

Chapter 8

Kewaunee County Parks Ordinance

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8.01 Purpose and intent. The purpose of this chapter is to regulate the use of the facilities and property under the jurisdiction of Kewaunee County. The term "park" as used in this chapter shall include all county parks, county boat launch facilities, public lake accesses, the Ahnapee State Trail, and other such facilities and property under the jurisdiction of Kewaunee County.

- (1) This ordinance repeals all previous ordinances and provisions thereof as related to the Kewaunee County Park and Recreation Facilities.

8.02 General Restrictions. No person or group using a park shall perform or permit others under their custody to perform any of the following acts:

- (1) Willfully mark, deface, disfigure, injure, tamper with, displace or remove any trees, plants, or other natural features, building, bridges, tables, benches, fireplaces,

railings, signs, monuments, stakes, posts or other markers, other structures, equipment, facilities, improvements, or park property, or parts or appurtenances thereof, whatsoever, either real or personal. The removal of biological or geological material may be permitted with written approval from the Park Director by students for scientific or educational purposes under the supervision of a qualified instructor.

- (2) Engage in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance.
- (3) Without permission and a permit authorized under section 8.15 of this ordinance, prevent any person from using any park, or any of its facilities, or interfere with such use which is in compliance with this chapter and the rules applicable to such use.
- (4) Park employees shall be authorized to regulate the activities in such areas when necessary to prevent congestion and to secure the maximum use and enjoyment by the public of such facilities.

8.03 Hours of operation. All parks shall be closed to the general public from 11:00 p.m. to sunrise. Parks where fishing is an appropriate activity shall open for persons wishing to fish, only for the purpose of fishing, at the parks where appropriate. Any abuse of this special privilege subjects the person(s) to exclusion from the park.

- (1) Any park, or part thereof, may be declared closed to the public by the Kewaunee County Promotions and Recreation Committee or duly authorized agent at any time and for any interval of time, either temporarily or at regular or stated intervals.

8.04 Noise. No person shall use or operate any radio, phonograph, musical instrument, or other mechanical, electrical sound making, reproducing or amplification device in a park or parkway so as to be heard at a distance greater than 100 feet from the above described instrument or device, radios, or phonographs without obtaining a written permit from the Kewaunee County Promotions and Recreation Committee or its duly authorized agent.

8.05 Fires. No person or group shall build or maintain a fire in any park, except in grills, fireplaces, or fire rings specially provided for that purpose. All fires shall be extinguished before leaving the area.

- (1) Charcoal residue is to be left in the fireplace or grill or placed in a charcoal disposal container when provided.
- (2) No person shall possess, fire, discharge, explode or set off any squib, cracker or other explosive or pyrotechnic device containing powder, or other combustible or explosive material within any park, excepting that exhibitions of fireworks may be

permitted with approval from the Kewaunee County Promotions and Recreation Committee.

8.06 Refuse. Trash receptacles are provided in parks and for park use only. No personal refuse generated off site is permitted in any park.

- (1) No person or group shall bring in, dump or deposit any broken glass, paper, boxes, cans, dirt, rubbish, waste, garbage, or refuse in any park.
- (2) Refuse or trash generated by park use shall be placed in receptacles provided for this purpose. No glass beverage bottles of any kind shall be allowed in any County Park at any time.
- (3) Where receptacles for rubbish are not provided, all waste shall be carried away from the park by the person responsible for its presence.

8.07 Firearms and bows. It shall be unlawful for any person to carry, fire, discharge or have in their possession or under their control in any county park any firearm, airgun, slingshot, bows, or spring-loaded device designed for shooting a projectile unless the same is unloaded and enclosed in a carrying case, or any bow unless the same is unstrung or enclosed in a carrying case.

8.08 Pets. Dogs, cats, and other similar pets shall not be allowed in any of the county park areas except the Ahnapee State Trail, Blahnik Heritage Park, Herald Reckelberg Park, and the County Road M Parking Area under the following conditions.

- (1) All pets shall be held on a leash not to exceed eight (8) feet in length or in an appropriate portable cage or kennel.
- (2) Pet owners are required to remove any solid animal waste from the ground and disposed of properly.
- (3) All pets shall be effectively restrained and under the handlers control at all times.

8.09 Horses. No person shall bring a horse into or ride a horse in any park except that horseback riding, leading, or corralling a horse shall be permitted in areas specially designated for horses.

