

CHAPTER 10

CITY PARKS

Section

- 10.01 Definition and Terms
- 10.02 Organization of Board
- 10.03 Scope
- 10.04 Director of Park and Recreational Services
- 10.05 Closing Hours
- 10.06 Fees, Charges and Deposits
- 10.07 Additional Rules, Permits, Exceptions
- 10.08 Installations, Public Utilities, Private Construction
- 10.09 Public Meetings and Sales
- 10.10 Personal Conduct and Nuisances
- 10.11 Destruction, Entry, Cleaning and Refuse
- 10.12 Vehicles
- 10.13 Fires, Fireworks
- 10.14 Animals
- 10.15 Athletics
- 10.16 Beaches and Pool
- 10.17 Penalties
- 10.18 Tents
- 10.19 Green Circle

10.01 DEFINITIONS AND TERMS.

(1) Commission, Board, and Park & Recreation Commission. Such terms shall mean the Stevens Point Board of Park Commissioners.

(2) Park, City Park, and Stevens Point Park. The terms "park," "city park," and "Stevens Point Park" are defined to mean all lands and water heretofore and hereafter acquired by the city for park or recreational purposes or placed under the jurisdiction of the parks commission and include without limitation parks, beaches, swimming pools, and privately owned lands, the use of which has been granted to the city for park, recreational, or like public purposes. The following areas are designated as Stevens Point parks:

Atwell	Pfiffner Pioneer Park
Bukolt	Plover Hills Park 1
Goerke	Plover Hills Park 2
Green Circle	Plover River
Hein	Rice Street
Iverson	Riverwoods
Korfmann	Slomann
Koziczkowski	Texas
McGlachlin	Veterans Memorial
Mead	Zenoff
Morton	

(3) Person. The term "person" shall include any individual, firm, partnership, corporation, and association of persons, and the singular number shall include the plural.

10.02 ORGANIZATION OF BOARD. See section 3.27 of this code.

10.03 SCOPE. Except when the context provides otherwise, the provisions of this ordinance shall apply to all lands, structures, and property owned, leased, or administered by the City of Stevens Point, and under the management, supervision, and control of the Stevens Point Parks and Recreation Commission.

10.04 DIRECTOR OF PARKS AND RECREATIONAL SERVICES. The director of parks and recreational services shall be under the direction and supervision of the mayor and common council and shall implement policy as determined by the board of park commissions, in conjunction with the common council. The director shall also implement policy regulating the cable franchise as determined by the telecommunications commission, in conjunction with the common council.

10.05 CLOSING HOURS. It shall be unlawful for any person to enter or be in any city park between the hours of 11:00 P.M. and one-half hour before sunrise with the following exceptions:

(1) A city-sponsored or city-approved event.

(2) When a park lodge has been rented for a special event, on which occasion the closing hour shall be 1:00 A.M.

(3) Activities directly related to boating or fishing in boat launching and trailer parking areas.

10.06 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 recommended by the board and approved by the Stevens Point Common Council, without payment of such fee or charge. Fees and charges shall be annually reviewed at budget time.

(2) Special Fees. Any park structure, facility, or area other than the above may be reserved or rented for special purposes subject to the approval of the board. Fees may be established for recreational programs where costs warrant it. The commission, at its discretion, may set the charge for this facility or recreation program.

(3) Reservations and Deposits. Reservation applications and deposits are handled through the parks and recreation office. Upon surrender of the keys to a shelter, the deposit will be refunded to the user. The deposit will be subject to retention, in whole or in part, by the board if the shelter or facility used proves to have been subjected to abuse, inadequately cleaned, or used in violation of current shelter use regulations.

10.07 ADDITIONAL RULES, PERMITS, EXCEPTIONS.

(1) Additional Rules. Rules and regulations may be made from time to time by the board, governing the further use of and enjoyment of parks, parkways, playgrounds, beaches, boat landings, campgrounds, lakes, streams, and the facilities thereof. Any person who shall violate such rules or regulations, or who refuses to subject himself thereto, may be excluded from the use of such facility.

