Chapter 30 - PARKS AND RECREATION

Sec. 30-1. - Scope of chapter.
Sec. 30-2. - Definitions.
Sec. 30-3. - Enforcement of chapter provisions.
Sec. 30-4. - Closing hours and dates.
Sec. 30-5. - Fees and permits.
Sec. 30-6. - Speed and parking limits.
Sec. 30-7. - Use restrictions.
Sec. 30-8. - Possession or consumption of alcohol in Flynn's Quarry Recreational Property.
Sec. 30-9. - General rules of park use.

Sec. 30-1. - Scope of chapter.

Except where the context provides otherwise, the provisions of this chapter shall apply to all lands, structures and property owned, leased or administered by the county and under the management, supervision and control of the parks committee.

(Ord. No. 140, § 2(34.01), 6-11-1991)

Sec. 30-2. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Domestic animals** means any animal of any type kept primarily as a family or household pet including, but not limited to, dogs, cats, rodents, reptiles and birds. This definition specifically excludes horses used for riding or driving purposes.

**Firearms** means handguns, rifles, shotguns, spring guns or airguns of any type, as well as bows, crossbows, slings or any other mechanism used for propelling missiles, tipped arrows or ammunition of any type.

**Motor vehicle** means any mechanical device routinely used for surface travel powered by an internal combustion engine and operating upon two or more wheels. This definition shall specifically exclude motorbikes designed primarily for trail or off-road operation, all-terrain vehicles and snowmobiles.

**Park, county park and parkways** mean all lands and water heretofore and hereafter acquired by the county for park or recreational purposes, or placed under the jurisdiction of the parks committee, and include, without limitation, park beaches, boat landings, trails, waysides and privately owned lands, the use of which has been granted to the county for park, recreational or like public purposes. The following areas are designated as county parks:

- Curtis Lake Park
- Huron Lake Park
- Big Hills Lake Park
- Alpine Lake Park
- Marl Lake Park
- Kusel Lake Park
- Pony Creek Park
- Flynn's Quarry Recreational Property
- Willow Creek Park
- Mount Morris Hills Park
- Otto Brey Park
Sec. 30-3. - Enforcement of chapter provisions.

(a) All county parks are under the care and control of the parks department and the county sheriff's department. The City of Wautoma Police Department shall have joint care and control of the county fairgrounds with the parks department and the sheriff's department.

(b) Employees of the county parks department, the county sheriff's department and local law enforcement agencies with jurisdiction over the city, village or township where the park is located are authorized to enforce this chapter. All persons located within any county park shall obey the orders of any authorized enforcement personnel.

(c) All persons located within county parks are subject to the provisions of this chapter, and all applicable local, state and federal laws and regulations.

(d) Persons violating or failing to comply with this chapter may be cited for such violation and shall, upon conviction, forfeit not less than $25.00 nor more than $200.00 per violation, together with the costs of prosecution. Any person who defaults on payment of any forfeiture and costs imposed in compliance with this provision may be imprisoned in the county jail until such forfeiture and costs are paid, but not exceeding 30 days.

(e) The office of the county corporation counsel, upon complaint by the parks department or any authorized law enforcement agency, is authorized to institute whatever legal proceedings deemed necessary to effect compliance with the provisions of this chapter. Violations of local, state and federal laws shall be referred to the county district attorney's office, or other appropriate prosecutorial authority, for prosecution.

(Ord. No. 140, § 2(34.01(A)), 6-11-1991; Ord. No. 497, 5-13-2008)

Cross reference—Definitions generally, § 3-1-2

Sec. 30-4. - Closing hours and dates.

(a) No persons or motor vehicles shall enter or be present in any park between the hours of 10:30 p.m. and the following 5:30 a.m.

(b) Mount Moris Hills Park shall be closed to the public from November 1 through March 31.

(c) The county rifle range shall be closed to the public from December 1 through March 31.

(d) West Point Quarry shall be closed to the public at all times because of dangerous conditions at the site.

