

CHAPTER 19
WAUPACA COUNTY PARKS AND RECREATION ORDINANCE

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19.01 GENERAL, ADMINISTRATIVE, AND TERMS

A. Definitions:

1. All-Terrain Vehicle (ATV): A vehicle as defined in Wis. Stat. §340.01(2g), as is from time to time amended.
2. Camping and/or Camp: The use of a shelter such as a tent, motor vehicle, recreational vehicle, tarp, bedroll or sleeping bag for temporary residence or sleeping purposes.
3. Motor Vehicle: The term “Motor Vehicle” means any mechanical device routinely used for surface travel powered by an internal combustion engine or battery, and operating upon two or more wheels, to include but not to be limited to trail bikes, all-terrain cushioned vehicles or golf carts. Motor Vehicle does not include power wheel chairs or scooters designed to provide mobility to a disabled individual, when being used by said individual.
4. Park: The terms “Park”, “County Park”, “Waupaca County Park System” and “Fairgrounds” are defined to mean all lands and water acquired by Waupaca County for park or recreational purposes or placed under the jurisdiction of the Park Committee. The following areas are designated as Waupaca County Parks:

County Dams:

Keller Lake Dam
White Lake Dam

County Parks:

Big Falls Pond Access	Marion Park
Chief Waupaca Historical Site	Miner Lake Landing
Columbia Lake Access	Nelson Park
Dake Lake Landing	North Lake Access
Fisherman's Park	Northland Park
George & Louis Wood Memorial Park	Oakwood Park
Gills Landing	Pigeon River Park
Graham Lake Access	Rollofson Lake Access
Grandview Small Boat Access	Royalton Park
Grass Lake Access	Shaw's Landing
Indian Crossing Park	Symco Park
Keller Park	Taylor Lake Access
Kinney Lake Access	Tomorrow River State Trail
Lembke-Long Lake Access	Wau-King Trail
Little Wolf Canoe Access	Waupaca County Dog Park
Little Wolf Park	White Lake Access
Lowney-Rohan Wetlands	Wolf River Sturgeon Trail
Manawa Park	

Special Use Sites:

Camp Vic-To-Rae
HWY 54 By-pass Trail
Pauer's Environmental Education Center
Waupaca County Fairgrounds
Waupaca County Forest
Waupaca County Poor Farm Cemetery
Waupaca County Winter Recreation Trail

5. Parks and Recreation Committee: The terms "Committee" and "Parks and Recreation Committee" shall mean the Waupaca County Parks and Recreation Committee as established by the Waupaca County Board of Supervisors.
6. Person: The term "person" shall include any individual, firm, partnership, corporation and association of person, and the singular number shall include the plural.
7. Snowmobile Trail: The term snowmobile trail shall mean a marked corridor on County property or on private lands subject to public easement or lease, designated for use by snowmobile operators by the County, but excluding highways except those highways on which the roadway is not normally maintained for other vehicular traffic by the removal of snow.
8. Trail: The term "trail" throughout this chapter shall mean any area within any Waupaca County Park designated for other than motor vehicle travel, whether it be dirt, gravel, paved or boardwalk, except that it shall also include areas designated for snowmobile travel. The type of travel permitted on particular trails may be

regulated or restricted within this chapter by the Waupaca County Parks and Recreation Committee.

9. Utility Terrain Vehicle (UTV): A vehicle as defined in Wis. Stat. §23.33(1)(ng), as is from time to time amended.
10. Winter ATV/UTV Trail: The term winter ATV/UTV trail shall mean a marked corridor on public lands or private property subject to public easement or lease, designated for winter ATV/UTV use by the County, excluding highways, and opened under winter conditions such as snow pack as determined by the Parks Director.

B. Scope:

Except when the context provides otherwise, the provisions of this Ordinance shall apply to all lands, structures and property owned or leased by Waupaca County, Wisconsin, and under the management, supervision, and control of the Waupaca County Parks and Recreation Committee as operated by the Waupaca County Parks and Recreation Department.

