet gun to a person under eighteen (18) years of age for use only in target practice or any hunting under her/his direct supervision. (Am. by Ord. 9777, 5-12-89; ORD-14-00012, 1-14-14)

(6) Notwithstanding any other provision of this section to the contrary, this section shall not apply to any person, firm, association or corporation acting under the control and at the direction of the state of Wisconsin or the United States Government.

(8) Trigger Locks. Effective September 1, 1995, all firearms of any type whatsoever, whether encased or not, shall be properly secured with a trigger lock or gun locking device appropriate for the firearm, when not in actual use as authorized by law. The term trigger lock or gun locking device means any device, openable with a key or combination, which when properly secured to a firearm prohibits its operation.

(9) Separability. It is hereby declared to be the intention of the Common Council of the City of Madison that the several provisions of this ordinance are separable and if any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provision of this ordinance not specifically included in said judgment.

(10) This ordinance shall be in effect from and after February 1, 1969.

(13) Any person who violates any provision of this section shall be subject to a forfeiture of not less than two hundred fifty dollars (\$250) nor more than five hundred dollars (\$500).

Manitowoc Code of Ordinances

Current through Ordinance 19-1167, passed October 21, 2019.

Chapter 15 – Comprehensive Zoning Ordinance

Section 15.350. I-2, Heavy Industrial District.

(3) Conditional Uses Permitted. The following uses are permitted subject to MMC 15.370(27):

- (c) Ammunition, fireworks, explosive and match manufacturing and storage;

Markesan Code of Ordinances
Current through May 8, 2018.

Chapter 177 – Firearms and Weapons
Article I – Possession and Use of Firearms and Dangerous Weapons

Section 177-1. Definitions.

For the purpose of this article, the following definitions shall apply:

Firearm. Any weapon from which a shot may be fired by the force of an explosive or propellant, including, but not limited to, rifles, pistols, shotguns, air guns and BB guns.

Public Building. Any building, including the grounds thereof, owned by the state or federal governments, the City, the county or the public school district.

Public Land. Any land owned by the state or federal governments, the City, the county or the public school district.

Section 177-2. Possession of firearms prohibited.

In addition to the provisions of § 177-3 below, no person except duly authorized City, village, county, state or federal law enforcement officers specifically authorized by law to carry firearms, shall possess a firearm while in any public building or on public land within the City. No person shall possess a firearm while in any public place within the City unless written consent to so possess a firearm has been given by the owner or lessee of such public place, and such possession is not contrary to § 440.26, Wis. Stats.

Mayville Code of Ordinances
Current through March 25, 2019.

Chapter 317 Peace and Good Order

Section 317-2. Firearms and weapons.

A. Concealed weapons. No person shall go armed with a concealed weapon unless he or she has a valid permit issued by the state or is an authorized peace officer or former peace officer duly authorized under § 175.49, Wis. Stats. No person except a peace officer described by this section shall go armed with a concealed weapon at any of the following locations:

(1) Any building or facility owned or operated by the City of Mayville, including but not limited to City Hall, the Police Department, the Fire Department, the EMS building, the Department of Public Works, the wastewater treatment plant, any school building, municipal water towers, the library, and recreation centers.

Chapter 430 – Zoning
Article V – Basic District Regulations

Section 430-41. B-2 Outlying Business District.

D. Conditional uses. Conditional uses are as follows:

(2) Gun stores.

Section 430-45. M-2 General Manufacturing District.

D. Conditional uses. Conditional uses are as follows:

Ammunition manufacture

Menominee Indian Tribe Code of Ordinances
Current through November 15, 2018.

Chapter 321 – Firearms

Section 321-3. Definitions.

For the purpose of this chapter, the following terms shall have the meanings indicated:

Ammunition. Any ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.

Antique Firearm. Any firearm manufactured in or before 1899 or replica of any such firearm, or any muzzle-loading rifle, muzzle-loading shotgun, or muzzle-loading pistol, which is designed to use black powder, or a black powder substitute, and which cannot use fixed ammunition.

Destructive Device. Any explosive, incendiary, or poison gas; any type of weapon which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than 1/2

inch in diameter; the term "destructive device" shall not include any device which is neither designed nor redesigned for use as a weapon.

Firearm. Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver or any such weapon, including antique firearms; any firearm muffler or firearm silencer; or any destructive device.

Firearm Silencer or Firearm Muffler. Any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer or muffler, and any part intended only for use in such assembly or fabrication.

Rifle. A weapon designed or redesigned, made or remade, and intended to be fired from the shoulder or hip and designed or redesigned and made or remade to use the energy of a propellant in a metallic cartridge to fire through a rifled barrel a single projectile for each pull of the trigger.

School. A public, parochial, tribal or private school on the Menominee Indian Reservation which provides an educational program for one or more grades between grades kindergarten and 12 and which is commonly referred to as an "elementary school," "middle school," "junior high school," "senior high school," "high school," "primary school" or "tribal school." For purposes of this chapter, "school" also means any Head Start or day-care facility or any college located on the Menominee Indian Reservation.

Short-Barreled Rifle. A rifle having one or more barrels less than 16 inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than 26 inches.

Short-Barreled Shotgun. A shotgun having one or more barrels less than 18 inches in length and any weapon made from a shotgun (whether by alteration, modification, or otherwise) if such a weapon, as modified, has an overall length of less than 26 inches.

Shotgun. A weapon designed or redesigned, made or remade, and intended to be fired from the shoulder or hip and designed or redesigned and made or remade to use the energy of a propellant in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

Section 321-5. Discharge or possession by minors.

A. At no time shall a person under 18 years of age discharge or possess a firearm or dangerous weapon, except for a person under the age of 18 years may possess or discharge a rifle or shotgun, including muzzle-loaded rifles or shotguns, if:

- (1) Possession or discharge occurs under the direct supervision and physical presence of a parent, guardian or any adult person who has been given such authority to do so by a parent or guardian;
- (2) Possession or discharge occurs under the direct supervision and physical presence of a responsible third party who is at least 18 years of age or older and they are in that act of hunting; or
- (3) A minor person 10 years of age or older, who is in the act of hunting and has successfully completed a hunter safety course approved by the Menominee Indian Tribe of Wisconsin.

B. Notwithstanding Subsection A, no person under the age of 21 years of age shall possess or discharge a handgun unless possession or discharge occurs under the direct supervision and physical presence of a parent, guardian, or any adult person 21 years or older, who has been given such authority to do so by a parent or guardian.

C. Penalties for violation of Subsection A.

- (1) A first violation shall result in a civil forfeiture of \$250, and the firearm involved may be forfeited and disposed of by order of the Tribal Court.
- (2) A second and subsequent offense shall result in a civil forfeiture of \$500, and the firearm shall be forfeited and disposed of by order of the Tribal Court.

D. Penalties for violation of Subsection B. A violation of Subsection B shall result in a fine of not less than \$500, and the weapon shall be forfeited and disposed of by order of the Tribal Court.

Section 321-9. Restricted weapons.

A. No person may sell, possess, use or transport the following firearms or dangerous weapons:

- (1) Rifles, shotguns or handguns without serial numbers, unless such firearms are antique firearms or were lawfully manufactured prior to October 22, 1968, and not subject to the serial number requirements of the 1934 National Firearms Act.^[1]

^[1] Editor's Note: See 26 U.S.C. § 5801 et seq.

