

Title 12 Parks and Navigable Waters

TITLE 12	PARKS AND NAVIGABLE WATERS.....	1
CHAPTER 1	PARKS AND RECREATION	2
Section 12-1-1	Park Regulations	2
Section 12-1-2	Operation of Remote or Radio-Controlled Airborne Toys	4
Section 12-1-3	Turf Protection on Public Property	4
Section 12-1-4	Park Hours	4
Section 12-1-5	Ultra-Light Aircraft Regulated	4
Section 12-1-6	Reservation of Park Space	5
CHAPTER 2	PUBLIC PROPERTY NAMING PROCEDURES	7
Section 12-2-1	Naming Procedures for Public Property	7
CHAPTER 3	MUNICIPAL BUILDING USE	8
Section 12-3-1	Reservation of Village Hall	8
Section 12-3-2	Use of Village Hall for Private Sales or Marketing	8

Chapter 1 Parks and Recreation

Section 12-1-1 Park Regulations

Purpose and Definition. In order to protect the parks, parkways, recreational facilities and conservancy areas within the Village of Adell from injury, damage or desecration, these regulations are enacted. The term "park" as hereinafter used in this Chapter shall include all grounds, structures and watercourses which are or may be located within any area dedicated to the public use as a park, parkway, recreation facility, play ground, swimming pool or conservancy area in the Village.

a) **Specific Regulations.**

- 1) **Littering Prohibited.** No person shall litter, dump or deposit any rubbish, refuse, earth or other material in any park.
- 2) **Sound Devices.** No person shall operate or play any amplifying system unless specific authority is first obtained from the Village Board.
- 3) **Bill Posting.** No person shall post, paste, fasten, paint or attach any placard, bill, notice, sign or advertising matter upon any structure, tree or other natural object in any park, except park regulations and other signs authorized by the Village Board.
- 4) **Throwing Stones and Missiles Prohibited.** No person shall throw stones or other missiles which may cause harm in or into any park.
- 5) **Removal of Park Equipment Prohibited.** No person shall remove benches, seats, tables or other park equipment from any park.
- 6) **Trapping.** "Trapping" when used in this Section includes the taking, or the attempting to take, of any wild animal by means of setting or operating any device, mechanism or contraption that is designated, built or made to close upon, hold fast or otherwise capture a wild animal or animals; live traps on a person's property are excluded. The trapping of wild animals is hereby prohibited in Village parks.
- 7) **Making of Fires.** No person shall start, tend or maintain a fire except in personal grills or designated fireplaces. Personal grills shall be used only in designated picnic areas. The use of personal grills is permitted provided lawns and vegetation are not endangered. Unburned fuel and ashes shall be disposed of in such a manner as to prevent fire or damage to any park property. Control of the fire and the smoke will be the responsibility of the person using such a fire.
- 8) **Protection of Park Property.**
 - a) No person shall kill, injure or disturb or attempt to injure or disturb waterfowl, birds or animals, wild or domestic, within any park, except as permitted by this Chapter. No person shall climb any tree or remove flowers or fruit, wild or cultivated, or break, cut down, trample upon, remove or in any manner injure, deface, write upon or ill use any tree, shrub, flower, flower bed, turf, soil, sand, fountain, ornament, building, structure, apparatus, bench, table, official notice, sign or other property within any park.
 - b) No person shall deface, by throwing stones, pebbles or other debris in any of the toilets, bubblers or other sanitary facilities located in any Village park; or to deface by drawing with crayon, chalk, paint, or anything else on any of the buildings or equipment at any Village park; or to deface the equipment by means of a sharp instrument
- 9) **Motorized Vehicles.** Except for authorized maintenance vehicles, no person shall operate an unlicensed or licensed motorized vehicle outside of areas specifically designated as parking areas or areas where the operation of such vehicles is specifically permitted. Motor vehicles are restricted to the roads and drives and parking areas. No motor vehicles of any nature may be used on the seeded areas except vehicles which have Village Board authorization for shows, rides or exhibits and then only for the purpose of loading and unloading. No vehicle maintenance or car washing is permitted in any Village park.