C. Parks Director:

The Parks Director shall be the authorized agent of the Committee.

D. Closing Hours and Dates:

1. Closing Hours:

- a. No person or motor vehicle shall enter or be in any park between the hours of 10:00 p.m. and the following 6:00 a.m.
- b. Persons transporting watercraft to and from designated boat landings are permitted at any hour, provided the most direct means of ingress or egress is used.
- c. The Waupaca County Fairgrounds, Camp Vic-To-Rae, and Pauer's Environmental Education Center shall be available for extended hours for approved events.
- d. The Waupaca County snowmobile trails are open twenty-four hours per day when the trails are declared open by the Parks and Recreation Department.
- e. Designated Campground Hours shall be open to registered campers with valid permits 24 hours per day. Visitors' hours for designated campgrounds are from 6:00 am to 11:00 pm.

2. Dates: No motor vehicle shall enter or be in any county park between November 1st and April 30th except as follows:

- a. All County operated boat launches shall be open to motor vehicle traffic on designated roads and parking areas all year.
- b. The Waupaca County Fairgrounds may be open for motor vehicles on an approved basis.
- c. Designated road and open parking areas at trail heads or other winter recreation areas shall be open all year.

- d. The Waupaca County snowmobile trails are open when the trails are declared open by the Parks and Recreation Department.
3. Closing of Parks: Any county park, trail or any portion of any county park or trail as they are defined under in this Ordinance may be closed to motor vehicles and/or persons for any length of time deemed necessary, when in the opinion of the Waupaca County Parks Director or Parks Supervisor such closing is necessary to protect the public safety, or to protect the facilities and resources of the county parks and trails from injury or damage by persons or other forces. In the event the Director or Parks Supervisor is not available, then the Waupaca County Sheriff or Patrol Captain on duty may act under this section.

E. Fees, Charges and Deposits:

1. Fee Schedule: It shall be unlawful for any person to use any facility, shelter, land or area for which a fee or charge has been established by the Committee without payment of such fee or charge in advance.
2. Special Fees: Any park structure, facility, or area not set pursuant to the fee schedule may be reserved or rented for special purposes subject to the approval of the Committee. The Special Fee for special use of a facility will be set at the discretion of the Committee.
3. Deposits may be required for reservation of facility and use of County property, such as tables and chairs, as established by the Committee.

F. Additional Rules:

1. Rules and regulations may be made from time to time by the Committee governing the further use and enjoyment of parks, boat landings, fairgrounds, campgrounds, and parks facilities. Any person who shall knowingly violate such rules or regulations or who refuses to comply with park rules or regulations may be excluded from the use of a park facility and be subject to penalties provided for in this ordinance.
2. Permits: Any person to whom a permit shall have been issued by the Parks Director, or other authorized person, shall be bound by the provisions of all ordinances of Waupaca County as fully as though the same were inserted in each permit.

19.02 PUBLIC MEETINGS AND SALES

A. Public Meetings:

1. Special Use Permits: Any person desiring to hold a public meeting of any kind whatsoever in any park shall first obtain a permit from the Committee or its duly authorized agent. The permit must be applied for not less than 48 hours prior to the scheduled event.
2. A permit holder issued under this section shall be bound by State law and all Waupaca County ordinances as if fully set forth in the each permit.

B. Peddling and Soliciting:

It shall be unlawful for any person to peddle or solicit business of any nature, or to distribute handbills or other advertising matters either of a commercial or political nature, to post unauthorized signs or decorative materials on any lands, structure, or property for soliciting or conducting business, peddling or providing services within or outside of such lands, structures or property unless first authorized in writing by the Committee or its duly authorized agent.

19.03 PERSONAL CONDUCT AND NUISANCES

A. Personal conduct: All Wisconsin Statutes and Waupaca County ordinances will be strictly enforced as to conduct on county property, including, without limitation, disorderly conduct, criminal damage to property, and public intoxication.

B. Unnecessary Noises: It shall be unlawful for any person to operate sound trucks, loudspeakers, motors, motor vehicles, or any other device that produces undue or unnecessary noises.