(2) Permits. Any person to whom a permit shall have been issued by the board or agent thereof shall be bound by the provisions of all ordinances of the City of Stevens Point as fully as though the same were inserted in each permit.

(3) Exceptions. Nothing in this code shall prohibit or hinder the Stevens Point Board of Park Commissioners, its director, supervisors, park managers, or other duly authorized agents, or any peace officer, from performing their official duties.

10.08 INSTALLATIONS, PUBLIC UTILITIES, PRIVATE CONSTRUCTION.

(1) Public Utilities - Location. The location of all sewers and receivers, gas pipes, water pipes, stopcock boxes, hydrants, lamp posts, telegraph, telephone, and electric power posts and lines, manholes, conduit and pumps within any park or parkway shall be subject to the jurisdiction and control of the commission; and their

construction, erection, repair, or relocation shall be undertaken only after written permission is received from said Board.

(2) Private Construction.

(a) No curb, whether stone, concrete, or grass, shall be cut for the purpose of constructing a private driveway across any parkway border nor for any purpose, without written permission of the board.

(b) The location, width, grade, and construction of all paths, driveways, and roadways across any sidewalk border along any parkway shall be subject to the approval of and constructed only after written permission is obtained from the board.

(c) Every person, firm, or corporation who shall receive a permit to open a trench, to cut a curb, or to deposit materials in or upon any park or parkway shall at all times after such work has been commenced or materials deposited, and until the same has been completed, and until all accumulations of materials resulting from such work have been removed, so guard and protect the same that persons driving or passing along the roadway or sidewalk or in the vicinity of the place where the work is being done, shall not be likely to meet with any accident therefrom; and shall also during the time from sunset to sunrise, each night while said work is in progress, cause the same to be securely fenced and guarded by a warning light or lights placed in a conspicuous position, and so secured that the same shall not be extinguished.

10.09 PUBLIC MEETINGS AND SALES.

(1) Public Meetings.

(a) Any person desiring to hold a public meeting of any kind whatsoever in any park shall first obtain a permit from the board or its duly authorized agent. The permit must be applied for not less than 48 hours prior to the scheduled event.

(b) Permits will be granted for the purpose of holding any lawful public assembly in accordance with published regulations governing the reasonable use of parks.

(2) Peddling and Soliciting. It shall be unlawful for any person to peddle or solicit business of any nature whatever or to distribute handbills or other advertising matter or to post unauthorized signs or decorative matter on any lands, structure, or property in any city park or to use such lands, structures, or property as a base of commercial operations 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 Stevens Point Board of Park Commissioners or its duly authorized agent.

(3) Soliciting Boat Rides. It shall be unlawful to use in any manner the dock, boat landing, or the waters in or immediately adjacent to any city park for the purpose of soliciting rides of any kind unless authorized by the board.

10.10 PERSONAL CONDUCT AND NUISANCES.

(1) Personal Conduct. It shall be unlawful for any person to indulge 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, or to be so intoxicated that he/she is unable to care for his/her own safety, in any city park.

(2) Property of Others. It shall be unlawful for any person to destroy, disturb, molest, or remove the property or personal effects of others.

(3) Unnecessary Noises. It shall be unlawful for any person to operate sound trucks, loud speakers, motors, motorboats, motor vehicles, or any other mechanical devices that produce undue or unnecessary noises without first obtaining a written permit from the commission or its duly authorized agent.

10.11 DESTRUCTION, ENTRY, CLEANING, AND REFUSE.

(1) Destruction, Defacement, or Removal. It shall be unlawful for any person to disturb, molest, deface, remove, or destroy any trees, shrubs, plants, or other natural growth; to carve on any rocks, archaeological features, signs, walls, or structures; to drive nails in trees, or to move, injure or deface in any manner any structures including buildings, signs, fences, tables, or other city property.

(2) Entry and Manipulation. It shall be unlawful for any person to enter in any way any building, installation, or area after the posted closing time or before the posted opening time, or contrary to posted notices, in any park.

(a) It shall be unlawful for any person to operate or possess a bicycle, skate board, roller skate, or scooter within the perimeter area of the football stadium in Goerke Park (running track).