- (1) The Ahnapee State Trail is closed to horse use annually from November 15 through April 15. The Park Director or Committee may institute additional closures between April 15 and November 15 to prevent damage to the trail.
- (2) Horse manure or feed residues deposited in park areas approve for use must be picked up and disposed of properly.

- (3) All horses shall be effectively restrained and under the handlers control at all times.
- 8.10 Motor vehicles. No person shall drive, operate, or park a motor vehicle in any park, except on such roads or parking lots specially designated for the use of motor vehicles.
- (1) No person shall operate a motor vehicle in a reckless or imprudent manner or in any manner which may tend to create a disturbance or endanger the safety of persons using the parks or property therein.
- (2) Unless otherwise posted, no person shall operate a motor vehicle at a speed in excess of 15 miles an hour.
- (3) The Promotions and Recreation Committee may exempt this requirement for special events that tend to promote the Kewaunee County Park System.
- (4) The Park Director may exempt this requirement for inspections, maintenance activities, or to satisfy ADA requirements and or request.
- 8.11 Recreational vehicles and snowmobiles. Snowmobiles and recreational vehicles such as ATV's, trail bikes, mini-bikes, go carts, bicycles and similar devices, shall not be operated in any park except in areas or trails specially approved, marked and designated for their use.
- (1) Where authorized, recreational vehicles and snowmobiles must adhere to all posted speed limits and all state and local regulations pertaining to their use.
- 8.12 Disturbing and hazing wildlife. It shall be unlawful for any person to take, catch, kill, hunt, trap, pursue or otherwise disturb any wild animals or birds in any county park.
- 8.13 Sales and solicitation. No person or group shall vend, sell, or offer for sale any service, food, beverage, or other commodity or article within any park to the public without written authorization from the Promotions and Recreation Committee or the Park Director. Nor shall any person or group charge a fee of any type for any activity to be held within the County Parks without a permit. Any individual or group who so obtains such authorization shall be personally responsible for obtaining all required permits in order to perform the function for which they have obtained authorization. Permit requirements will include a certificate of liability insurance for all participants.
- (1) No person or group shall paste, glue, tack, or otherwise post any sign, placard, or advertisement, or distribute any handbills, pamphlets, or other materials, or solicit business of any nature in any park without written authorization form the Park Committee or the Park Director.
- 8.14 Other activities. No person or group shall engage in ball games or other sports activities, except in such areas as are designated for those purposes or in such areas where such

activity will not interfere with the use and enjoyment of the park by others. Horseshoes shall not be allowed to be played except in horseshoe pits constructed by Kewaunee County. Golfing, including practicing golf, is not allowed in any County Park. No sports activities of any kind shall be allowed in County Park parking lots.

8.15 Camping. No overnight camping is permitted in any park except as provided herein.

(1) Overnight camping for organized not for profit youth based groups or other special events may be permitted under terms of an approved permit by the Kewaunee County Promotions and Recreation Committee.

8.16 Group activities and facility rental. The Promotions and Recreation Committee or its duly authorized agent may issue permits to groups and organizations to use specific park facilities or building for a particular event under the following terms.

(1) All reservations are taken in the Promotions and Recreation Department Office on a first come, first serve basis and full payment must be presented in person with each reservation when it is taken. All payments shall be in the form of a check and separate checks shall be presented for deposits and rentals.

(2) There shall be no cancellations, refunds, or changes of dates for any reservations made for a shelter at any time.

(3) No park shelter houses shall be rented out on the following holidays:

- (a) Thanksgiving day
- (b) Christmas Eve
- (c) Christmas Day
- (d) New Year's Eve
- (e) New Year's Day
- (f) Easter Sunday

(4) No person or group shall vend, sell, or offer for sale any food, beverage, or other commodity or article within any park to the public without authorization from the Park Director. Any individual or group who obtains such authorization shall be responsible for obtaining all required permits in order to perform the function for which they have obtained authorization. Any individual or group must present a certificate of liability insurance for all participants in the proposed activity. Any business conducting an event for the benefit of its customers, regardless of whether or not a fee is charged, shall obtain authorization for that function.

(5) No admission fee, donation, contribution, or other charge shall be made or be permitted to be made or collected by the person responsible hereunder for admission to the rented facility or for sale or consumption of intoxicating liquor as defined by the Wisconsin Statutes.