19.04 ENTRY, CLEANING, AND REFUSE

A. Entry: It shall be unlawful for any person to enter any building, installation, or area that may be under construction or locked or closed to public use; or to molest or manipulate any water control structure, dam or culvert; or to enter or be upon any building, installation or area after the posted closing time or before the posted opening time, or contrary to posted notice, in any park.

B. Cleaning:

1. Washing: The washing of motorized vehicles, persons, pets, cooking utensils, or clothing is prohibited in any of the lakes or streams or on any picnic grounds, recreation areas, boat landings, parking lots, or fairgrounds except in designated areas.

2. Fish and Game Cleaning: It shall be unlawful for any person to clean, butcher, scale or skin any fish or game in any county park.

C. Refuse:

1. State laws and County ordinances against littering shall be strictly enforced on county property.

2. Charcoal residue must be left in a grate or fireplace until cool, or placed in receptacles provided for such purposes.

3. It shall be unlawful for any person to dispose of any personal or private garbage in a county park receptacle when the refuse is not the result of the use of the park.

4. Refuse and recyclable material shall be separated and shall be placed in receptacles provided for refuse or recycling purposes. If no receptacles are provided, park users shall pack-out what was brought in to the park.

19.05 MOTOR VEHICLES, SNOWMOBILES, AND ALL-TERRAIN VEHICLES/UTILITY TERRAIN VEHICLES

A. Vehicular Traffic:

1. No person shall operate any motor vehicle at a speed in excess of 15 mph or contrary to official traffic signs in any county park.
2. No person shall operate any motor vehicle upon county park property except in designated areas.
3. No person shall operate any motor vehicle in any part of any park in a reckless or while under the use of intoxicant or other drug manner contrary to the provisions of Wis. Stat. §§ 346.61 to 346.64 and/or Wis. Stat. § 941.01, as are from time to time amended.
4. No person shall operate any motor vehicle on a designated snowmobile trail subject to the exception in (a), (b) and (c) below.
 - a. If the snowmobile is on private land, the landowner or any person with permission of the private landowner may operate a motor vehicle on the snowmobile trail that traverses the private land owned by said owner.
 - b. A motor vehicle may be operated by county staff upon a snowmobile trail at the discretion of the park staff in the performance of parks duties or at the discretion of the Snowmobile Coordinator for segments of trail under his/her oversight.
 - c. A motor vehicle may be operated on a snowmobile trail by the club members responsible for maintenance of that section of trail.

B. Unlawful Parking and Stopping:

1. No person shall park a motor vehicle upon county park property except upon designated areas.
2. It shall be unlawful for the owner or operator of any vehicle or watercraft to leave or have left the vehicle parked, stopped or standing, whether attended or unattended, so as to block, obstruct, or limit the use of any road, trail, parking lot, or boat landing or contrary to posted notice.

C. Snowmobiles:

In areas where snowmobiles are permitted, no person shall operate a snowmobile contrary to official signs, or in an unsafe or reckless manner in a county park.

D. All-Terrain Vehicles/Utility Terrain Vehicles:

1. In county parks located in a town, city or village that has posted All-Terrain Vehicle/Utility Terrain Vehicle (ATV/UTV) routes within its jurisdiction, ATV/UTV travel on dedicated park roads is permitted.
2. No person shall operate an ATV/UTV in excess of 15 mph or contrary to any official traffic sign in a county park.

3. No person shall operate an ATV/UTV in any part of the park in an unsafe or reckless manner.
4. ATV/UTV travel is permitted on dedicated winter ATV/UTV trails only when trails are designed as open for travel.

19.06 FIRE; FIREWORKS; FIREARMS, BOWS AND CROSSBOWS

A. Fires:

1. It shall be unlawful for any person to start, tend, or maintain any fire, except at designed fireplaces, fire rings, or grills within any county park, except that fires for cooking or heating may be made in portable stoves, heaters or grills at designated picnic areas. All stationary grills are designated for charcoal burning only.
2. It shall be unlawful for person to leave any fire unattended, or to throw away matches, cigarettes, cigars, or pipe ashes or any embers without first extinguishing them, or to abandon any fire.
3. It shall be unlawful for any person to burn refuse or place garbage or debris within fire rings or fireplaces within any County park.