(b) It shall be unlawful to possess, use, or run with a shoe which contains a spike made of metal or other hard substance protruding from the running surface of the shoe in excess of one-eighth of an inch (1/8), within the perimeter area of the football stadium in Goerke Park (running track).

(3) Washing. The washing of cars, persons, pets, cooking utensils, or clothing, is prohibited in any of the rivers, streams, or on any picnic grounds, playgrounds, recreation areas, boat landings, parking lots or roadways, or within 50 feet of any pump, fountain, or drinking water outlet in any city park. The washing of persons, cooking utensils and clothing shall be permitted at designated facilities.

(4) Refuse.

(a) It shall be unlawful for any person to dispose of any garbage, sewage, bottles, tin cans, paper, or other waste material in any manner except by placing in receptacles provided for such purposes, or to dump any such refuse in any park. Throwing bottles, tin cans, garbage, sewage, or other refuse in the water or on the ice of any river or stream or along roads in any city park is prohibited.

(b) Charcoal residue must be left in a grate or fireplace until cool or placed in receptacles provided for such purposes.

10.12 VEHICLES.

(1) Vehicular Traffic.

(a) No person shall operate any vehicle at a speed in excess of 15 miles per hour or contrary to official traffic signs in any city park.

(b) No person shall operate any vehicle in any park in a reckless manner contrary to the provision of sections 346.62 of the Wisconsin statutes.

(c) It shall be unlawful to operate or park any motor vehicle, except as provided for herein, upon any bridle path, hiking trail, beach area, playground, picnic area, or any other area other than established roads, parking areas, boat ramps, and service areas or contrary to posted notice or within any park seasonally closed to vehicular traffic.

(d) It shall be unlawful for any person to operate any motor-driven sled, toboggan, or other snowmobile in any city park.

(2) Parking. No person shall park, stop, or leave standing, whether attended or unattended, any vehicle, obstruction, or watercraft in any manner as to block, obstruct, or limit the use of any road, trail, parking lot, boat landing, waterway, or winter sport facility; or outside of any area provided for such purposes when it is practical to use such areas; or contrary to posted notice; or between the hours of 11:00 p.m. and the following 6:00 a.m.

10.13 FIRES, FIREWORKS.

(1) Fires. It shall be unlawful for any person to start, tend, or maintain any fire, or to burn any refuse, except at designated fireplaces, fire rings, or grills within any city park, except that fires for cooking or heating may be made in portable stoves, heaters, or grills at designated picnic areas.

(2) Fireworks. It shall be unlawful for any person to possess, fire, discharge, explode, or set off any squib, crackers, or other explosive or pyrotechnic device containing powder, or other combustible or explosive material within the limits of any city park, excepting the exhibitions of fireworks given under the direction or by the permission of the commission or its duly authorized agent are permitted.

(3) Archery Range.

(a) It shall be unlawful to discharge any bow in any area within any city park not specifically designated for such use or contrary to posted regulations or contrary to verbal orders given by the park and recreation personnel on duty.

(b) It shall be unlawful to engage in any sport or activity while in possession of a strung bow which, in the judgment of any law officer or park and recreation personnel constitutes a safety hazard.

10.14 ANIMALS.

(1) Pets.

(a) It shall be unlawful for any person to allow pets to enter any public building, bathing beach, picnic grounds, or playgrounds within any city park, or to run at large at any time on city park grounds. In those areas where pets are permitted, dogs shall at all times be kept on a leash not more than eight (8) feet long. All pets shall be effectively restrained or under the owners control at all times. No person shall allow his/her pet to deprive or disrupt the enjoyment or use of any area by others.

(b) The board of park commissioners may from time to time, not exceeding 30 consecutive days, prohibit the exercising or possession of any pet in a public park. Notice shall be posted giving notice of the prohibitory rule excluding animals for a specified period.