- 10) **Snowmobiles.** No person shall operate a snowmobile in a Village park except in designated areas. Snowmobiles shall only be operated on designated trails.
- 11) **Speed Limit.** No person shall operate any vehicle in a Village park in excess of fifteen (15) miles per hour unless otherwise posted.
- 12) **Glass Beverage Bottles in Parks Prohibited.** No individual shall possess or consume any beverage in a glass bottle or glass container in any Village park.
- 13) **Reckless Driving in Parks Prohibited.** No person shall operate a motor vehicle in a reckless manner in any of the public parks of the Village.
- 14) **Parking in Parks.** No person shall park any motor vehicle in any park in the Village except in a designated parking area.
- 15) **Horse and Carriages.** No person shall ride a horse or drive a horse-driven vehicle in any park, or lead a horse into a park, except on roads or designated bridle paths, except when approval of the Village Board is first obtained. It shall be unlawful for any person to ride a horse or drive a horse-driven vehicle in a careless, negligent or reckless manner which may endanger the safety and well-being of others. Horseback riding shall be allowed only during the daylight hours. No person shall ride a horse which cannot be held under such control that it may be easily turned or stopped. Horses shall not be left unbridled or unattended.
- 16) **Removing Tree Protectors.** No person shall remove any device for the protection of trees or shrubs.
- 17) **Arrows.** No person shall use or shoot any bow and arrow in any Village park, except in authorized areas.
- 18) **Fees and Charges.** The Village Board shall establish such fees as deemed necessary for use of any park facility, shelter or land area. It shall be unlawful to use such areas without payment of such fee or charge when required.
- 19) **Firearms; Hunting.** Possessing or discharging of any air gun, sling shot, explosive, firearm or weapon of any kind is prohibited in all Village parks.
- 20) **Fish cleaning.** Cleaning of fish in shelters, toilet facilities or picnic areas is prohibited in all Village parks.
- 21) **Controlled Substances.** Possessing, using or dispensing of a controlled substance in violation of the Uniform Controlled Substances Act is prohibited in all Village parks.
- 22) **Vendors Restricted.** No person shall sell, vend or give away any article of merchandise whatever, without a written permit from the Village Board. No person shall peddle or solicit business or operate concessions or stands in any Village park without the written permission of the Village Board.
- 23) **Alcohol Beverages.** The consumption or possession of alcohol beverages in Village parks shall be as regulated by Section 11-4-1.
- 24) **Pets.** Dogs and any other pets must be kept on a leash and under control at all times; pet owners are responsible for cleanup of pet waste.
- 25) **Skates.** No skateboards, inline skates or roller skis will be permitted in the park at any time, except in designated areas.
- 26) **Bicycles.** No bicycles are permitted in any building whether ridden or parked there for any reason.
- 27) **Misuse of Equipment.** Jumping, standing or misuse will not be permitted on any bench, bleachers or picnic tables; any misuse or use with intent to do damage will be considered vandalism and may result in dismissal from the park.
- 28) **Loitering on Equipment Preventing Use.** No loitering is permitted on playground equipment so as to disrupt use by persons waiting to use such equipment.
- 29) **Responsibility for Equipment Damage.** Any person or persons causing any damage to property in the Village park shall be punished and/or fined under the appropriate ordinance and be required to make full and complete restitution.
- 30) **Camping.** Camping is prohibited in Village parks.

- 31) **Satellite Toilets; dumpsters.** It will be the obligation of civic organizations or other major park users to provide satellite toilets and extra garbage dumpsters during the time of celebrations or special events.
- 32) **Waste Disposal Restrictions.** No person shall dispose of any garbage, bottles, tin cans or any other solid waste material, including demolition material, in any Village park where the waste is generated from outside of the Village park property.
- 33) **Bicycle Restrictions.** No person shall ride a bicycle or skateboard or rollerblade in a reckless manner or ride in and around any bleacher area or shelter house areas. All bicycles will be placed in bicycle racks when unattended.