- (2) Rifles, shotguns or handguns with serial numbers that have been altered.
- (3) Rifles, shotguns or handguns with serial numbers that have been obliterated.
- (4) Any firearm manufactured or altered to discharge more than two shots or bullets by a single function of the firing device.
- (5) Any rifle having one or more barrels having a length of less than 16 inches measured from closed breach or bolt face to muzzle or a rifle having an overall length of less than 26 inches.
- (6) Any shotgun having one or more barrels less than 18 inches measured from closed breach or bolt face to muzzle or a shotgun having an overall length of less than 26 inches.
- (7) Any dangerous weapon or any firearm in or on the grounds of a school.

B. Any person convicted of violating Subsection A shall be penalized as follows:

- (1) A first offense shall result in a civil forfeiture not less than \$500, and the firearms involved shall be forfeited and disposed of by order of the Tribal Court.
- (2) A second or subsequent offense shall result in a fine not less than \$1,000 and a jail term not to exceed six months, and the firearms involved shall be forfeited and disposed of by order of the Tribal Court.

Section 321-10. Possession of firearms by certain persons.

A. The following persons may not possess, transport, sell or discharge a firearm or ammunition:

- (1) Any person convicted of a felony in any state, federal or tribal court.
- (2) Any person found not guilty or not responsible for a crime in any state, federal court, or tribal court by reason of insanity or mental disease, defect or illness.
- (3) Any person ordered by a lawful and valid court order restriction of possessing firearms and/or ammunition.

B. Any person found guilty of violating Subsection A shall be penalized as follows:

- (1) A first offense shall result in a fine not less than \$1,000 and a jail term not to exceed six months, and the firearms involved shall be forfeited and disposed of by order of the Tribal Court.
- (2) A second and subsequent offense shall result in a fine not less than \$2,500 and a jail term not to exceed 12 months, and the firearms involved shall be forfeited and disposed of by order of the Tribal Court.

**Chapter 368 – Health and Family
Article VII – Domestic Violence**

Section 368-19. Definitions.

As used in this article, the following terms shall have the meanings indicated:

Firearm. A weapon that acts by force of gunpowder to fire a projectile, regardless of whether it is inoperable due to disassembly, and includes but is not limited to any rifle, shotgun, or handgun.

Section 368-28. Firearms prohibition.

A. It shall be unlawful for any person who has been convicted in Tribal Court of battery under domestic violence conditions, assault with the threatened use of a firearm under domestic violence conditions, or a third conviction or more for any crime under domestic violence conditions to ship, receive, possess, conceal, store, barter, sell, dispose of or transfer in any way, except in surrendering to law enforcement, any firearm or ammunition for a period of three years to life from the date of conviction.

B. The length of the firearms prohibition shall be determined by the Court and may be from a minimum of three years to a maximum of a lifetime. The length of the firearms prohibition shall be included within the sentencing order of the Tribal Court.

C. The Court shall consider the following factors in determining the length of the firearms prohibition:

- (1) Whether a firearm was used or threatened to be used in the underlying conviction.
- (2) Prior criminal convictions in tribal, state, or federal court for other violent crimes or firearms convictions.
- (3) History of homicide threats towards the victim(s) or family and friends of the victim(s) or suicide threats.
- (4) History of mental illness and the defendant's compliance or noncompliance with the treatment protocol of the treating physician or licensed mental health professional.
- (5) Documentation of the use of alcohol or illicit drugs during criminal activity.

- (6) History of compliance or noncompliance with Court-ordered counseling and treatment and probation.
- (7) Severity of the injury to the victim in the underlying conviction.
- (8) Information contained within a pre-sentence investigation, if any.
- (9) Any other factors which the Court deems relevant to such determination.

D. Defendants subject to the firearms prohibition may motion the Court to reduce or remove the firearms prohibition, for the purpose of hunting only, with proof of successful completion of all sentencing terms and rehabilitative programs. The Court will consider all of the factors in Subsection C when making its decision.

Chapter 625 – Zoning
Article XI – General Business District (C-2)

Section 625-87. Conditional uses.

In the C-2 District, the following uses are conditional and are subject to the provisions of Article XXIII (Conditional Use Permits):

- G. Arms and ammunition wholesale and storage.

Menomonee Falls Code of Ordinances
Current through Ordinance 747-O-19, enacted March 18, 2019. (Supplement 31)

Chapter 62 – Offenses and Miscellaneous Provisions
Article III – Offenses Involving Public Safety
Division 3 – Weapons

Section 62-86. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Weapons means and includes all instruments and devices used for the purpose of propelling bullets, shot, arrows or other missiles, either by explosion, compression, tension, gas, spring or any other means, and shall include, without limitation for lack of specific enumeration, all forms of guns, rifles, air rifles and air guns, revolvers, bows and arrows, slingshots and other similar type of equipment or device capable of propelling such bullets, shot, arrows or missiles through the air by reason of discharge therefrom.

Section 62-93. Possession or use by minors.

- (a) No person shall sell, give, loan or transfer any weapon as defined in section 62-86 or ammunition therefor, to a minor, except when such weapon is being used in target practice on a supervised range.
- (b) No person under the age of 18 years shall have in his possession a weapon as defined in section 62-86 nor any ammunition therefor. This subsection shall not apply to anyone under 18 years of age who is armed with a weapon under the supervision of an adult when such weapon is being used in target practice on a range licensed under the provisions of section 62-88 or to any person engaged in hunting as provided in section 62-91.

Menomonie Code of Ordinances
Current through Ordinance 2019-14, passed July 1 2019.

Title 5 – Public Safety
Chapter 4 – Alarm Devices

Section 5-4-3. Additional regulations.

D. A firearm dealer shall install and maintain a burglar and holdup alarm system in any structure within the city in which guns are displayed, stored, or kept. The alarm system must, either by answering service or automatic dialing device, immediately notify or signal the police department of an emergency situation that the alarm system is designed to detect.

The term "**firearms dealer**" is defined as any person engaged in the business of selling firearms at wholesale or retail and having a license as a dealer issued by the U.S. department of treasury; provided, however, such person shall not include a pawnbroker or a gunsmith who is engaged in the business of repairing firearms or of making or fitting special barrels, stocks, or trigger mechanisms to the firearms.

The term "**engaged in the business**" is defined as a person who devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms; but such phrase shall not include a person who makes occasional sales, exchanges, or purchases firearms for the enhancement of a personal collection or for a hobby.

The primary purpose of this subsection is to require businesses which deal in the sale of firearms to install reliable emergency alarm devices or systems in order to provide additional protection from burglary or robbery of large quantities of guns in stock, which in turn adds to the safety and protection of the citizens of the city.

Title 10 Zoning Regulations
Chapter 14 – I-1 Restricted Industrial District

Section 10-14-1. Uses.

B. The following uses are strictly prohibited whether or not they are located in a fully enclosed building:

Ammunition manufacture, storage or warehousing.

Chapter 15 – I-2 Restricted Industrial District II

Section 10-15-1. Uses.

B. The following uses are strictly prohibited whether or not they are located in a fully enclosed building:

Ammunition manufacture, storage or warehousing.

Chapter 16 – I-3 General Industrial District

Section 10-16-1. Uses.

