

Ordinance No. 2016-005

Town of Ledgeview
Brown County, Wisconsin

AN ORDINANCE TO AMEND CHAPTER 71, PARK AND RECREATION FACILITIES, ACTIVITIES,
PROGRAMS AND PERSONNEL REGULATIONS

The Town Board of Supervisors of the Town of Ledgeview, Brown County, Wisconsin does ordain as follows:

Section 1: Chapter 71 Park and Recreation Facilities, Activities, Programs and Personnel Regulations, of the Town of Ledgeview Code of Ordinances is hereby amended to read as follows:

“CHAPTER 71

PARK AND RECREATION FACILITIES, ACTIVITIES,
PROGRAMS AND PERSONNEL REGULATIONS

- § 71-1 Park hours.
- § 71-2 Prohibited conduct.
- § 71-3 Dogs in Parks and on Recreational Trails
- § 71-4 Reservations and large public gatherings.
- § 71-5 Penalties.

[HISTORY: Adopted by the Town Board of the Town of Ledgeview as indicated in article histories. Amendments noted where applicable.]

§71-1 Park hours.

All parks owned and operated by the Town of Ledgeview shall be open from dawn until dusk, daily.

§71-2 Prohibited Conduct.

It shall be unlawful for any person in any Town park to:

- A. Operate any motor vehicle, except upon clearly marked public roadways.
- B. Remain in any park after open hours.
- C. Possess or use any firearm, bow and arrow, slingshot, trap, gun, or other device used to propel a missile or projectile.
- D. Disturb, molest, deface, remove or destroy any tree, shrub, plant or other natural growth; carve or paint on any rock, sign, wall or structure; drive a nail in any tree, or injure or deface in any manner, any park building, sign, fence, table or other Town property.
- E. Dig or break up the ground surface anywhere except as allowed by permit issued by the Town Board.
- F. Build any fire except in an approved grill, leave any fire or live embers unattended or dispose of any coals or burnt materials unless fully extinguished and cool to the touch unless a receptacle designed for disposal of hot embers has been provided in which case such materials may be disposed of therein.
- G. Leave, throw or break any bottle, box, can garbage or other object except in a clearly marked refuse receptacle.
- H. Possess fireworks of any kind.

- I. Engage in any athletic contest, game or activity, except in areas designated for such activity.
- J. Be intoxicated, use profane language, or engage in any conduct of a disorderly nature.
- K. Use any public facility in any manner which is destructive to that facility.
- L. Possess or consume any alcohol beverage unless specifically authorized by the Town Board in connection with an approved event or otherwise pursuant to Town Board approval.
- M. Vend, sell, or offer for sale any food, beverage, or other commodity or article within any park to the public without written permission from the Town Board. Such permission shall not be construed as relieving any person from obtaining any and all other licenses, permits or authorizations required by law and doing so shall be an implicit prerequisite condition of any such permission granted.

§71-3 Animals in Parks and on Recreational Trails.

- A. Allow any domesticated animal under immediate control of the owner or custodian in parks or on recreational trails at any time. Animals are prohibited in fenced athletic fields and/or near playground areas.

§71-4 Reservations and Large Public Gatherings.

- A. Reservation Permits. Any group of fifty (50) persons or more wishing to use any park or recreational facility, any group that wishes to reserve any portion of a park or recreational facility for sporting events, picnics or similar gatherings, or any person wishing to hold any for-profit event at a park or recreational facility shall comply with this section. For all events, all participants and spectators shall be counted to determine the number in the group.
 - (1) Groups of less than one-hundred fifty (150) persons wishing to hold events where no profit is to be earned may obtain a permit from the Town Clerk.
 - (2) All groups of one-hundred fifty (150) persons or greater or any group or person wishing to hold events where a profit is to be earned must obtain a permit from the Town Board.
 - (3) Any applicant may be requested to meet with the Park Committee to discuss requirements for the event.
 - (4) The factors to be considered when reviewing any application shall include: the ability of the park facilities to accommodate the proposed activity, compatibility of the proposed activity with other planned activities and uses in the park, prior park rules violations, the provision of adequate parking and restroom facilities and any other factor reasonably related to the safe, healthful use and preservation of park and recreational facilities.
 - (5) Prior to issuance of any permit under this section, in addition to the application fee in sub. B, below, the applicant may be required to submit a reasonable deposit sufficient to cover potential damages and Town costs associated with the event. In the alternative, at the Town's discretion, a letter of credit or similar surety acceptable to the Town may be submitted in lieu of this deposit. All costs incurred by the Town as a result of the event not covered by the deposit shall be billed to the applicant by regular mail at the address provided on the application and paid to the Town within ten (10) days of the date of mailing.
- B. Application Fees. Each application under this section shall be accompanied by the fee determined by the fee schedule adopted by the Park Committee and kept on file with the Town Clerk.
- C. Admission Fees. No admission fee, donation, contribution or other charge shall be made or permitted to be made or collected by the person/organization for admission to any park or recreational facility without prior authorization of the Town Board.

D. Cancellations. It shall be presumed that event dates will not be changed once a permit is issued. If an event is cancelled for the permitted day, the application fee shall be forfeited. The event may be moved to an alternate date without payment of a new application fee if an alternate date is available and no further review of permit conditions is required. The applicant shall also be responsible for any actual costs incurred by the Town in reliance upon the issued permit.

§ 7.5 Penalties.

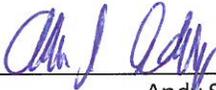
- (A) Any person found to have violated any provision of this Chapter may be required to forfeit not less than \$10 nor more than \$200.
- (B) Any person found to have repeatedly violated any provision of this Chapter or to have repeatedly violated any Town or County ordinance within a park or to have committed any criminal violation within a park may be prohibited from entering upon any park property for a period of time to be determined by order of the Town Board. Any person wishing to appeal such order shall request a hearing before the Town Board within ten (10) days of receiving such order."

Section 2: Repeal of inconsistent ordinances. All existing town ordinances, parts of ordinances, and amendments thereto in conflict with any of the provisions of this ordinance are hereby repealed.

Section 3: Severability. If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remaining provision shall not be affected hereby.

Section 4: Effective date. This ordinance shall take effect upon passage and posting.

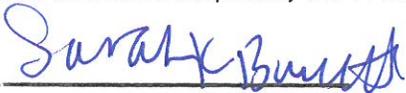
Approved: April 19th, 2016.



 Andy Schlag, Town Board Supervisor

ATTEST:

I, Sarah K. Burdette, Clerk/Administrator of the Town of Ledgeview, Brown County, hereby certifies that the above is a true copy of an Ordinance adopted by the Town Board of the Town of Ledgeview on April 19th, 2016.



Sarah K. Burdette
Town Clerk/Administrator

Posted: 5-11-16