B. Fireworks:

It shall be unlawful for any person to 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 the limits of any county park.

C. Firearms, Bows and Crossbows:

1. No person except any authorized law enforcement officers shall possess, carry or have under her or his control any firearm, bow, and/or crossbow in any county park in violation of Wisconsin State Statutes regulating the same except as set forth in (2) below.
2. Firearms may be possessed and carried in accordance with Wisconsin State Statutes and Department of Natural Resources regulations during dedicated hunting seasons in the County Forest pursuant to Section 19.06(C).

19.07 ANIMALS

A. Pets:

1. It shall be unlawful for any person to allow pets to enter any public building or picnic grounds or to run at large at any time on county park grounds, except as provided in (3) and (4) below. Pets shall be effectively restrained at all times in those areas where pets are permitted. Leashes used to restrain pets shall be no longer than eight feet long.
2. The owner or person having immediate control of a pet shall promptly remove and dispose of any excreta left or deposited by the animal upon any park property.
3. Animals, including pets, are permitted at the Fairgrounds under an authorized 4-H or Waupaca County Fair Board function.

4. Owners of dogs using the Waupaca County Dog Park are required to follow all posted rules specific to the Dog Park in the supervision and handling of their dogs.

B. Horses:

Unless expressly permitted by the Parks Director, horses are prohibited on foot paths, picnic grounds, athletic fields or other similar special public use areas in any county park. Riding a horse in a careless, negligent, or reckless manner so as to endanger the life, property or person of others on any county park roads or designated trails is prohibited.

C. Hunting and Trapping:

1. No person shall take, catch, kill, hunt, trap or otherwise disturb any wild animals or birds in any county park except in the County Forest and in accordance with state law and Wisconsin Department of Natural Resources regulations.
2. Hunting and trapping are expressly prohibited in all other county parks.

19.08 ATHLETICS

No person shall play ball, golf, tennis, archery, other games or sports upon or within any county park except on designated areas.

19.09 CAMPING

- A. Camping Permitted: Camping is permitted only in designated campgrounds and by obtaining a permit from the Parks Department. Camping is prohibited in all other any parks.
- B. Designated Campgrounds: Keller Lake and the Fairgrounds are designated campgrounds. The Parks and Recreation Committee may add or remove dedicated campgrounds to the County Park System at any time.
- C. Camping Violations: Violation of any state law or this ordinance by a member of a camping party is cause for revocation of the camping permit and/or other penalties as set forth in Section 19.10.
- D. Camping hours are as set forth in sec. 19.01(D)(1)(e).

19.10 ENFORCEMENT

A. Notice Fee:

In lieu of arrest or commencing a civil action for any violation set forth herein, the Waupaca County Parks Director, or his or her designee, shall have the authority to issue a "Notice of Violation" and may impose a notice fee for such violation. The amount of this notice fee is to be determined by the Waupaca County Parks and Recreation

Committee. If a violator receives a Notice of Violation, she/he may pay the notice fee within five (5) days of issuance or the matter shall be referred to the Corporation Counsel for prosecution in accordance with (B) below.

B. Civil Action:

The provision of this chapter shall be enforced pursuant to section 25.04 of the Waupaca County Code of Ordinances. Prosecution under this chapter shall be handled by the Office of Corporation Counsel.

- C. Powers of County Park Police: Any park personnel duly appointed and authorized by the Waupaca County Parks Committee and the Parks Director to function as park police shall have the authority to enforce provisions of this ordinance. The Director, designated park police, and any deputy sheriff shall have authority to issue a citation and/or notice fee to any individual whom she or he believes has committed a violation of this ordinance.

EFFECTIVE DATE:

This ordinance shall take effect and be in force from and after its passage and publication.