(e) All other parks shall be open to the public all year, except as provided in subsection (f) of this section.

(f) Any county park, trail or portion of any county park or trail may be closed to the public for any length of time deemed necessary, when, in the opinion of the parks director, 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 from any source. If the parks director is unavailable, the county sheriff's department is authorized to act under this section.

(Ord. No. 140, § 2(34.01(C)), 6-11-1991)

Sec. 30-5. - Fees and permits.

(a) No person shall use any facility, shelter, land or area of a park for which a reservation permit and/or fee has been established, when such reservation has been granted to another party. If no such reservation has been granted, such facilities are open to the public and available for use on a first come, first served basis.

(b) Any group of 15 or more persons who wish to use any facility, shelter, land or area of a park for which a reservation permit and/or fee has been established, shall apply to receive such permit from the parks
director. Upon payment of the fee and approval of the application, the parks director shall issue a permit giving such group priority use of the facility for the period of time reserved.

(c) A complete list of facilities, shelters, lands or areas subject to this reservation and/or fee requirement shall be available from the parks director. Such list may be periodically reviewed and changed by the committee.

(d) Fees collected by the county for the use of park facilities are intended solely to defray part of the cost of the operation of the parks, which are maintained solely in the governmental capacity of the county. The payment of a fee by a person or group is not intended to imply a business-invitee relationship.

(e) Any group granted reserved use of a facility, land, shelter or area is required to clean up the area after use to the satisfaction of the parks director. If the cleanup is unsatisfactory, the group, its agents or assigns are subject to the penalties set forth in section 30-3

(Ord. No. 140, § 2(34.01(E)), 6-11-1991)

Sec. 30-6. - Speed and parking limits.

(a) Motor vehicle traffic in county parks shall obey all posted traffic signs and signals including, but not limited to:

(1) The stop sign at the Marl Lake County Park exit, directing traffic to stop before proceeding onto 12th Avenue;

(2) The stop sign at the Kusel Lake County Park exit, directing traffic to stop before proceeding onto 24th Avenue, and the speed limit zone of 15 mph within Kusel Lake County Park.

(3) The stop sign at the Willow Creek/Nordic Mountain exit, directing traffic to stop before proceeding onto County Highway W, and the speed limit zone of 15 mph within Willow Creek/Nordic Mountain Park.

(4) The stop sign at the Mount Morris Hills County Park exit, directing traffic to stop before proceeding onto County Highway G, and the speed limit zone of 15 mph within Mount Morris Hills County Park.

(5) The stop sign at the Alpine Lake Park exit, directing traffic to stop before proceeding onto 22nd Avenue.

(6) The stop sign at the Big Hills Lake Park exit, directing traffic to stop before proceeding onto County Highway WV.

(b) Unless otherwise posted, the speed limit for motor vehicle traffic in all county parks shall be 25 mph.

(c) Any and all traffic controls including, but not limited to, stop signs or signals, speed limitations or other traffic regulations within the county parks which exist or are subsequently established are enforceable under this chapter, and subject to the penalty provisions of section 30-3

(Ord. No. 140, § 2(34.01(F)), 6-11-1991)

Sec. 30-7. - Use restrictions.

(a) Firearms. No person other than a duly authorized law enforcement officer shall fire or discharge any firearm within any county park. Neither shall any person have in his possession or control any firearm within the confines of any park, unless it is unloaded and knocked down, or unloaded and encased within a carrying case or other suitable container. This subsection does not apply to the county rifle range or any other specifically designated area established by the parks committee for the orderly discharge of firearms.

(b) Domestic animals. All domestic animals within any county park shall be caged or on leashes at all times, and within the control of the person who brought them into the park. Any person having a domestic animal within his control in a park shall be responsible for cleaning up after the animal, and is responsible for all of the animal's actions.