- (6) Insurance certificates shall be provided by any party sponsoring an event open to the public or with the attendance of one hundred (100) or more people as required by the Kewaunee County Clerk.
- (7) The County shall not be liable for any injuries, deaths, or property damage from the use of the above stated facilities, and is not responsible for articles left, lost or stolen at these facilities.
- (8) The premises are to be used only for the purposes approved by the Kewaunee County Promotions and Recreation Committee and employees of the Kewaunee County Park Department may inspect the premises at any time to assure that the premises are being used for approved purposes.
- (9) No changes in the physical appearance of the area shall take place without the approval of the Park Director or Park Caretaker. It shall be the responsibility of the renter to maintain the area throughout the event and to restore all areas and facilities to the condition they were in prior to the event. The renter shall be responsible to pay the actual costs of repairing or restoring the premises to the condition they were in prior to the event.
- (10) Any group or individual using the park facilities shall be required to abide by all rules and regulations set forth by Kewaunee County and contained in this ordinance.
- (11) The Promotions and Recreation Committee shall adopt facility rental and deposit fees for specific park facilities which shall be posted at the Promotions and Recreation Department.

8.17 Special purpose parks. Kewaunee County offers additional park and recreational services to the public that extend beyond traditional services generally provided. In addition to the rules and regulation contained herein, it is necessary for additional rules and regulations pertaining to these special purpose parks and county boat launch facilities.

- (1) Bruemmer Park Zoo. No person or group using a park area shall perform or permit others under their custody to perform any of the following acts:
 - (a) Bring any animal, fowl, amphibian, or reptile into Bruemmer Kewaunee County Park which is designated by signs as prohibiting the presence of animals within the park boundaries. This section shall not be construed as to prohibit the transport of animals to and from the Bruemmer Kewaunee County Park Zoo or the presence of zoo animals therein. Animals shall include but not be limited to the following: horses, dogs, rabbits and cats.
 - (b) Bring any solid or liquid food into the zoo area with the intent of feeding animal.

- (c) Haze, harass, or otherwise disturb animals or fowl within the zoo area by the use of noise, movement, food, throwing of debris, or any other means.
 - (d) Enter unauthorized areas or scale fences in an attempt to get closer to the animals.
- (2) Riverview ATV Park. The use of ATV's and Off-road motorcycles are permitted at the Riverview ATV Park. The Promotions and Recreation Committee shall develop specific rules regarding the use of Off-Road Motorcycles and ATV's on the Kewaunee County ATV Park and the rules shall be made readily available/accessible by the public and posted at the Riverview ATV Park.
- (a) All terrain vehicle (ATV). ATV and UTV use is allowed at the Riverview ATV park under the authority of Wisconsin Statute §§59.54(6), 59.56(9), and 23.33(11)(am). Kewaunee County does hereby adopt as a County Ordinance the provisions of Wisconsin Statute §23.33 relating to the regulation of All Terrain Vehicles within the county of Kewaunee. Kewaunee County further adopts all administrative rules with respect to All Terrain Vehicles duly promulgated by the Department of Natural Resources and published in the Wisconsin Administrative Code. This ordinance is intended to and does hereby encompass all aspects of the regulation structure of Wisconsin Statute §23.33. Any amendments or additions to the statute or administrative rules which are from time to time made shall automatically be made in this ordinance.
 - (b) Off-Road Motorcycles. An Off-Road Motorcycle is a lightweight motorcycle built for cross country, unpaved, rough or uneven ground. Off-Road Motorcycles are equipped with rugged tires and suspension to make travel across rough terrains possible. Off-Road Motorcycles are also known as "dirt bikes" or "trail bikes." Off-road motorcycles are permitted at the Kewaunee County ATV Park provided the following conditions are met:
 - 1. All Off-Road Motorcycles shall be registered by Kewaunee County. Registration shall include the Name, Address, and Telephone number of the Owner as well as the make, model, year and a brief description of the Off-Road Motorcycle.
 - 2. Kewaunee County shall collect a registration fee for each Off-Road Motorcycle registration.
 - 3. Each Off-Road Motorcycle shall visibly display the registration label on the Off-Road Motorcycle.
 - 4. Registration is non-transferable.
- (3) Winter Park. Winter Park is an active Winter Sports area providing snow tubing and skiing during the winter months. The Promotions and Recreation Committee shall adopt facility rental and deposit fees for the facility. All payments shall be in

the form of a check and separate checks shall be presented for deposits and rentals. In addition, the following shall apply:

- (a) All reservations are taken in the Promotions and Recreation Department Office on a first come, first serve basis. Deposits for reservations must be received within 2 weeks of a confirmed reservation.
- (b) Deposits will only be refunded if a reservation is cancelled due to a weather advisory, warning, or watch issued by the National Weather Service.
- (c) The Promotions and Recreation Department Director may temporarily close the facility during snow making operations to ensure public safety.
- (d) During the Winter Months skiing, tubing, sledding, or any other uses of the ski and tube hills is prohibited unless the person holds a valid lift ticket for that specific time and day.