In the general industrial district, unless otherwise provided in this title, buildings or land may be used for any purpose except the following:

Any of the following uses unless the location of such use has been approved in writing by the board of appeals after investigation and public hearing. In approving or disapproving proposed locations for uses under this section the board shall give due consideration to the character and suitability for development of the neighborhood in which any such use is proposed to be located, and shall also base its decision on such evidence as may be presented to the board regarding those attributes of the proposed use, such as increased traffic on the public streets, heavy vehicular traffic and the emission of noise, smoke, dust or dirt, odorous or noxious gases and the like, that would be detrimental to such character and such suitability for development:

B. Ammunition manufacture; explosives or fireworks manufacture or storage.

Title 11 – Extraterritorial Zoning
Chapter 8 – I-2 General Industrial District

Section 11-8-1. Uses excepted or conditioned.

In the general industrial district, unless otherwise provided in this title, buildings or land may be used for any purpose, except the following:

Any of the following uses, unless the location of such use has been approved in writing by the board of appeals after investigation and public hearing. In approving or disapproving proposed locations for uses under this subsection, the board shall give due consideration to the character and suitability for development of the neighborhood in which any such use is proposed to be located, and shall also base its decision on such evidence as may be presented to the board regarding those attributes of the proposed use, such as increased traffic on the public streets, heavy vehicular traffic and the emission of noise, smoke, dust or dirt, odorous or noxious gases and the like, that would be detrimental to such character and suitability for development:

B. Ammunition manufacture; explosives or fireworks manufacture or storage.

Mequon Code of Ordinances

Current through Ordinance Number 2019-1553, enacted September 10, 2019. (Supplement 43)

Chapter 58 – Planning and Development Regulations
Article IV – Zoning
Division 5 – Business Districts

Section 58-303. Specific development and design standards.

(b) Standards. The uses listed below are subject to the following specific development standards, in addition to all other applicable regulations:

Indoor sport shooting ranges. Indoor sport shooting ranges are subject to the following specific development standards:

k. The servicing of firearms is permitted.

l. Sales of firearms is prohibited.

Merrill Code of Ordinances

Current through Ordinance 2019-04, adopted July 9, 2019. (Supplement 29)

**Chapter 113 – Zoning
Article II – Zoning Districts**

Section 113-42. Industrial district.

(c) Conditional use. The following uses may be allowed after a public hearing before the plan commission, and final approval of the common council and in accordance with article IV of this chapter:

- (2) Ammunition manufacture; explosives or fireworks manufacture or storage.

Merton Waukesha County Code of Ordinances

Current through Ordinance of May 13, 2019. (Update 04/22/19)

Chapter 9 – Peace and Order

Section 9.02. Discharging and carrying weapons. (Rep. & recr. 11/8/11)

(2) Permitted. Any person may possess, openly or concealed, carry or bear any firearm or facsimile firearm, or have under his or her control any firearm or facsimile firearm, on any public street, sidewalk, boulevard, boardwalk, alley, or public parking lot if he or she complies with this section or the Wisconsin Statutes and the Wisconsin Administrative Code sections specifically adopted under this section, with the exception of the following:

- (c) Within any public building or athletic field owned by the Arrowhead Union High School District, the North Lake School District, the Stone Bank School District, or the Swallow School District located within the Town, which is similar to 948.605, Wis. Stats.

**Chapter 17 – Zoning Code
Districts**

Section 17.56. M-2 General Industrial District.

(1) Permitted Uses.

- 3. Manufacture of explosives, but not including the making of small arms ammunition.

Milton Code of Ordinances

Current through Ordinance 460, enacted April 3, 2019. (Supplement 14, Update 1)

**Chapter 14 – Businesses
Article XII – Pawnbroker, Secondhand Article Dealer, Secondhand Jewelry Dealer**

Section 14-670. License required.

No individual, partnership, corporation or other for-profit entity shall do business as a pawnbroker, secondhand article dealer or secondhand jewelry dealer without first having obtained a license for that purpose as provided for herein in this article.

Section 14-671. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings as ascribed to them in this section.

Article means any of the following articles:

- (18) Firearms;

Secondhand means owned by any person except a wholesaler, retailer or secondhand article dealer or secondhand jewelry dealer licensed under this article, immediately before the transaction at hand.

Secondhand article dealer means any person, other than an auctioneer, who engages in the business of purchasing or selling secondhand articles, except when engaged in any of the following:

- (1) Any transaction at an occasional garage or yard sale, an estate sale, a gun, knife, gem or antique show or convention;
- (2) Any transaction while operating as a charitable organization or conducting a sale the proceeds of which are donated to a charitable organization;
- (3) Any transaction between the buyer of a new article and the person who sold the article when new which involves any of the following:

- a. Return of the article;
- b. Exchange of the article for a different new article.

- (4) Any transaction as a purchaser of a secondhand article from a charitable organization if the secondhand article was a gift to the charitable organization;
- (5) Any transaction as a seller of a secondhand article which the person bought from a charitable organization if the secondhand article was a gift to the charitable organization;
- (6) Any transaction involving the sale of a secondhand article on consignment.

Monroe County Code of Ordinances
Current through Ordinance 2019-32, Adopted July 9, 2019. (Supplement 13)

Chapter 47 – Zoning
Article III – Zoning Districts
Division 8 – GA General Agriculture

Section 47-292. Conditional uses.

Conditional uses in the GA general agriculture district shall be as follows:

- (7) Gun repair and sales;

Monticello Code of Ordinances
Current through September 4, 2019.

Chapter 270 Peace and Good Order
Article II Offenses Against Public Safety and Peace

Section 270-2. Carrying concealed weapons; certain weapons prohibited.

B. Concealed weapons in school buildings prohibited. No person, except peace or law enforcement officer or member of the military in the line of duty as defined in Wisconsin Statutes, may carry; possess, or control a firearm in a public library, the public pool, or within the fenced public pool grounds. A person who has a valid license to carry a concealed weapon or out-of-state concealed-carry weapon licensee may possess a weapon or firearm within 1,000 feet of the grounds of a school, but not in or on school grounds or parking lots. These restrictions do not apply to a person who drives a motor vehicle in which a weapon or firearm is located onto school premises for school sanctioned purposes or for the purpose of delivering or picking up passengers or property if the weapon is not removed from the vehicle or used in any way.

Mount Horeb Code of Ordinances
Current through Ordinance 2017-09, adopted December 6, 2017. (Update 12/06/17)

Chapter 17 – Zoning Code (Rep. & recr. #98-16)

Section 17.113. Prohibited home occupations. (Am. #99-13)

The following activities shall not be permitted as home occupations:

- h. The sale of firearms or ammunition;

Mukwonago Code of Ordinances
Current through Ordinance 953, enacted November 15, 2018. (Supplement 18)

Chapter 54 – Offenses and Miscellaneous Provisions
Article V – Minors

Section 54-101. Possession of dangerous weapon by minor.

- (a) All police officers of the village shall take from a minor any dangerous weapon found in his possession in violation of this article.
- (b) In this section, the expression "**dangerous weapon**" means any firearm having a barrel less than 12 inches.

Nekoosa Code of Ordinances
Current through February 12, 2019.

Chapter 9 – Orderly Conduct

Section 9.02. Weapons and bow hunting.

(1) Definitions. For the purpose of this section, the following definitions shall apply:

Firearm. Any weapon which acts by force of gunpowder.

Public Building. Any building owned by the City, the county or the school district.