(c) Horses. No person bringing a horse into a county park shall leave the animal unhitched or untended at any time. Any person riding a horse within a county park shall not ride faster than a moderate trot. Any person driving a horse within a county park shall not leave the established roadways nor drive the horse faster than a moderate trot. Any person having a horse within a county park is responsible for all of the animal's actions, and shall clean up after the horse.

(d) All-terrain vehicles. No person shall ride or otherwise be in possession or control of an all-terrain vehicle of any type within any county park.

(e) Snowmobiles. Snowmobiles may be ridden in county parks on designated trails or areas only. No person may ride a snowmobile within a county park at an unreasonable or imprudent speed, or in a dangerous or reckless manner. Persons who ride or are in possession and control of a snowmobile within any county park are subject to the provisions of Vts. Stats. ch. 350, and may be prosecuted for violations under state law.

(Ord. No. 140, § 2(34.02), 6-11-1991)
Sec. 30-8. - Possession or consumption of alcohol in Flynn's Quarry Recreational Property.

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
   Alcohol beverages means fermented malt beverages and intoxicating liquor.
   Fermented malt beverages means any beverage made by the alcohol fermentation of an infusion in potable water of barley malt and hops, with or without unmalted grains or decorticated and degerminated grains or sugar containing 0.5 percent of alcohol by volume.
   Intoxicating liquor means all ardent, spirituous, distilled or vinous liquors, liquids or compounds, whether medicated, proprietary, patented or not, and by whatever name called, containing 0.5 percent or more of alcohol by volume, which are beverages, but does not include fermented malt beverages.

(b) Prohibited generally; exception with permit. No person may bring, possess or consume alcohol beverages within the limits of Flynn’s Quarry Recreational Property except upon authority of a written permit issued and authorized by the county parks development/solid waste committee.

(Ord. No. 251, § 2, 5-12-1998)

Sec. 30-9. - General rules of park use.

(a) Motor vehicles.
   (1) Motor vehicles within county parks shall obey all traffic laws and ordinances including, but not limited to, Wis. Stats. chs. 340-347 and the ordinances of the county adopted in conformity therewith.
   (2) Motor vehicles within county parks shall obey all posted parking regulations within the parks, park only in designated parking areas, and obey entrance and exit signs.
   (3) No motor vehicle may be left within any county park after the park closes. Vehicles left in parks after hours may be towed away at the owner’s expense.

(b) Boats; fishing shanties.
   (1) All persons bringing boats or fishing shanties within any county park are subject to state, local, and department of natural resources laws and regulations regarding the use of such equipment.
   (2) Boats, fishing shanties and trailers may be parked in designated parking areas only. Boats and fishing shanties may be loaded and unloaded at designated boat landings only.
   (3) No person may leave a boat, fishing shanty or other similar equipment within any county park after closing hours. Any such item left within a county park after hours is subject to removal by the parks department or authorized law enforcement agency at the owner’s expense.

(c) Refuse.
   (1) All refuse, garbage or other debris of any nature must be placed within designated receptacles, or removed from the park.
   (2) No person may deposit in any county park any household garbage or refuse not generated within the park.

(d) Signs or barricades.
   (1) No person shall fish, swim, unload or dock a boat or fishing shanty, or camp within any county park where the parks department has posted signs restricting or limiting such activities.
   (2) No person shall interfere with, break down, deface or remove, or cause to be interfered with, broken down, defaced or removed, any sign, barricade, guard, protection or barrier placed in any county park.
   (3) No person, except those authorized by the parks department or authorized law enforcement agency, shall be present in any area of any county park which has been posted as closed or restricted as provided in section 30-4(e).

(e) Fires and grills.
   (1) No person may start, build or otherwise cause the starting of a fire within any county park, unless contained within an appropriate charcoal, camp or other grill. Fires shall be doused with water and completely put out after use. Charcoal, ash and other waste material from a fire may be placed within designated garbage receptacles within the parks only after completely doused and cool.
   (2) Persons starting a fire within any county park that does not comply with these restrictions, or through negligent or reckless use of flammable materials, are subject to the penalty provision of this chapter, state criminal code, and may also be subject to civil liability.

