

PUBLIC PARKLANDS

15.01 REGULATION OF PUBLIC PARKLANDS

(1) Definitions

- (a) "Park", unless otherwise stated, means the ground, plants, trees, shrubs, and other vegetation; the play and recreational equipment/structures; the buildings; the waters which are in, upon, or flow through the parks; any river and lake access sites; and other recreational areas, all of which are now or may hereafter be under the ownership, possession or control of the Town of Neenah Park Committee or the Town of Neenah, including all recreational trails/roadways/paths, which shall be considered linear parks.
- (b) "Person" means any individual, firm, partnership, corporation, association of persons, or group of people, as well as the guest of any individual, firm, partnership, corporation, association, or group. The singular number shall include the plural.
- (c) "Park Committee" means the Town of Neenah Park Committee, consisting of the Park Chairperson, secretary, and that number of board members designated by the Town of Neenah Board.
- (d) "Chairperson" means the Chair of the Town of Neenah Park Committee.
- (e) "Motor Vehicle" means any automobile, motorcycle, ATV, van, pick-up truck, or other motorized, electrical, or other self-propelled vehicle.

(2) General Provisions

(a) Town Park Committee.

- 1. **Composition.** See Chapter 1.03(3) herein.
- 2. **Purpose/Duties/Powers.** The Park Committee shall be responsible for:
 - a. Developing an overall budget and plan for annual operation, upkeep, and repair of the Parks;
 - b. Managing said budget and implementing said plan;
 - c. Adopting such rules and regulations as it deems necessary to effectuate its duties and responsibilities;
 - d. Establishing fees for use of the Parks;
 - e. Enforcing this Chapter as the need arises; and

MUNICIPAL CODE OF THE TOWN OF NEENAH, WINNEBAGO COUNTY, WI
CHAPTER 15

- f. Recommending to the Town Board expansion or modification to the existing park system.

The exercise of all duties and responsibilities set forth in this Chapter shall always be subject to review and approval by the Town of Neenah Board.

(b) **The Chairperson shall:**

1. Preside over all Park Committee meetings;
2. Direct the Park Committee in developing a budget and plan for annual operation, maintenance, and repair of the Parks;
3. Direct implementation of said plan;
4. Direct adoption of any necessary rules or regulations; and
5. Perform any duties assigned to him/her by the Town Board.

15.02 OFFENSES WITHIN PUBLIC PARKLANDS

- (1) **Park Property.** While in, near, or adjacent to a Park, lake access site, or other recreational area, no person shall:
- (a) **Disfiguration and removal.** Willfully mark, deface, disfigure, injure, tamper with, displace, or remove any building, bridges, tables, benches, fireplaces, railings, paving or paving material, waterlines or other public utilities or parts or appurtenances thereof, signs, notices, placards (whether temporary or permanent), monuments, stakes, posts, or other boundary markers, or other structures or equipment, facilities, fences, trees or shrubs, or other Park property or appurtenances whatsoever, either real or personal.
 - (b) **Restrooms and washrooms.** Misuse or abuse the restrooms and washrooms, or not cooperate in maintaining restrooms and washrooms in a neat and sanitary condition. No person over the age of five (5) years shall use the restrooms and washrooms designated for the opposite sex.
 - (c) **Sanitation.** Throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay, or other body of water in or adjacent to any Park or any tributary, stream, storm sewer, or drain-flowing into such waters, any substance, matter, or thing, liquid or solid, which will or may result in the pollution of said waters. Bring in, dump, deposit, or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse, or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any Park or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided. If no waste receptacles are provided, all such rubbish or waste shall be carried away from the Park by the person responsible for its presence and properly disposed of elsewhere.