(2) Possession of firearms in public place prohibited. In addition to the provisions of Subsection (3) below, no person except duly authorized City, village, county, state or federal law enforcement officers specifically authorized by law to carry firearms shall possess a firearm while in any public building, as defined in Subsection (1) above, within the City as provided in § 941.235, Wis. Stats., or within any school zone as provided in § 948.605, Wis. Stats., or go armed with a handgun into a tavern as provided in § 941.237, Wis. Stats.

New Berlin Code of Ordinances
Current through July 23, 2019

Chapter 275 – Zoning
Article V – Use Regulations

Section 275-40. General provisions.

C. Incompatible uses. There are several specific uses that are considered incompatible with the characteristics of the City of New Berlin and are herewith prohibited in all zoning districts. These prohibited uses include:

(1) Manufacturing of acid, ammonia, ammunition, asbestos, asphalt, cement, chlorine, coal tar, creosote, explosives, fertilizer, gelatin, glue, gypsum, insecticide, lampblack, poison, pulp, pyroxyline, and radium.

Section 275-42. Accessory uses and structures.

(4) Home occupations. Home occupations may be allowed as accessory uses in any agricultural or residential district, provided that they comply with the following standards:

(b) Prohibited home occupations. The following uses are prohibited as home occupations:

[7] Gun or ammunition sales;

Oconomowoc Code of Ordinances

Current through Ordinance 18-O961, enacted September 17, 2018. (Supplement 28)

Chapter 9 – Public Peace and Good Order

Section 9.02. Discharging and Carrying Weapons. (Rep. & recr. #10-O776)

(2) Permitted. (Am. #11-O809; Am. #14-O856; Am. #16-O892) Any person may possess, openly or concealed, carry or bear any weapon, knife or firearm or facsimile firearm, or have under his or her control any weapon, knife, firearm or facsimile firearm, on any public street, sidewalk, boulevard, boardwalk, alley, public parking lot, or park if he or she complies with this section or the Wisconsin Statutes and Administrative Code sections specifically adopted under this section, with the exception of the following:

(e) In or on school grounds or within 1,000 feet from the grounds of a school, which is similar to 948.605, Wis. Stats.

(g) Giving or providing a firearm to a person under the age of 18 unless for target practice under adult supervision, which is similar to 948.60, Wis. Stats.

(5) Possession of Firearms and Weapons by Minors Prohibited. No parent, guardian, or other adult person having legal custody of a child under the age of 16 years shall permit such minor to have in his/her possession and control for use within the City any firearm or other dangerous weapon as enumerated in subsection (1).

(6) Sale of Firearms and Weapons.

(b) Records. Any person selling firearms or other deadly weapons shall keep a record of the sale thereof, and such list shall be open to inspection by the Police Department. Such record shall include the name, address, age and birth date of the purchaser and the article purchased.

Price County Code of Ordinances
Current through September 17, 2019.

Chapter 530 – Zoning
Article VI – Zoning Districts

Section 530-39. Commercial-Industrial Districts.

C. Industrial District (CI-I).

(3) Conditional uses.

Arms, ammunition, manufacture, wholesale and storage

Racine County Code of Ordinances
Current through Ordinance 2018-149, adopted April 16, 2019. (Supplement 28)

Chapter 20 – Zoning
Article VII – Supplementary District Regulations and Requirements
Division 2 – Uses

Section 20-1015. Home occupations.

(b) A home occupation is any gainful occupation or profession engaged in by an occupant of a dwelling unit which meets the following criteria:

(8) No toxic, explosive, flammable, combustible, corrosive, radioactive or other restricted materials shall be used or stored on the site for home occupation purposes. There shall be no loading of bullets; preparation of ammunition; or sale, trade, lease or rental of firearms and/or ammunition in a home occupation. This does not preclude a home occupation for a gunsmith for the service or repair of firearms or for a firearm collector, licensed by the Bureau of Alcohol, Tobacco, and Firearms.

Random Lake Code of Ordinances
Current through Ordinance 07-2018, enacted June 4, 2018. (Supplement 2)

Chapter 24 – Offenses
Article I – In General

Section 24-3. Possession and use of certain weapons in public buildings.

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Firearm means any weapon which acts by force of gunpowder.

Public building means any building owned by the village, the county or the school district.

School zone means any of the following: in or on the grounds of a school; within 1,000 feet from the grounds of a school, pursuant to Wis. Stats. § 948.605(1)(c).

(b) Possession of firearms in public place prohibited. In addition to the provisions of subsection (c) of this section, no person except a duly authorized peace officer, armed forces or military personnel, a qualified out-of-state law enforcement officer, a former officer, a licensee, or an out-of-state licensee, shall possess a firearm while in any public building within the village as provided in Wis. Stats. § 941.235 or go armed with a handgun in any tavern within the village as provided in Wis. Stats. § 941.237. No person except a duly authorized law enforcement officer, an out-of-state law enforcement officer, a former officer, or a state certified commission warding acting in his or her official capacity, or an individual possessing a firearm that is not loaded and is either encased or in a locked firearms rack that is on a motor vehicle, may possess a firearm within any school zone as provided in Wis. Stats. § 948.605.

Reedsburg Code of Ordinances
Current through Ordinance 1885-19, adopted April 22, 2019.

Chapter 282 – Firearms and Weapons

Section 282-1. Firearms and ammunition; discharge, possession and sale.

C. No person shall intentionally sell or give away any firearm, rifle, spring gun, air gun, or pneumatic pellet gun, or ammunition therefor, to any person under the age of 18 years unless accompanied by a parent or legal guardian.

D. No person under the age of 18 years of age shall have in his possession any firearm, rifle or ammunition therefor, unless accompanied by parent or legal guardian.

Reedsville Code of Ordinances

Current through Ordinance 2018-6, passed October 11, 2018.

**Title 4 – Police Regulations
Chapter 2 – General Offenses**

Section 4-2-1-1. Firearms and dangerous weapons regulations.

F. Sale To Minors: No person shall sell, loan or give any pistol to any person under eighteen (18) years of age.

Richfield Code of Ordinances

Current through November 29, 2018.

**Chapter 70 – Zoning
Article VI – Home Occupation**

Section 70.306. Specific home occupation uses prohibited.

A. Any occupation involving the repetitive purchase and resale, exchange, production, refinement, packaging or handling of firearms, explosives, or any other dangerous weapons or hazardous materials by any person who devotes time or attention to such items as a regular or part-time course of trade or business with the objective of livelihood or principle means of profit is prohibited. This prohibition shall not include a person who makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of a personal collection.

Rusk County Code of Ordinances

Current through Resolution 18-22A, adopted February 26, 2019. (Supplement 11)

**Chapter 32 – Offenses
Article VII – Weapons**

Section 32-318. Possession of a pistol by a minor.

(a) No minor shall go armed with a pistol, nor shall any person intentionally sell, loan or give a pistol to a minor.

(b) This section shall not apply to a minor who is armed with a pistol when such pistol is being used in target practice under the supervision of an adult, nor shall it apply to an adult who transfers a pistol to a minor for use only in target practice under his supervision.

(c) All peace officers shall seize from a minor any pistol found in his possession in violation of this section.

(d) In this section, the term "**pistol**" means any firearm with a barrel less than 12 inches in length.

Salem Lakes Code of Ordinances

Current through July 8, 2019.