(f) Intoxication. Any person so intoxicated as to be unable to care for his own safety or who, by reason of intoxication, makes a nuisance of himself, endanger others, or interferes with the peace and enjoyment
of the county parks by others, shall be subject to the penalty provision of this chapter and provisions of state law.

(g) Swimming.

(1) All persons swimming within any county park are deemed to acknowledge that they are swimming at their own risk. The county does not provide lifeguards for designated swimming areas, and assumes no liability for the use of any body of water located in any county park for swimming.

(2) No person shall negligently, recklessly, or otherwise boisterously behave in such a manner as to interfere with the enjoyment of designated swimming areas by others.

(h) Parks resources and equipment.

(1) No person shall interfere with, remove or deface or otherwise damage any equipment or facilities within the county parks.

(2) No person shall interfere with, remove, or damage any plants, rocks, sand or any other natural resource from any of the county parks.

(Ord. No. 140, § 2(34.03), 6-11-1991)

---

**FOOTNOTE(S):**

[16] Cross reference—Any ordinance naming public grounds and parks saved from repeal, § 1-10(17); streets, sidewalks and other public places, ch. 40; O-P park and recreation zone, § 58-361 et seq. [Back]
ORDINANCE NO. 537
AN ORDINANCE AMENDING CHAPTER 30, SECTION 30-7
OF THE WAUSHARA COUNTY CODE

WHEREAS, the County Board of Supervisors previously adopted Ordinance 140 on June 11, 1991 relating to the Waushara County Parks System, which is now known as Chapter 30 of the Waushara County Code; and

WHEREAS, the Public Works Committee has reviewed the ordinance and recommends that it be amended to reflect changes in State law regarding concealed carry, additions to the park systems and to clearly indicate current use restrictions.

NOW, THEREFORE, the Waushara County Board of Supervisors does ordain as follows: amendments are underlined and in bold

Sec. 30-2. — Definitions.

Park, county park and parkways mean all lands and water heretofore and hereafter acquired by the county for park or recreational purposes, or placed under the jurisdiction of the parks committee, and include, without limitation, park benches, boat landings, trails, waysides and privately owned lands, the use of which has been granted to the county park, recreational or like public purposes. The following areas are designated as county parks:

Curtis Lake Park
Huron Lake Park
Big Hills Lake Park
Alpine Lake Park
Marl Lake Park
Kusel Lake Park
Pony Creek Park
Flynn’s Quarry Recreational Property
Willow Creek Park
Mount Morris Hills Park
Otto Brey Park
Waushara County Fairgrounds
Waushara County Rifle Range
West Point Quarry
Bannerman Hiking and Snowmobile Trail
George Sorenson Natural Area at Hartford Lake
Buehler Natural Area at Rattlesnake Creek

Sec. 30-7. Use Restrictions.

(a) Firearms. No person other than a duly authorized law enforcement officer shall fire or discharge any firearm within any county park. Neither shall any person, except as allowed through a properly issued, valid concealed carry permit, have in his possession or control any firearm within the confines of any park, unless it is unloaded and knocked down, or unloaded and enclosed within a carrying case or other suitable container. This subsection does not apply to the county rifle range or any other specifically designated area established by the parks public works committee for the orderly discharge of firearms.
(f) **Hunting and Trapping.** No person shall hunt or trap in any county park without written permission from the Parks Director.

IT IS FURTHER ORDAINED that this Ordinance takes effect upon adoption and filing with the County Clerk.

Ordinance No. 537

Approved and enacted this 8th day of November, 2011.  *(Voice Vote)*

Approved by:

Ruth Zouski
Corporation Counsel

Submitted by:

Norman Weiss, Chair
Public Works Committee

Attest:

Melanie R. Stake
County Clerk

Signed by:

Norman Weiss, Chair
County Board of Supervisors