

NOTICE OF TIMBER CUTTING

Notice will expire on December 31st in the year of filing
 Notice must be submitted to the County Clerk 14 days prior to harvesting.

Oconto County Clerk - 301 Washington St., Oconto, WI 54153

Form also be emailed to county.clerk@co.oconto.wi.us or faxed to 920-834-6805

Notice is hereby given, pursuant to *Section 26.03 (1m) of the Wisconsin Statutes, of intent to harvest raw forest products from the following described land(s):

Town of _____:

(REQUIRED)

Description	Section	Township	Range	Parcel ID Number (PIN)

Indicate Approximate Area of Cutting

On Section Map: (also include nearest road)

*each square = 40 acres

NWNW	NENW	NWNE	NENE
SWNW	SENW	SWNE	SENE
NWSW	NESW	NWSE	NESE
SWSW	SESW	SWSE	SESE

Type of Cutting:

___ Logs

___ Pulp

___ Firewood for sale

___ Christmas Trees

___ Other: _____

Remarks: _____

Submitted by: Cutter: _____ Land Owner: _____ Other: _____

Land Owner:

Name: _____

Address: _____

Phone: _____

Email: _____

Cutting Agent:

Name: _____

Address: _____

Phone: _____

Email: _____

If the filing party is anyone other than the Land Owner, a copy of the CURRENT YEARS CONTRACT to harvest timber must accompany the cutting application.

Contract Reviewed By: _____

Signature of Filing Party: _____

Date: _____

Taxes Checked by Treasurer: _____

Date: _____

Tax Status: Current: _____ Delinquent: _____

Tax Assessment: Woodland: MFL FCL

County Clerk: _____

Date: _____

Copies sent: Town Chairperson; Forest & Park Administrator (Brink); Forestry Specialist (Goldschmidt); Tax Law Forestry Specialist MFL (Bessert)

***Section 26.03 of the Wisconsin Statutes on back of Notice**

26.03 Harvest of raw forest products.

(1b) DEFINITIONS. In this section:

- (a) "Harvest" means to cut, remove or transport.
- (b) "Harvesting" means cutting, removing or transporting.
- (c) "Raw forest products" has the meaning given in s. [26.05 \(1\)](#).

(1g) PROHIBITION; DELINQUENT TAXES. No person may harvest any raw forest products, or direct the harvest of any raw forest products, from any land for which taxes are delinquent.

(1m) HARVESTING UPON NOTIFICATION.

(a)

1. Unless otherwise authorized to do so by the county, no person may harvest any raw forest products, or direct the harvesting of any raw forest products, from any land until 14 days after the clerk of the county in which the land is located is notified of the person's proposal to harvest. The person shall notify the county clerk each year and may do so in any manner acceptable to the county. Each time the person notifies the county, the person shall describe the land upon which the harvesting will occur by quarter-quarter section, government lot or fractional lot, unless the county requires a different method for describing the land. Notification under this subdivision expires on the December 31 immediately following the notification, and no person may harvest, or direct the harvesting of, any additional raw forest products from the land until further notification that complies with this subdivision is provided to the county.
2. Upon receipt of notifications under subd. [1.](#), the county clerk shall provide notice to the town chairperson of each town in which the land from which raw forest products will be harvested is located and to the county treasurer. The county treasurer shall determine whether the county holds a tax certificate or tax deeds to any of the land involved. If the county holds a tax certificate, the county treasurer shall take action to collect the unpaid taxes represented by county-owned tax certificates or to prevent the harvesting of raw forest products from the land. If the county holds a tax deed, the county treasurer shall take action to prevent the harvesting of raw forest products from the land.

(b) Paragraph [\(a\) 1.](#) does not apply to a person harvesting raw forest products on public lands, as defined in s. [70.13 \(7\)](#), to a person harvesting raw forest products for fuel wood for his or her home consumption, to a person harvesting for the purpose of clearing the land for agricultural use or to a person harvesting from the person's own land, any of the following:

1. Boughs for his or her own use.
2. Up to 5 Christmas trees for his or her own use.

(1r) HARVESTING UPON RECORDING.

(a) No purchaser of Indian reservation land or land to be placed upon the tax roll for the first time may harvest any raw forest products, or direct the harvesting of any raw forest products, from the land without first recording the instrument by which title to the land was acquired in the office of the register of deeds for the county in which the land is located.

(b) Paragraph [\(a\)](#) does not apply to a person harvesting raw forest products for fuel wood for his or her home consumption.

(1v) EXCEPTIONS. This section does not apply to the harvesting of raw forest products for the purpose of establishing or maintaining a railroad track or structure, a pipeline, or a utility right-of-way by any of the following:

- (a) An alternative telecommunications utility, as defined in s. [196.01 \(1d\)](#).
- (b) An electric cooperative, as defined in s. [101.80 \(1g\)](#).
- (c) A public utility, as defined in s. [196.01 \(5\)](#).
- (d) A railroad, as defined in s. [195.02](#).
- (e) A telecommunications carrier, as defined in s. [196.01 \(8m\)](#).
- (f) A telecommunications utility, as defined in s. [196.01 \(10\)](#).
- (g) A corporation licensed to do business in this state that is engaged in the business of transporting natural gas, petroleum products, water, or sewage through pipelines.

(2) PENALTIES.

(a) Whoever violates sub. [\(1g\)](#), or a rule promulgated under sub. [\(1g\)](#), shall forfeit not less than \$500 nor more than \$10,000.

(b) Whoever violates sub. [\(1m\)](#) or [\(1r\)](#), or a rule promulgated under sub. [\(1m\)](#) or [\(1r\)](#), shall forfeit not more than \$100.

History: [1975 c. 365](#); [1977 c. 224](#); [1983 a. 422, 424](#); [1989 a. 56 s. 258](#); [1999 a. 190](#); [2005 a. 423](#); [2017 a. 136](#).

26.05 Timber theft.

(1) DEFINITION. In this section, "raw forest products" means forest products not altered by a manufacturing process off the land from which they are taken and includes seedlings, saplings, shrubs, whole-tree chips, boughs, logs, pilings, posts, poles, cordwood products, pulpwood, fuel wood and Christmas trees.

(2) CONSENT OF OWNER REQUIRED. No person may cut, remove or transport raw forest products or direct the cutting, removal or transportation of raw forest products without the consent of the owner.

(3) PENALTIES.

(a) A person who violates this section or a rule promulgated under this section is subject to a forfeiture of not less than \$100 nor more than \$10,000.

(b) Instead of the forfeiture provided under par. [\(a\)](#), a person who intentionally violates this section, or a rule promulgated under this section, may be punished under s. [943.20](#) for theft.

(c) In addition to any other penalty, a person who violates this section, or a rule promulgated under this section, is liable for the reasonable costs incurred to establish the volume and value of the raw forest products cut, removed or transported.

History: [1981 c. 67](#); [1999 a. 190](#)