**Chapter 490 – Zoning and Shoreland/Floodplain Zoning
Part III – General Land Use Regulations
Article 7 – Home Occupations and Professional Home Offices**

Section 90-7.2. Permitted and prohibited home occupations.

A. Examples of permitted home occupations include, but are not limited to:

(5) Gunsmith for service and repair of firearms licensed by the Bureau of Alcohol, Tobacco and Firearms, provided no discharging; loading of bullets; preparation of ammunition; or sale, trade, lease or rental of firearms and/or ammunition takes place within the premises.

B. Examples of prohibited home occupations include, but are not limited to:

(5) Firearms and/or ammunition sales, trade, lease or rental.

Sauk City Code of Ordinances

Current through December 11, 2018.

**Chapter 239 – Peace and Good Order
Article III – Offenses Against Public Safety and Welfare**

Section 239-7. Firearms and ammunition.

C. No person shall intentionally sell or give away any firearm, rifle, spring gun, air gun, or pneumatic pellet gun, or ammunition therefor, to any person under the age of 18 years of age unless accompanied by a parent or legal guardian.

D. No person under the age of 14 years of age shall have in his possession any firearm, rifle, or ammunition therefor, unless the juvenile has complied with and been certified with the standards set down by the Department of Natural Resources in the hunter safety course offered to juveniles 12 years old and older.

Shawano Code of Ordinances

Current through January 9, 2019.

Chapter 7 – Licenses and Permits

Section 7.052. Pawnbrokers and secondhand article and jewelry dealers.

(10) Minors. ... No firearm may be sold to a minor.

Sheboygan Code of Ordinances

Current through Ordinance No. 15-19-20, enacted August 5, 2019. (Supp. No. 23)

Chapter 70 – Offenses and Miscellaneous Provisions

Article VII – Offenses Against Public Safety

Division 2 – Weapons

Section 70-251. Discharging and carrying weapons.

(b) Permitted. Any person may possess, carry, or bear any weapon, knife or firearm or facsimile firearm, or have under his or her control any weapon, knife, firearm or facsimile firearm, on any public street, sidewalk, boulevard, boardwalk, alley, public parking lot, or park if he or she complies with this section or the Wisconsin Statutes and Administrative Code sections specifically adopted under this section, with the exception of the following:

(5) No person may possess, carry, or bear any weapon, knife or firearm or facsimile firearm, or have under his or her control any weapon, knife, firearm, or facsimile firearm in or on school grounds or within 1,000 feet from the grounds of a school, if doing so is a violation of Wis. Stats. 948.605.

(e) Possession of firearms and weapons by minors prohibited. No parent, guardian, or other adult person having legal custody of a child under the age of 16 years shall permit such minor to have in his/her possession and control for use within the city any firearm or other dangerous weapon as enumerated in subsection (a).

Shorewood Code of Ordinances

Current through August 5, 2019.

Chapter 404 – Pawnbrokers and Secondhand Dealers

Section 404-10 Prohibited acts.

C. The purchase, sale, receipt, consignment or exchange of any firearms or ammunition suitable for use in any firearm by pawnbrokers or secondhand article or jewelry dealers in the Village is prohibited.

Chapter 52 – Weapons

Section 520-1. Dangerous weapons.

A. The term "**dangerous weapon**" shall have the meaning used in § 939.22(10), Wis. Stats., and may include any instrument which by its capabilities of use is liable to produce death or great bodily harm. The following are dangerous per se: ...pistol, revolver,... any weapon upon which loaded or blank cartridges are used, ... or any other knife having a blade three inches or longer. Instruments not herein specifically enumerated are nonetheless dangerous weapons when they fall within the terms of the above definition.

B. The term "dangerous weapon" shall not include antique firearms, as defined in 18 U.S.C. § 921(a)(16), nor those firearms which are incapable of being fired or discharged or which do not fire fixed ammunition, or those manufactured before 1898 for which cartridge ammunition is not commercially available, and which are possessed as curiosities or ornaments or for their historical significance or value.

Section 520-3. Short-barreled shotgun or rifle.

No person except a law enforcement officer or member of the armed forces shall transport, purchase, possess or go armed with a shotgun having one or more barrels having a length of less than 18 inches, measured from closed breech or bolt face to muzzle, or an overall length of less than 26 inches, or a rifle with one or more barrels having a length of less than 16 inches, measured from closed breech or bolt face to muzzle, or an overall length of less than 26 inches.

Section 520-4. Sale to minors.

It shall be unlawful for any person, firm or corporation to engage in the business of buying from or to sell or give away to any minor any weapon listed or defined as dangerous in § 520-1, except household purpose knives or knives having blades less than three inches.

Section 520-5. Possession by minors.

The statutory provisions of § 948.60, Possession of a dangerous weapon by a person under 18, Wis. Stats., exclusive of any provisions therein relating to penalties to be imposed, are hereby adopted by reference and made a part of this chapter as if fully set forth herein. Acts required to be performed or acts prohibited by the statute are similarly required or prohibited by this chapter.

Section 520-11. Weapons-free school zones.

It shall be unlawful for any person except a law enforcement officer or member of the armed forces to carry, concealed or openly, either on his person or in a vehicle, any pistol, revolver, dagger, knife, slingshot, bludgeon, or any other dangerous and deadly weapon as defined in § 520-1 or discharge, display or use such weapon in or on the grounds of any school property within the Village of Shorewood, except that possession of, or discharge of a firearm in a school zone is subject to the provisions of the "Gun-Free School Zone Law" set forth in § 948.605, Wis. Stats., or any amendments thereof.

**Chapter 535 – Zoning
Article IV – Zoning Districts**

Section 535-21. Commercial, mixed-use and river districts.

(b) The following uses are permitted provided that they shall be retail establishments and primarily selling and storing new merchandise, and except that the sale or display of firearms or ammunition suitable for use in a firearm is prohibited:

**South Milwaukee Code of Ordinances
Current through September 4, 2018.**

Chapter 20 – Trades and Occupations

Section 20.13. Secondhand dealers.

B. Secondhand dealers and secondhand jewelry dealers.

(1) Definitions. When used in this article, the following words shall mean:

Article

(a) Any of the following:

[3] Firearms, knives, and ammunition;

Secondhand

Property owned by any person, except a wholesaler, retailer, or licensed secondhand article dealer or secondhand jewelry dealer, immediately before the transaction at hand.

Secondhand Article Dealer or Secondhand Jewelry Dealer

Any person who engages in the business of purchasing any article with an expressed or implied agreement or understanding to resell it at a subsequent time.

(a) To the extent that a secondhand article dealer or secondhand jewelry dealer's business includes buying personal property previously used, rented, leased, or selling it on consignment, the provisions of this chapter shall be applicable.

(b) A person is not acting as a secondhand article dealer or secondhand jewelry dealer when engaging in any of the following:

[1] Any transaction at an occasional garage or yard sale or an estate sale where the seller of the item is the homeowner or resident at the location of the yard sale and where such yard sale complies with the requirements set forth elsewhere in the Municipal Code.

[2] Any transaction entered into by a person engaged in the business of junk collector, junk dealer, or scrap processor, as described in § 70.995(2), Wis. Stats.

[3] Any transaction while operating as a charitable organization or conducting a sale, the proceeds of which are donated to a charitable organization.

[4] Any transaction between a buyer of an article and the person or entity who originally sold the article that involves any of the following:

- [a] The return of the article for a refund.
- [b] The return of the article for credit toward a future purchase.
- [c] The exchange of the article for a different article.