(2) Horses. It shall be unlawful for any person to ride a horse in a careless, negligent, or reckless manner so as to endanger the life, property or person of others on any city park roads or designated trails, or to ride, lead, or have a horse in any manner on the beaches, foot paths, picnic grounds, campgrounds, boat landings, playgrounds, athletic fields, or other similar special public use areas in any city park.

(3) Hunting and Trapping. It shall be unlawful for any person to take, catch, kill, hunt, trap, pursue, or otherwise disturb any wild animals or birds in any city park.

10.15 ATHLETICS.

(1) Athletics. It shall be unlawful for any person to play ball, golf, tennis, archery, other games or sports upon or within any city park or parkway except upon ballfields, tennis courts, archery ranges, or appropriate athletic grounds established by the commission.

(2) Skating. It shall be unlawful for any person to skate in any part of the park system in a reckless manner, or at a speed greater than is reasonable and proper, having regard to the number of people in such part of the park system and the use thereof or so as to endanger life or limb, or damage the property of any person; provided, however, that nothing therein contained shall be construed to prohibit

any exhibition of or contests in fast or fancy skating on such portions of any ice pond as may be set aside for that purpose by the commission.

10.16 BEACHES AND POOL.

(1) Food and Beverages. It shall be unlawful for any person to carry or consume any food or beverages of any kind on any bathing beach or in the water adjacent to any bathing beach in any city park except in designated areas.

(2) Beach Boundary Markers. It shall be unlawful to swim beyond or disturb or molest a bathing beach boundary buoy or marker in any swimming beach in any city park.

(3) Storms and Swimming Area Limits. It shall be unlawful for any person to swim or bathe in the water fronting any bathing beach during electrical storms or in dangerous weather or more than fifty (50) yards from the shore line of any bathing beach, or beyond the limits of beach marker buoys where such buoys are provided.

(4) Floating Devices. No floating device of any kind is permitted in or upon the water in the swimming area at any supervised beach in any city park.

(5) Beach Athletics. Except in locations designated for such purposes, it shall be unlawful for any person to engage in any athletic game or sport or in any activity upon a bathing beach or in the water when injury or inconvenience to others might result therefrom.

(6) Bathing Dress. It shall be unlawful for any swimmer or bather to enter the water or onto any bathing beach unless clothed in a suitable bathing dress or suit.

(7) Lifeguard Interference. It shall be unlawful for any person to carry on unnecessary conversation with lifeguards or falsely call for help or assistance; or stand or sit upon or cling to any lifeguard perches, or, except in emergency, to climb into or cling to any lifeguard boats.

(8) Infectious Diseases. Any person having, or apparently having, any infectious disease shall be prohibited from entering onto any bathing beach or into any bathing house or waters adjacent thereto.

10.17 PENALTIES. Any person, firm, company, or corporation who violates the regulations set forth in this section shall be subject to a forfeiture of not less than \$10.00 nor more than \$100.00, together with costs, and in lieu of payment assessed, imprisonment in the county jail for not more than thirty (30) days.

10.18 TENTS.

(1) Tent Permits in Parks. No person shall erect, permit, or allow the erection of a tent in any public park without a permit having been acquired from the park commission.

(2) Evidence of Insurance. The park commission shall have the right to issue a tent permit upon the applicant providing evidence of insurance for public liability and property damage in the amount of \$300,000 and \$50,000 respectively, or such other agreement of indemnity as the commission may deem sufficient.

(3) Erection and Removal of Tents. Upon receiving a tent permit, such tent shall be erected and removed in such space, manner, and time as provided on the permit.

10.19 Green Circle Trail.

(1) Definition. "Green Circle Trail" is described as a linear corridor 18' more or less in width and about 24 miles in length, with approximately 20 miles within the corporate limits of the City of Stevens Point, and includes public property and private property where the City of Stevens Point has been granted an easement for the "Green Circle Trail."

(2) Use. The use of the Green Circle Trail and its corridor by the public is limited to pedestrian activities such as walking; bicycling is not permitted in posted areas.

(3) Destruction, defacement or removal. No person shall disturb, molest, deface, remove or destroy any trees, shrubs, plants or other natural growth, rocks, flora and fauna, archaeological or geological features, signs, walls or structures; injure or deface in any manner any structures including buildings, signs, fences, tables or property within the Green Circle Trail or any support facility associated with the Green Circle Trail.