Section 12-1-2 Operation of Remote or Radio-Controlled Airborne Toys

It shall be unlawful for any person to fly, operate or make use of any airborne remote or radio-controlled model airplane, helicopter, vehicle or any other such device in, over or upon any street, park or other public or private property except in areas specifically designated and posted for such purpose and with the consent of the property owner or lessee of the property.

Section 12-1-3 Turf Protection on Public Property

Except as authorized by the Village Board, no person shall dig into the turf of any Village-owned park or recreational property for any purposes whatsoever or remove any trees or flowers. Absent authorization by the Village Board, the use of metal detectors and digging for buried objects on Village parks or recreational property.

Section 12-1-4 Park Hours

- a) **Park Hours.** Unless a person is engaged in authorized camping, no person or persons shall enter into or pass through Village park areas between the hours of 11:00 p.m. to 5:00 a.m. daily, except on those occasions when permission has been granted by the Village Board for organized activities such as athletic events and/or holiday celebrations.
- b) **Exceptions for Organized Activities.** Subsection (a) shall not apply to any persons participating in or any organized activity in a Village park which was authorized by the Village Board. This exception shall apply during the time such activity is in progress at a Village park and for thirty (30) minutes after the termination of such activity.

Section 12-1-5 Ultra-Light Aircraft Regulated

- a) **Definition.** An ultra light aircraft, vehicle or hang glider is an un-powered or powered aircraft which is not subject to extensive regulation by the Federal Aviation Administration by virtue of its characteristics and which is defined as an ultra light vehicle by 14 C.F.R. Sec. 103.1 and which is defined as an ultra light aircraft by Sec. 114.195, Wis. Stats.
- b) **Regulations Regarding Use.** No person shall operate any ultra light aircraft within the Village in such a manner or in such a location as to endanger or injure any person or property. No person shall operate an ultra light aircraft in the Village in violation of any applicable state and federal regulations and standards. No person shall cause an ultra light aircraft to land or to take off from any property without permission of the owner or occupant of said property, provided that an emergency landing may be made to prevent a catastrophe. In the case of landing or taking off from a Village public park or other public property, the operator of such ultra light aircraft shall first obtain authorization from the Village Board. No fee shall be charged by the Village Board for such permit which may be issued for a period up to thirty (30) days nor shall the Village Board sponsor such activity