[5] Any transaction as a purchaser of a secondhand article from a charitable organization if the secondhand article was a gift to the charitable organization.

[6] Any transaction as a seller of a secondhand article that the person bought from a charitable organization if the secondhand article was a gift to the charitable organization.

(2) License required. No person may operate as a secondhand article dealer or secondhand jewelry dealer unless the person first obtains a secondhand article dealer or secondhand jewelry dealer license under this chapter.

Spencer Code of Ordinances
Current through February 14, 2017.

Chapter 359 – Peace and Good Order
Article II – Offenses Against Public Safety and Peace

Section 359-3. Firearms or dangerous weapons.

A. Unless prohibited by state and federal law, persons may carry exposed firearms or dangerous weapons in the Village of Spencer, and they may further carry concealed firearms or dangerous weapons in the Village of Spencer with a valid permit or license.

(1) "Dangerous weapon" means:

(a) A firearm, meaning a weapon designed to fire a projectile by force of gunpowder.

(2) The following restrictions shall apply to the carrying of firearms or dangerous weapons:

(a) School property. No person may carry any exposed or concealed firearm, ammunition for any firearm, or dangerous weapon onto school property. No person may carry a folding, retractable, or fixed-blade knife of any kind while on school property unless otherwise authorized by school administration.

(4) The following individuals shall be exempted from the prohibitions against the carrying of firearms under this section:

(a) Sworn law enforcement personnel.

(b) Former law enforcement officers with proper picture identification and certification within the past 12 months in accordance to 18 U.S.C. § 926

(c) Armed forces personnel acting in the line of their duties.

St. Francis Code of Ordinances
Current through September 3, 2019.

Chapter 338 – Peace and Good Order

Section 338-2. Firearms.

B. Retailers; firearms protected or secured while on display, in storage. It shall be unlawful for any person who is in the business of buying or selling firearms at retail to have such firearms in his possession or under his control, whether loaded or unloaded, on display unless he shall have provided at least the following security precautions and safeguards:

(1) When closed for business.

(a) Handguns shall be kept in a securely locked vault, safe or solid steel cabinet. As an alternative, handguns shall be equipped with a trigger-locking device (so that the weapon cannot be discharged) and kept in a locked display case.

(b) Shotguns, rifles and other long-barreled firearms shall be so secured in a key-locked rifle rack so that the weapon cannot be removed from such rack without first unlocking it. As an alternative, such weapons shall be secured in a rack (or rack-like device) with either a locking metal bar (3/8 inch diameter circular thickness minimum) or a locking metal cable (1/4 inch diameter circular thickness minimum of braided aircraft-type cable), such bar or cable inserted through the trigger of each weapon and padlocked to a stationary (1/4 inch minimum

diameter) metal eyebolt (machine or lag screw type), so that the weapon cannot be removed from the rack without first unlocking such bar or cable.

(2) When open for business (except when showing a customer or at time of purchase). Handguns, shotguns, rifles and other long-barreled firearms shall be kept in a locked display case or shall be so secured as required in Subsection B(1) above.

Superior Code of Ordinances

Current through Ordinance O19-4167, adopted September 3, 2019. (Supplement 25)

Chapter 86 – Offenses and Miscellaneous Provisions

Article III – Weapons

Division 1 – Generally

Section 86-75. Furnishing firearms to minors.

No person shall sell, give away or furnish to any person under 18 years of age any revolver, pistol, shotgun, rifle or other firearm, intended for and capable of shooting powder, balls or cartridges, without the consent in person or writing, of the parent or guardian of the minor.

Tomah Code of Ordinances

Current through Ordinance 2018-12-13-D, adopted December 11, 2016. (Supplement 12)

Chapter 34 – Secondhand Goods

Article II – Secondhand Dealers

Division 4 – Firearms

Section 34-120. Holding times; inspection.

Any firearm received in pawn, purchase or exchange by a dealer licensed hereunder from a member of the general public shall be kept in the dealer's premises in the form that it was received for not less than 15 days from the date of purchase, during which time the article shall be held separate and apart from any other transaction and shall not be changed or altered in any manner. The dealer shall permit the chief of police or any other police officer designated by the chief to inspect the article during the 15-day period.

Union Grove Code of Ordinances

Current through Ordinance 2010-06, enacted August 23, 2010. (Supplement 10)

Chapter 118 – Zoning

Article IV – Districts

Division 5 – C-1 General Commercial District

Section 118-382. Uses.

(d) Conditional uses. Conditional uses shall be as follows:

(20) Gun stores.

Wales Code of Ordinances

Current through April 2, 2018.

Chapter 435 – Zoning

Article III – Zoning Districts

Section 435-28. B-2 General Business District.

C. Conditional uses. The following retail shops and multi-tenant buildings:

(14) Sale of firearms and ammunitions.

Walworth County Code of Ordinances

Current through Ordinance 1176-07/19, enacted July 9, 2019. (Supplement 71)

Chapter 16 – Public Property

Article II – Public Property

Section 16-13 Firearms prohibited.

(a) No person, except a law enforcement officer may carry, possess, or control a firearm within the confines of any County-owned structure including, but not limited to, the Government Center, Health and Human Services, Judicial Center, Lakeland Health Care Center, Lakeland School, Public Works Department and Sheriff's Office.

Washington County Code of Ordinances
Current through Ordinance 2019-7, adopted June 12, 2019.

Chapter 172 – Peace and Good Order

Section 721-2. Possession of firearms in public buildings and school zones.

No person, except duly authorized city, village, County, state or federal law enforcement officers specifically authorized by law to carry firearms, shall possess a firearm while in any building owned or leased by the state or any political subdivision thereof within the County as provided in § 941.235, Wis. Stats., or within any school zone as provided in § 948.605, Wis. Stats., or carry a handgun into any tavern within the County as provided in § 941.237, Wis. Stats.

A. Definitions. For the purpose of this section, the following definitions apply:

Firearm. A weapon which acts by force of gunpowder.

Waterford Code of Ordinances
Current through January 14, 2019.

Chapter 245 – Zoning
Article III – Definitions

Section 245-9. Terms defined.

Ammunition. Firearm cartridges and shotgun shells.

Article VIII – Planned Community Development Districts

Section 245-74. Waterford Centre Business/Industrial Planned Community Development District.

B. Uses not permitted:

(6) No heavy manufacturing uses shall be allowed, such as ... ammunition manufacture; explosives or fireworks manufacture or storage; asphalt, coal and coal tar or coke manufacture; distillation of bones; cement, lime, gypsum or plaster of Paris manufacture; fat rendering; garbage, rubbish, offal or dead animal reduction or dumping; gelatin, glue or size manufacture; manufacture, refinement or storage of inflammable gases or liquids; overground tank farms; slaughterhouses; stockyards; or smelting facilities;

Section 245-77. Trailview Planned Community Development District.

(d) Conditional uses not permitted:

[2] No heavy manufacturing uses shall be allowed, such as ... ammunition manufacture; explosives or fireworks manufacture or storage; asphalt, coal and coal tar or coke manufacture; distillation of bones; cement, lime, gypsum or plaster of paris manufacture; fat rendering; garbage, rubbish, offal or dead animal reduction or dumping; gelatin, glue or size manufacture; manufacture, refinement or storage of inflammable gases or liquids; overground tank farms; slaughterhouses; stockyards; or smelting facilities;

Section 245-80. Fluegge Planned Community Development District.