8.18 Inland lake accesses; County boat launch facilities.

- (1) No person may use a county boat launch facility without paying the established (daily or annual) fee and displaying a valid (daily or season) pass. "Use" includes launching or landing. A mechanism to obtain a daily or season pass shall be provided at the launch site. A separate fee and pass is required for each watercraft.
- (2) For a person desiring to pay on an annual basis, a season pass is available. The fee for a season pass may not exceed ten times (10x) the daily launch fee.
- (3) The daily launch fee, and fee for a season pass, shall be established by the Promotions and Recreation Committee.
- (4) This ordinance is applicable to all water craft ("water craft" means any device used and/or designed for navigation on water).
- (5) The owner and/or operator of a watercraft involved in a violation of this ordinance shall be liable for the violation. It shall be no defense to a violation of this ordinance that the owner was not operating the watercraft at the time of the violation.
- (6) Fees collected shall be used for the purpose of operating and maintaining boat access site(s) owned or maintained by the county.
- (7) The use of a citation, to be issued for violation of this section, pursuant to and in accordance with Section 66.0113 Wisconsin Statutes is hereby authorized.

8.19 Kewaunee County Fairgrounds. The Kewaunee County Fairgrounds is an "Event Facility" managed by the Promotions and Recreation Department that provides a facility, space, and services needed to encourage and host events that benefit the community.

- (1) The Promotions and Recreation Committee shall adopt facility rental and deposit fees for specific fairgrounds facilities which shall be posted at the Promotions and Recreation Department. All payments shall be in the form of a check and separate checks shall be presented for deposits and rentals.
- (2) All reservations are taken in the Promotions and Recreation Department Office on a first come, first serve basis and full payment must be presented in person with each reservation when it is taken.
- (3) No person or group shall vend, sell, or offer for sale any food, beverage, or other commodity or article within the fairgrounds without authorization from the Park Director. Any individual or group who obtains such authorization shall be responsible for obtaining all required permits in order to perform the function for which they have obtained authorization. Any individual or group must present a certificate of liability insurance for all participants in the proposed activity. Any business conducting an event for the benefit of its customers, regardless of whether or not a fee is charged, shall obtain authorization for that function.
- (4) Insurance certificates shall be provided by any party sponsoring an event open to the public or with the attendance of (100) one hundred or more people as required by the Kewaunee County Clerk.
- (5) The County shall not be liable for any injuries, deaths, or property damage from the use of the above stated facilities, and is not responsible for articles left, lost or stolen at these facilities.
- (6) The premises are to be used only for the purposes approved by the Kewaunee County Promotions and Recreation Committee and employees of Kewaunee County may inspect the premises at any time to assure that the premises are being used for approved purposes.
- (7) No changes in the physical appearance of the grounds shall take place without the approval of the Park Director or Fairgrounds Caretaker. It shall be the responsibility of the renter to maintain the area throughout the event and to restore all areas and facilities to the condition they were in prior to the event. The renter shall be responsible to pay the actual costs of repairing or restoring the premises to the condition they were in prior to the event.
- (8) Camping may be permitted for two day events. The Promotions and Recreation Committee shall adopt camping fees which shall be posted at the Fairgrounds.

8.20 Enforcement. Kewaunee County may enforce this ordinance by revoking any permit issued, issuance of a citation, or by commencement of a formal legal action in a court of competent jurisdiction.

8.21 Penalties.

- (1) General Penalty. Any violation of this chapter shall be punishable by a forfeiture of not less than one dollar (\$1.00) and not more than one thousand five hundred dollars (\$1,500.00) plus court costs or in default of payment, by imprisonment in the Kewaunee County Jail for 1 day for each fifty dollars (\$50.00), or portion thereof, that remains unpaid. Each act of violation and every day of any such violation shall constitute a separate offense.
- (2) Cash deposit for citation. All citations issued for a violation of this chapter shall have a cash deposit of seventy-five dollars (\$75.00) plus court costs and one-hundred fifty dollars (\$150.00) plus court costs for a second violation of this Ordinance within a 12 month period.