(4) Refuse. No personal refuse or garbage shall be carried onto the Green Circle Trail and be deposited and/or dumped next to or into refuse containers or left anywhere along the trail corridor or its support facilities.

(5) Peddling and Soliciting. No person shall sell, peddle or solicit business of any nature or distribute handbills or other advertising matter, post unauthorized signs or decorative matter on any structures, trees or any other property within the Green Circle Trail corridor; nor use this corridor as a base of commercial operations for soliciting or conducting business, peddling or providing services.

(6) Public Meetings. No person may conduct or participate in an assembly or public demonstration without authorization of the parks commission or director of parks and recreation, based upon a finding that such activity is not planned for sections of the Green Circle Trail corridor owned by private parties and would not substantially interfere with the use of the Green Circle Trail corridor by the general public.

(7) Motor Vehicles. Motorized vehicles of any kind are prohibited within the Green Circle Trail corridor unless they are used for maintenance, operations, emergency or enforcement of the Green Circle Trail corridor ordinance.

(8) Animals.

(a) Pets. Pets are prohibited on those sections of the trail corridor that are so posted. Pets shall be effectively restrained at all times to within the Green Circle Trail corridor boundaries and shall be restrained by a leash or tie not more than eight feet long.

(b) Horses. Horses are not permitted within the Green Circle Trail corridor.

(c) Animal Excreta. Any owner or person having the immediate care, custody or control of any animal shall promptly remove and dispose of, in a sanitary manner, any excreta left or deposited by the animal within the Green Circle Trail corridor.

(d) Hunting and Trapping. No person shall take, catch, kill, hunt, trap, pursue or otherwise disturb any wild animals or birds within the Green Circle Trail corridor.

(9) Fires, Fireworks.

(a) Fires. No person shall start, tend or maintain any fire, or burn any refuse within the Green Circle Trail corridor except in designated park grills.

(b) Fireworks. No person shall possess, fire, discharge, explode or set off any explosive or pyrotechnic device containing powder, or other combustible or explosive material within the Green Circle Trail corridor.

(10) Regulation of Bicycle Riders.

(a) No person shall ride or operate a bicycle within the Green Circle Trail corridor in posted areas prohibiting such use.

(b) Riding a bicycle recklessly in any manner is prohibited.

(c) Riders must yield to hikers on the trail under all circumstances and must sound a bell or other warning device when approaching from behind.

(d) Riders must slow down to a reasonable speed when overtaking or approaching pedestrians.

(e) Riders shall proceed in single file only.

(11) Athletics. No persons shall play ball or any other game or sport upon or within the Green Circle Trail corridor, except with written permission of the parks commission or director.

(12) Closing of the Green Circle Trail corridor and Support Facilities. In an emergency, or when in the judgment of the director of parks and recreation or a department supervisor, any portion of the Green Circle corridor and its support facilities may be closed to the public for reasons that may include severe high fire danger, flooding, severe weather or any other reason that the public interest

demands closing of the corridor. Use of the portion of the corridor after it is posted "closed" under this section shall be trespass.

(13) Additional Rules and Exceptions. Rules and regulations may be made from time to time by the parks commission/common council, governing further use and enjoyment of the Green Circle Trail corridor and the facilities thereof. These rules shall be posted on the trail corridor. Any person who shall violate such rules or regulations may be required to leave the trail corridor or support facility and shall be subject to penalties as set forth in Section 10.14 of this ordinance. Persons required to leave the trail corridor or its support facilities shall not return for a 24 hour period from the date and time of such order to leave.

(14) Penalties. Any person, firm, company, or corporation who violates the regulations set forth in this ordinance shall be subject to a forfeiture of not less than \$10.00 nor more than \$100.00 together with the costs of the action and in default of payment thereof, to imprisonment in the county jail until such forfeiture and costs be paid, but no more than 30 days pursuant to law. Each day of a violation constitutes a separate violation.