(4) Conditional uses not permitted:

(b) No heavy manufacturing uses shall be allowed, such as ... ammunition manufacture; explosives or fireworks manufacture or storage; asphalt, coal and coal tar or coke manufacture; distillation of bones; cement, lime, gypsum or plaster of paris manufacture; fat rendering; garbage, rubbish, offal or dead animal reduction or dumping; gelatin, glue or size manufacture; manufacture, refinement or storage of inflammable gases or liquids; overground tank farms; slaughterhouses; stockyards; or smelting facilities;

Waterloo Code of Ordinances
Current through May 16, 2019.

Chapter 278 – Peace and Good Order

Section 278-2. Possession and use of firearms and other dangerous weapons.

A. Definitions. For the purpose of this section, the following definitions shall apply:

Firearm. Any weapon from which a shot may be fired by the force of an explosive or propellant, including but not limited to rifles, pistols, shotguns, air guns and BB guns.

Public Building. Any building, including the grounds thereof, owned by the state or federal government, the City, the county or the public school district.

Public Land. Any land owned by the state or federal government, the City, the county or the public school district.

B. Possession of firearms prohibited. In addition to the provisions of Subsection C below, no person, except duly authorized City, village, county, state or federal law enforcement officers specifically authorized by law to carry firearms, or persons duly licensed to carry a concealed weapon pursuant to § 175.60, Wis. Stats., shall possess a firearm while in any public building or on public land within the City. No such person shall possess a firearm while in any public place within the City unless written consent to so possess a firearm has been given by the owner or lessee of such public place and such possession is not contrary to § 440.26, Wis. Stats.

Watertown Code of Ordinances
Current through December 18, 2018.

Chapter 403 – Pawnbrokers and Secondhand Dealers

Section 403-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

Article. Any of the following articles except jewelry:

R. Firearms.

Secondhand. Owned by any person, except a wholesaler, retailer or secondhand article dealer or secondhand jewelry dealer licensed under this chapter, immediately before the transaction at hand.

Secondhand Article Dealer. Any person, other than an auctioneer, who engages in the business of purchasing or selling secondhand articles, except when engaging in any of the following:

A. Any transaction at an occasional garage or yard sale, an estate sale, a gun, knife, gem or antique show or a convention.

B. Any transaction entered into by a person while engaged in a business for which the person is licensed under § 403-3 or 403-5 or while engaged in the business of junk collector, junk dealer or scrap processor as described in § 70.995(2)(x), Wis. Stats.

C. Any transaction while operating as a charitable organization or conducting a sale the proceeds of which are donated to a charitable organization.

D. Any transaction between a buyer of a new article and the person who sold the article when new which involves any of the following:

(1) The return of the article.

(2) The exchange of the article for a different, new article.

E. Any transaction as a purchaser of a secondhand article from a charitable organization if the secondhand article was a gift to the charitable organization.

F. Any transaction as a seller of a secondhand article which the person bought from a charitable organization if the secondhand article was a gift to the charitable organization.

Section 403-4. License for secondhand article dealer.

No person may operate as a secondhand article dealer within the municipality unless the person first obtains a secondhand article dealer's license under this chapter. A license issued to a secondhand article dealer by the City Clerk/Treasurer authorizes the licensee to operate as a secondhand article dealer within the municipality.

Waupun Code of Ordinances

Current through Ordinance 18-11, adopted December 19, 2018. (Supplement 14)

CHAPTER 8 – Orderly Conduct

Section 8.01. Offenses Endangering Public Safety.

(1) Discharging and Carrying Firearms and Guns Prohibited. (Rep. & recr. #09-06)

(b) No person shall openly possess, carry, or bear any firearm or facsimile firearm or have under his or her control any firearm or facsimile firearm on any public street, sidewalk, boulevard, boardwalk, alley or public parking lot within the City, unless he or she complies with the following provisions or the provisions of the Wisconsin Statutes and Administrative Code specifically adopted under this ordinance:

5. No person shall have a firearm in his or her possession or under his or her control in or on school grounds or within 1,000 feet of the grounds of any school, except that this restriction shall not include any BB gun or pellet-firing gun that expels a projectile through the force of air pressure or any starter pistol if used as part of a program

approved by a school in the school zone, by an individual who is participating in the program. It is intended that this provision be consistent with 948.605, Wis. Stats.

8. No person shall provide a firearm to a person under the age of 18 unless for target practice under the supervision of an instructor or supervisor approved by the Waupun Chief of Police. It is intended that this provision be consistent with 948.60, Wis. Stats.

Wautoma Code of Ordinances

Current through Ordinance 13-007, enacted December 9, 2013. (Supplement 6)

**Chapter 66 – Zoning
Article V – Zoning Districts and District Map
Division 5 – Commercial Districts**

Section 66-255. Land uses or activities for commercial districts.

C-N = Neighborhood commercial district

C-C = Community commercial district

C-S = Service commercial district

C = Conditional use

Land Use or Activity	C-N	C-C	C-S
Retail sale and/or repair of firearms		C	

Wauwatosa Code of Ordinances

Current through Ordinance O-19-21, passed August 6, 2019. (Supplement 69, Update 1)

**Title 6 – Business Licenses and Regulations
Chapter 6.84 – Weapons**

Section 6.84.010. Definitions.

In this chapter, unless the context otherwise requires:

1. **"Dangerous gun"** means any revolver, pistol, air rifle including all types of BB guns, rifle, shotgun, or any instrument or weapon in which loaded or blank cartridges or shells are used.

3. **"Person"** means any person, firm or corporation.

Section 6.84.020. Sale or giving away, License required, Exceptions.

No person shall engage in the business of selling or giving away any dangerous weapon or gun without obtaining a license as provided in this chapter, and no person having such license shall sell or give away any such dangerous weapon or gun who has not secured a permit from the chief of police to obtain such dangerous weapon or gun as provided in this chapter.

Section 6.84.030. License, Application, Fee.

Any person desiring a license authorizing the sale of any dangerous weapon or gun shall make application to the city clerk, in writing, setting out in such application the full name and residence of the applicant, if an individual, and if a firm or corporation, the name and residence of each of its members or officers. Such applicant shall also set out the location at which it is intended or desired to conduct such business. Upon the receipt of such application, the common council may direct the city clerk to issue such license to the applicant, upon his payment to the city treasurer of an annual license fee which is that set forth in the fee schedule resolution adopted by the common council.

Section 6.84.050. Purchase, Permit required, Exception.

No person shall purchase any dangerous weapon or gun without securing a permit therefor from the chief of police. Before such permit is granted an application therefor shall be made in writing, setting forth the name, address, age, height, weight, complexion, nationality and other elements of identification of the person desiring such permit. The application shall also contain a recommendation from at least two taxpaying residents of the city that the permit be issued. No such permit shall be granted to persons convicted of crime or to minors. The permit shall be delivered to the person from whom the dangerous weapon or gun is purchased and shall be by him filed in the office of the city clerk of the city within three months from the date of issuance thereof. This section shall not apply to rifles or shotguns used for hunting purposes, target practice weapons, or any sporting-goods items defined as any of those items that further interest in the commonly accepted fields of sport, or straight-edged razors, household-purpose knives, any knife having a blade less than three inches, or instruments necessary to certain trades, crafts, professions, or sports, except as to persons convicted of crime or to minors.