Section 12-1-6 Reservation of Park Space

- a) **Policy on Reservation.** The Village-owned park, park facilities and shelter areas are primarily for the nonexclusive use of the residents and visitors of the Village. However, under proper circumstances, exclusive use of the same or parts thereof may be permitted. This Section is intended to regulate exclusive use of municipally-owned parks, park facilities, park shelters or parts thereof in the Village to the end that the general welfare of the Village is protected.
- b) **Reservation of Park Space.** A person or group, firm organization, partnership or corporation may reserve the use of a park facility, park shelter or gazebo by written application filed with the Park Commissioner for a permit for exclusive use of the same. The Park Commissioner shall issue permits for exclusive use of a portion of a park or park shelter, while the Village Board shall issue permits for the exclusive use of Village parks. Park facilities are reserved on a first-requested, first-reserved basis.
- c) **Application.** Applications shall be filed with the Park Commissioner at least fourteen (14) days prior to the date on which the exclusive use of the entire park is requested, or at least three (3) days prior to the date on which a park shelter or a portion of a park is to be used, and shall set forth the following information regarding the proposed exclusive use:
- 1) The name, address and telephone number of the applicant.
 - 2) If the exclusive use is proposed for a group, firm, organization, partnership or corporation, the name, address and telephone number of the headquarters of the same and the responsible and authorized heads or partners of the same.
 - 3) The name, address and telephone number of the person who will be responsible for the use of the said park, area or facility.
 - 4) The date when the exclusive use is requested and the hours of the proposed exclusive date.
 - 5) The anticipated number of persons to use the said park, area or facility.
 - 6) Any additional information which the Village Board or Park Commissioner finds reasonably necessary to a fair determination as to whether a permit should be issued.
- d) **Deposit.** All applicants for reservation of park space, gazebo or shelters for which a permit is required shall pay a deposit as established by resolution of the Village Board to pay for the Village's maintenance and cleanup expenses. The deposit shall be returned if cleanup or repair by the Village is not required.
- e) **Action on Application.** The Village Board or appropriate committee thereof shall act promptly on all applications for permits for exclusive park use (not shelter use) after consulting with the applicant, if necessary.
- f) **Reasons for Denial.** Applicants may be denied for any of the following reasons:
- 1) If it is for a use which would involve a violation of Federal or State law or any provision of this Code.
 - 2) If the granting of the permit would conflict with another permit already granted or for which application is already pending.
 - 3) If the application does not contain the information required by Subsection (c) above.
 - 4) The application is made less than the required days in advance of the scheduled exclusive use.
 - 5) If it is for a use of the park or park facility at a date and time when, in addition to the proposed use, anticipated nonexclusive use by others of the park or park facility is expected and would be seriously adversely affected.
 - 6) If the law enforcement requirements of the exclusive use will require so large a number of persons as to prevent adequate law enforcement to the park, park facility or shelter area involved or of the rest of the Village.
 - 7) The exclusive use will reasonably create a substantial risk of injury to persons or damage to property.
 - 8) The exclusive use is so poorly organized that participants are likely to engage in aggressive or destructive activity.

- g) **Indemnification.** Prior to granting any permit for exclusive use of the park, the Village may require the permittee to file evidence of good and sufficient sureties, insurance in force or other evidence of adequate financial responsibility, running to the Village and such other third parties as may be injured or damaged, in an amount depending upon the likelihood of injury or damage as a direct and proximate result of the exclusive use sufficient to indemnify the Village and such third parties as may be injured or damaged thereby, caused by the permittee, its agents or participants.
- h) **Permit Not Required For Village Activity.** A permit is not required for exclusive use of the park or a park facility sponsored by the Village.
- i) **Permit Revocation.** The Village President and/or a law enforcement officer may revoke a permit already issued if it is deemed that such action is justified by an actual or potential emergency due to weather, fire, riot, other catastrophe or likelihood of a breach of the peace or by a major change in the conditions forming the basis of the issuance of the permit.
- j) **Form of Permit.** Each permit shall be in a form prescribed by the Village Board and shall designate the park, park facility or shelter area involved, date, hours of the exclusive use, purpose of the exclusive use and the name of the person, group, firm, organization, partnership or corporation to which the permit is issued.
- k) **Class B Fermented Malt Beverage Licenses.** When fermented malt beverages are sold at any event authorized by this Section, a valid Fermented Malt Beverage license shall be obtained and the provisions of Sections 7-2-11 and 11-5-1 shall be fully complied with. Said license must be held by the person who filed the original license and shall be presented to any law enforcement officer upon request.

Chapter 2 Public Property Naming Procedures

Section 12-2-1 Naming Procedures for Public Property

a) Renaming Streets.

- 1) To request the renaming of a Village street, by anyone other than the Village, a petition signed by at least fifty percent (50%) of all property owners along the street in question shall be submitted to the Village Board. Petition signatures shall be limited to one per parcel. Naming shall be accomplished through adoption of a formal resolution by the Village Board.
- 2) For streets within a recorded subdivision or certified survey map, an affidavit of correction shall be recorded with the Register of Deeds as specified under Sec. 236.295, Wis. Stats.
- 3) All costs associated with the name, including the cost of any recording necessary and the cost of signage shall be paid by the person(s) submitting the request. This cost may be waived by the Village Board.

b) Naming of Public Waters. (Note: proposed names for public waters require approval of the Wisconsin Geographic Names Council in order to be recognized on maps outside the Village.)

