

ORDINANCE #203

An Ordinance to Amend Chapter 18 PARK AND PLAYGROUND REGULATIONS of the
Municipal Code

Whereas the Village of Eagle is in the process of updating Municipal Codes,

And whereas the existing Code prohibits the consumption of alcohol except by Village Board approval, the amended ordinance would allow consumption of alcoholic beverages for events registered at the Village Hall

And whereas Chapter 18 PARK AND PLAYGROUND REGULATIONS of the Village of Eagle Municipal Code must be brought to current status, be it resolved that all previous versions of Chapter 18 Codes and Ordinances are repealed and replaced as follows:

CHAPTER 18

PARK AND PLAYGROUND REGULATIONS

18.01 General Provisions

18.02 Park, Playground & Recreational Area Regulations

18.03 Penalties

18.01 **GENERAL PROVISIONS**

SUPERVISION – All parks, play areas and recreational facilities in the Village shall be under the supervision of the Village Park Committee. The Village Park Committee shall see to the operation of the Village parks and shall perform their duty, subject to the supervision of the Village Board.

- (1) EMPLOYEES – The Department of Public Works shall have supervision over all employees concerned in the maintenance of such parks, playgrounds and recreational area, and they shall perform their duties under his/her-supervision. (Ref. 2.05(3))
- (2) ENFORCEMENT OF ORDINANCES – The Village Park Committee, and those to whom authority has been delegated, shall see to the enforcement of all ordinances relating to the parks, and shall enforce all rules and regulations relating to the use of the parks, playgrounds and recreational areas. They may request the assistance of the Police Department in matters of enforcement.
- (3) AMUSEMENT FOR GAIN – No amusement for gain or for which a charge is made can be conducted in a park without the consent of the Village Board and such amusement must be conducted in accordance with any ordinance pertaining thereto.

18.02 PARK, PLAYGROUND & RECREATIONAL AREA REGULATIONS

- (1) PARK PROPERTY – No person in a park shall:
 - (a) DISFIGURATION AND REMOVAL – Willfully mark, deface, disfigure, injure, tamper with, displace or remove, any playground equipment, park property, Village property, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.
 - (b) 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 or highways or roads adjacent to a park, playground or recreational area.
 - (c) REST ROOMS AND WASH ROOMS - Fail to cooperate in maintaining rest rooms and wash rooms in a neat and sanitary condition.
 - (d) 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, or bring in or dump, deposit or leave any ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or 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; where receptacles are not so 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. No glass bottles are permitted at any time.
- (2) OPERATING POLICY –
 - (a) HOURS – Parks, playgrounds and other recreational areas shall be open daily to the public during the hours of 6 AM to 11 PM of any one day, and it shall be unlawful for any person, or persons (other than Village personnel conducting Village business therein), to occupy or be present in said park during any hours in which the park is not open to the public, except that a later closing hour may be extended on prior approval of the Village Board for special events. Any section, or part of the park, may be declared closed to the public by the Village Clerk.
 - (b) Any section, or part of the park, may be restricted from general use by the Village Clerk for special activities including park reservations or other scheduled activities.
- (3) GROUP ACTIVITY – Whenever any group, association or organization desires to use said park facilities for a particular purpose, such as picnics, parties or theatrical or entertainment performances, a representative of said group, association or organization shall first obtain a permit from the Village Clerk for such purposes. The Village Board may adopt and amend an application form to be used by the Village Clerk for such situation. The Village Clerk shall 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 Village from any liability of any kind or character, and to protect Village property from damage.

- (4) PICNIC AREAS AND USE – No person in a park shall:
- (a) Picnic or lunch in a place other than those designated for that purpose. Attendants shall have the authority to regulate the activities in such areas when necessary to prevent congestion, and to secure the maximum use for the comfort and convenience of all. Visitors shall comply with any directions given to achieve this end.
 - (b) Use any portion of the picnic areas or any of the buildings or structures therein for the purpose of holding picnics to the exclusion of other persons, nor shall any person use such area and facilities for an unreasonable time, if the facilities are crowded, except that exclusive use of the buildings may be permitted as defined in section 18.02(2)(b).
 - (c) Leave a designated area before any fire is completely extinguished and before all trash in the nature of boxes, papers, cans, bottles, garbage and other refuse is placed in the disposal receptacles where provided. If no such trash receptacles are available, then refuse and trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.
- (5) SNOWMOBILES – No person in a park shall:
- (a) Operate a snowmobile, whether licensed or unlicensed, except as a group activity under sub-section (3).
- (6) SPEED OF VEHICLES – It shall be unlawful for any person to operate a motor vehicle in any area in said park, playground or recreational area in excess of fifteen (15) miles per hour.
- (7) IT SHALL BE UNLAWFUL:
- (a) For any person to operate any unlicensed vehicle, mini-bike, power cycle, all terrain vehicles or unlicensed motorcycles in a park. Licensed vehicles must operate on paved roads only.
 - (b) For any person to bring or harbor any animals in any park, playground or recreational area, other than dogs or cats on a leash.
 - (c) For any person to have in his or her possession, custody or control any alcoholic beverage (including beer) of any kind whatsoever, except
 - i. that the sale of malt beverages may be allowed upon the prior approval of the Village Board
 - ii. that consumption of alcoholic beverages may be allowed for events registered at the Village Hall.
- (8) WINTER PROGRAM:
- The Village Park Committee may oversee a winter ice skating program in or on the area generally used for such purposes.
- (9) *RATES* – Following rates shall apply for the use of park facilities:
- (a) No charge for residents of the Village or Town of Eagle for general park use.
 - (b) Permits for the use of a park by any group, association or organization, which includes the use of the buildings, shall be subject to the current Village rate schedule.

- (c) Any costs, expenses or damages incurred by the Village resulting from the use of the Village Park by any individual, group, association or organization, other than ordinary care and maintenance, shall be billed to the responsible individual, group, association or organization and paid within 30 days.

18.03 PENALTIES

Penalties for violation of this Ordinance shall be as provided under section 30.04 of the Municipal Code of the Village of Eagle, except that willful, malicious or wanton acts of a child shall be as provided under Chapter 48 and 948 of the Wisconsin Statutes, which is incorporated herein by reference.

Passed and approved this 10th day of March, 2011.

VILLAGE OF EAGLE

Richard Spurrell, Village President

Attest: _____
Jeanne O'Brien, Village Clerk