MUNICIPAL CODE OF THE TOWN OF NEENAH, WINNEBAGO COUNTY, WI
CHAPTER 15

- (d) **Vehicles.** Operate a powered vehicle or Motor Vehicle on Park property except on those roads or trails designated for such vehicles. Contracted maintenance vehicles are allowed.
 - (e) **Special Events.** Use the Parks or any facilities therein during a special event for a purpose other than those authorized in the special event permit. Use the Park or any facility therein for any unlawful or other inappropriate purpose.
- (2) **Picnic Areas.** No person in a Park shall:
- (a) Picnic or lunch in a place where it interferes with park activities.
 - (b) Leave a picnic area before a fire in the said picnic area is completely extinguished and before all trash, garbage, and other refuse in the said picnic area is placed in the disposal receptacles provided for that purpose or, if not available, properly disposed of or removed.
- (3) **Group Events.** Whenever any group, association, or organization of twenty (20) or more people desires to use said Park facilities for a particular purpose, (such as picnics, parties, reunions, camping, sporting events, or theatrical or entertainment performances) a representative of said group, association or organization shall first obtain a special event permit from the Park Caretaker for such purposes. The Park Committee may adopt an application form and rental rules to be used by the Park Caretaker for such purpose and may adopt rules and regulations for group use of the Parks. The Caretaker may grant the application if it appears that the group, association, or organization will not interfere with the general use of the park by the individual members of the public and if the said group, association, or organization meets all other conditions contained in the application. The application may contain a requirement for an indemnity bond to protect the Town of Neenah from any liability of any kind or character and to protect Town of Neenah property from damage.
- (4) **Speed of Vehicles.** It shall be unlawful for any person to operate a motorized vehicle in any area in said park in excess of ten (10) miles per hour. See Appendix 1, Chapter 4 , herein.
- (5) **Animals/Pets.** No animals or pets, other than leashed dogs, shall be allowed in the town parks, unless authorized in writing by the Park Committee or in a special event permit. Leashed dogs are allowed in the town parks provided that the dog owner shall promptly pickup and carry away any excrement the dog deposits on or adjacent to the town park. Leashed pets, excluding horses, are permitted on the County CB recreational trail, subject to the requirement that the pet owner shall promptly pickup and carry away any excrement the pet deposits on or adjacent to the trail.
- (6) **Making Fires.** No person shall make or kindle a fire for any purpose except in portable grills or permanent grills provided therefore, and then, subject to such regulations as may be described. See chapter 5.05(5) herein.

MUNICIPAL CODE OF THE TOWN OF NEENAH, WINNEBAGO COUNTY, WI
CHAPTER 15

- (7) **Merchandising, Advertising, and Sign.** No person in a park shall:
- (a) **Vending and peddling.** Expose or offer for sale any article or thing, nor shall he station or place any stand, cart, or vehicle for the transportation, sale, or display of any such article or thing without first obtaining a permit from the Park Caretaker.
 - (b) **Advertising.** Announce, advertise, or call the public attention in any way to any article or service for sale or hire without first obtaining a permit from the Park Caretaker.
 - (c) **Signs.** Paste, glue, tack, or otherwise post any sign, placard, advertisement, or inscription whatever, nor shall any person erect or cause to be erected any sign whatever on any public lands, highways, or roads adjacent to a park with first obtaining a permit from the Park Caretaker.
- (8) **Firearms and Hunting.** Except for law enforcement personnel, no Person shall fire or discharge any gun, pistol, or firearm, nor possess any rocket, torpedo, or other fireworks of any description, within any Park, nor shall any Person hunt with bow and arrow within any Park. See Chapter 7.01(3) herein.
- (9) **Parking.** No Person shall park any vehicle or permit any vehicle to remain standing on any highway or roadway within the boundaries of the Parks in excess of the length of time and between the hours specified by the Board from time to time and as posted at the various Parks. See Chapter 4.04(1)(a) herein.
- (10) **Camping.** No Person shall camp overnight, in a tent, trailer home, or otherwise, in a Park, without the prior written consent of the Town.
- (11) **Alcohol, drugs, and Intoxicants.** No Person, group, association, or organization may distribute, sell, purvey, give away, use, or possess alcohol in the Parks without the Town's prior written consent. No Person, group, association, or organization may distribute, sell, purvey, give away, use, or possess illegal drugs in the Parks.
- (12) **Violations.** It shall be unlawful for any Person to violate any provision of this Ordinance.

15.03 HOURS OF USE: LEAVING PROPERTY

- (1) **Hours.** The parks shall be opened to the public on such days of the year and at such times of the day as are establish by the Park Committee and are posted at the various locations from time to time. In the alternative, the Town Parks may be opened and closed to the public by opening or closing gates at the entrances and exits of the parks. There shall be no specific restriction on the dates and hours of usage for the recreational trails/roadways/paths, but use of the trails/roadways/paths shall be restricted to daylight hours.
- (2) **Temporary Closing of Park or Parts Thereof.** Any Park, in whole or in part, may be declared closed by the Chairperson or Park Committee, at any time, for emergency or other special contingencies. Such closings shall be temporary and shall continue only as

MUNICIPAL CODE OF THE TOWN OF NEENAH, WINNEBAGO COUNTY, WI
CHAPTER 15

long as the emergency or special contingency require. Such special closings shall supersede any posted or established hours described in this Section.

- (3) **Prohibited Acts.** All persons are prohibited from being in the Parks when the Parks are closed to the public.

15.04 PENALTY

- (1) **Enforcement.** The Chairperson shall, with the assistance of the Winnebago County Sheriff's Department, enforce the provisions of this Chapter. The Town Board or town constable, upon complaint, is authorized to institute whatever legal proceedings or issue whatever citation they may deem necessary to effect compliance with or penalize persons for violating the provisions of this Chapter.
- (2) **Penalty.** Any person violating any provision of this Chapter shall, upon conviction, forfeit no less than fifty dollars (\$50.00) and no more than \$1,000.00, together with the cost of prosecution.

MUNICIPAL CODE OF THE TOWN OF NEENAH, WINNEBAGO COUNTY, WI
CHAPTER 15

This page left blank intentionally