

## County Board divided over dogs in rural nature park

Written by BILL SCHANEN IV  
Wednesday, 06 March 2013 18:37

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### Supervisors asked to rescind recent ban on canines in rural preserve

Ozaukee County supervisors see eye-to-eye on many issues, but when it comes to allowing dogs in what is considered the county's most environmentally valuable nature area, they're divided.

The County Board on Wednesday was to consider an ordinance rescinding a recently approved prohibition on dogs in the 62-acre Shady Lane Nature Park, which is an extension of the county's Hawthorne Hills Park.

The Shady Lane property, once referred to as the Magritz property for its former owner Steven Magritz, was acquired by the county through a troublesome property tax foreclosure in 2001. It is in the Town of Fredonia east of Highway I.

On Jan. 2, the board voted by a narrow 13-11 margin to change the county's park ordinance, which had allowed dogs on leashes in all county parks, to include a specific ban on canines in the Shady Lane Nature Park.

The dog ban was recommended by the Planning and Parks Department and Natural Resources Committee to protect the Shady Lane property, which has been designated a natural area of regional significance. The property is home to 75 species of trees, shrubs and wildflowers and includes 1,600 feet of Milwaukee River frontage.

But Supr. Glenn Stumpf of the Town of Cedarburg, one of three sponsors of the proposed ordinance lifting the dog ban, said he believes some supervisors were unaware they were prohibiting dogs on the entire Shady Lane property when they voted in January.

"We have a long history of allowing dogs in all our parks," he said. "Dog owners are a huge park user group, and our entire Parks and Open Spaces plan is about encouraging park use."

Supr. Rick Nelson has joined Stumpf in seeking to lift the dog ban.

"We make it very confusing for people," Nelson said. "You can walk your dog in all county parks except this one. Why? Because we made a stupid rule."

"A bigger concern when it comes to protecting plants ought to be the deer and other wildlife."

Both officials argue that requiring dogs to be kept on leashes, which is the law in all county parks, would mitigate concerns about canines trampling precious plants. They both noted that dogs are allowed in the county's Lion's Den Gorge Nature Preserve in the Town of Grafton.

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"I remember there being a lot of concerns about dogs in Lion's Den, and quite frankly I've heard of no problems there," Nelson said. "In fact, all I have heard is how many people use the area and walk their dogs there."

But Director of Parks and Planning Andrew Struck said the Shady Lane property is a one-of-kind natural area, not only in the county but in southeastern Wisconsin.

"A lot of people compare Lion's Den to Shady Lane, and obviously they are comparable to some extent," Struck said. "But from an ecological standpoint, Shady Lane has a higher natural value.

"It's the highest quality natural area in the county."

Struck said the county is balancing preservation with public access by creating a trail system that is to be completed by June. But allowing dogs in the nature park could compromise preservation efforts, he said.

"Our goal is to protect the natural vegetation and habitats," he said. "Dogs aren't completely incompatible with that goal, but they do impact vegetation and natural habitat."

Struck also noted that Shady Lane Nature Park, which can only be accessed through Hawthorne Hills Park, is more remote than most parks. That would make the maintenance associated with dogs more difficult, he said.

At Lion's Den Gorge Nature Preserve, for instance, there are signs explaining dog rules, dog refuse bags and garbage cans that require regular attention.

"There would be a financial cost associated with allowing dogs at Shady Lane," Struck said. "It wouldn't be huge, but there would be a cost."

According to documents supporting the proposed ordinance, the cost of maintenance associated with allowing dogs in the park would be between \$3,000 and \$4,000 annually.

The dog question is just the latest in a series of debates that have plagued the Shady Lane property for more than a decade.

After the county foreclosed on the property, Magritz, the former owner, began harassing county officials by filing bogus claims and other documents.

In 2003, Magritz was sentenced to prison for harassing officials in a case brought by the Wisconsin Attorney General's Office.

He served his sentence, but in 2011 was charged in Ozaukee County Circuit Court with a felony related to again sending false documents to officials. There is currently a warrant for his arrest, according to court records.

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Shell-shocked from their run-ins with Magritz, county officials did little with the property — debating for years whether to keep the land or sell it — until officially adding it to the park system last year.

The dog debate will be settled in short order, but the issue has sparked another proposal for the county to consider.

“We’re looking for an area that could be used as an off-leash county dog park,” Stumpf said, adding that park could be located on existing county land or land that would be purchased.

“Anytime you go to a progressive city — I’m thinking of places like Denver and Minneapolis — one of the first things they say is that they’re dog-friendly cities,” Stumpf said. “It’s really a huge quality of life issue.”