Section 6.84.070. Mutilating prohibited.

No person shall mutilate any revolver, pistol, shotgun, rifle, or any other firearm or destroy the identification marks thereon.

Section 6.84.090. Late filing fee for license applications.

Any application for renewal of a license under this chapter after the termination date shall be subject to a late filing fee as reflected in the consolidated fee schedule per late license application.

**Title 24 – Zoning
Chapter 24.05 – Overlay Districts**

Section 24.05.030. /NOR, North Avenue Overlay.

B. Prohibited Uses. The following uses and activities are prohibited in the /NOR Overlay district:

4. Gun shops;

**Webster Code of Ordinances
Current through August 8, 2018.**

Chapter 148 – Firearms and Weapons

Section 148-1. Possession and discharge of firearms.

D. No person under the age of 16 years shall have in his possession any firearm, rifle or ammunition therefor, unless accompanied by a parent or legal guardian, unless the juvenile has complied with and been certified with the standards set down by the Department of Natural Resources in the hunter safety course offered to fourteen-year-old and older juveniles.

Chapter 215 – Pawnbrokers and Secondhand Dealers

Section 215-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

Adequate Identification. One of the following types of identification:

- A.** A valid Wisconsin motor vehicle operator's license.
- B.** A state identification card.
- C.** A valid motor vehicle operator's license containing a picture, issued by another state.
- D.** A military identification card.
- E.** A valid passport.
- F.** An alien registration card.
- G.** A non-picture identification document by a state or federal government, if a dealer also obtains a clear fingerprint of the seller's right index finger.
- H.** A senior citizen identification card containing a photograph.

Section 215-7. Firearms.

A. Every pawnbroker, secondhand dealer, junk dealer and precious metal and gem dealer licensed under this chapter who deals in transactions of firearms, of any type or style, shall, before any transactions take place, have on file with the Chief of Police and visibly posted on the premises all applicable federal, state and village permits and licenses pertaining to the possession and sale of firearms.

D. Any firearm received in pawn, purchase or exchange by a pawnbroker, precious metal and gem dealer or secondhand dealer from a member of the general public shall be kept in the dealer's premises in the form that it was received for not less than 30 days from the date of purchase or receipt, during which time the article shall be held separate and apart from any other transaction and shall not be changed or altered in any manner. The dealer shall permit the Chief of Police or any other law enforcement officer designated by the Chief to inspect the article during the thirty-day period.

E. Any and all persons wanting to purchase a firearm, of any type or style, from a pawnbroker, precious metal and gem dealer or secondhand dealer shall furnish adequate identification using the means defined above. The person(s) wanting to purchase the firearm shall submit to a five-day waiting period before obtaining the firearm. During this five-day waiting period any and all identification supplied by the person(s) wanting to purchase the firearm shall be checked by the Chief of Police or his/her designee for criminal history and/or history of domestic violence or abuse. Should such a criminal history exist, permission to purchase a firearm will be denied.

West Allis Code of Ordinances
Current through June 4, 2019.

Chapter 9 – Business and Occupations

Section 9.15. Pawn Shops, Secondhand Stores, Secondhand Jewelry Dealers.

(2) License Required.

(a) No person shall operate any pawn shop, secondhand or junk store, or deal in secondhand precious metals, gems or jewelry in the City of West Allis without first having obtained a license from the City of West Allis therefor. No license fee shall be charged to a charitable organization registered pursuant to Sec. 440.42, Wis. Stat.

(b) Exceptions. The requirements of this section do not apply to the following:

1. Transactions involving occasional garage or yard sales, estate sales, coin, gem, antique or stamp shows, conventions or auctions.
4. Transactions between dealers licensed under this section.
5. Any transaction between a buyer of a new article and the person who sold the article when new which involves a return of the article or jewelry or an exchange of the article for a different, new article or jewelry.
6. Any transaction as a purchaser or seller of a secondhand article which the person bought from a charitable organization if the secondhand article was a gift to the charitable organization.

(3) Definitions.

(b) "Article" means any of the following objects:

8. Firearms, knives, and ammunition.

(d) "Secondhand Article or Junk Dealer" is defined as any person, other than an auctioneer, who engages in the business of purchasing or selling secondhand articles as defined above, who is not either a "pawnbroker" or a "secondhand jewelry dealer," as defined above.

West Milwaukee Code of Ordinances

Current through Ordinance 03-O-19, adopted June 17, 2019. (Supplement 17, Update 2)

Chapter 58 – Offenses and Miscellaneous Provisions
Article I – In General

Section 58-8. Firearms.

(c) Sale and display regulated. Except as provided in Wis. Stats. 941.24, 941.25, no person shall engage in the business of selling, sell or give away any ... revolvers, pistols, rifles, shotguns, machine gun, grenade, bomb or any other weapon in which loaded or blank cartridges, shells, gas, explosives or projectiles are intended to be used, or display or exhibit for sale any such weapon, cartridges, shells, gas explosives or projectiles, except in accordance with a seller's permit or dealer's license issued pursuant to subsection (d); and such sale or gift shall be made only to a person not otherwise prohibited from purchasing or using such items by the provisions of subsection (e).

Weyauwega Code of Ordinances

Current through December 17, 2018.

Chapter 370 – Peace and Good Order
Article II – Offenses Against Public Safety and Peace

Section 370-4. Carrying concealed weapons; certain weapons prohibited.

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

Firearm. A weapon that acts by force of gunpowder.

B. In addition to the provisions of § 175.60, Wis. Stats., enumerating places where the carrying of a weapon or a firearm is prohibited, including exceptions thereto, it shall be unlawful for any person other than a law enforcement officer to enter the following city buildings while carrying a weapon or a firearm:

- (11)** Weyauwega-Fremont School District properties.

Whitefish Bay Code of Ordinances
Current through Ordinance 1853, adopted May 20, 2019

Chapter 16 – Zoning
Article III – Zoning Districts

Section 16-21. District 11 – Silver Spring Drive Business District.

(5) Prohibited uses. The following uses are prohibited on any floor of a building in District 11:

- (i) Sale of firearms, fireworks, or weapons of any kind.

Whitewater Code of Ordinances
Current through Ordinance 1971A, enacted February 19, 2019. (Supplement 5/19)

Title 7 – Public Peace, Safety and Moral
Six Weapons

Chapter 7.72 – Firearms and Weapons

Section 7.72.010. Sale of loaded firearms prohibited.

No person, firm, partnership, association, or corporation shall display for sale, offer for sale, or sell any loaded pistol, gun, shotgun, air gun, air rifle, or other firearm within the city limits.

Wittenberg Code of Ordinances
Current through Ordinance 2018-04, passed June 19, 2018.

Chapter 9 – Orderly Conduct

Section 9.02. Possession and use of firearms and other dangerous weapons and prohibition against carry of weapons and firearms in municipal buildings.

(1) Definitions. For the purpose of this section, the following definitions shall apply:

- (a) Firearm. A weapon that acts by force of gunpowder.
- (e) Public Building. Any building owned by the Village, the County or the School District.

(2) Carrying of Firearms in Municipal Buildings. In addition to the provisions of §175.60, Wis. Stats., enumerating places where the carrying of a weapon or a firearm is prohibited, including exceptions thereto, it shall be unlawful for any person other than a law enforcement officer to enter a public building while carrying a weapon or a firearm.