- 1) Requests to name or rename a creek, stream, river or lake shall be made in writing and brought before the Village Board. The person(s) who submitted the request shall provide background information into the rationale behind the request, including biographical information if to be named after a person. Any letters from appropriate organizations and individuals which provide evidence of substantial local support for the proposal shall be submitted at that time. If the creek, stream, river or lake is included in a Lake Protection and Rehabilitation District, approval from the district must be obtained prior to the submittal of the request to the Village. Upon approval of the Village Board, the proposed name change shall be submitted to the Wisconsin Geographic Names Council for approval. The Village Board meets every February to act on all requests.
- 2) Once a public body of water is named after a person, the name of the public body of water cannot be changed for a period of fifty (50) years.
- 3) All costs associated with the naming, including the cost of any recording necessary and the cost of signage, shall be paid by the person(s) submitting the request. This cost may be waived by the Village Board.

c) Naming of Public Facilities.

- 1) Requests for the naming or the renaming of public buildings, faculties, and parks shall be submitted in writing. Requests concerning parks shall be brought before the Village Board. The person(s) who submitted the request shall provide background information into the rationale behind the request, including biographical information if to be named after a person. Any letters from appropriate organizations and individuals which provide evidence of substantial local support for the proposal shall be submitted at that time. Naming shall be accomplished through adoption of a formal resolution by the Village Board.
- 2) Once a public building, park or facility is named after a person, the name of the public property cannot be changed for a period of fifty (50) years.
- 3) All costs associated with the naming, including the cost of any recording necessary and the cost of signage, shall be paid by the person(s) submitting the request. This cost may be waived by the Village Board.

d) Recommendations. At its option, the Village Board may ask for advisory recommendations on renaming applications from Village committees/commissions or civic organizations.

Chapter 3 Municipal Building Use

Section 12-3-1 Reservation of Village Hall

- a) **Policy on Reservation.** As a general policy, the Village Hall may only be reserved by civic or other non-profit organizations which work toward the benefit of the community. All reservation requests must be made with the Village Clerk-Treasurer or Fire Department Chief within two weeks of meeting date.
- b) **Village Hall Rules of Use.** The Village Hall may only be used if the requesting party agrees to comply with the following conditions:
 - 1) The user will be responsible for cleaning up the Village Hall to an acceptable level after use. If not left clean, user will be billed for janitorial services.
 - 2) Use of the Village Hall shall be restricted to the areas designated by the Village Clerk-Treasurer or Fire Department Chief, unless otherwise specifically permitted by the Clerk-Treasurer or Fire Department Chief.
 - 3) Storeroom and fitness room, whether locked or unlocked, shall be considered off-limits to all renters and members of their groups under any circumstances, and entrance thereto is forbidden.
 - 4) All lights including stove and/or coffee pot must be turned off.
 - 5) Heat and air conditioners will be pre-set for hours of use.
 - 6) Users must provide own silverware, cups, paper plates, and anything for eating/serving food. Arrangements may be made with the Fire Department Chief prior to use of hall to use equipment owned and maintained by the fire department.
 - 7) Instead of issuing keys, Fire department members will open the doors prior to the meeting. At the completion of the meeting, civic or organization meeting members will lock the front door, and last person out must leave through the rear exit since it does not require a key to lock.

Section 12-3-2 Use of Village Hall for Private Sales or Marketing

- a) The use of any of the facilities in the Village Hall for any sale or marketing of products or services by private entities is permitted under the following circumstances:
 - 1) The selling/marketing individual or entity must be either:
 - a) A civic or other non-profit organization; or
 - b) An invited guest of a civic or nonprofit organization (speaker, product or service representative, etc.).
 - b) Any room used for such purposes must be returned to its pre-event condition; all sales brochures and materials are to be removed from the building at the conclusion of the event. Failure to do so may result in denial of future requests for use of the facility by the responsible organization.
- c) Exceptions to this Section may be granted on a case-by-case basis by the Village Board.