

ENROLLED ORDINANCE 179-18

AMEND THE TEXT OF CHAPTER 14, ARTICLE II OF THE WAUKESHA COUNTY CODE OF ORDINANCES TO MODERNIZE PROVISIONS CONSISTENT WITH PARK OPERATIONS AND RULES AND TO CREATE A PROCESS FOR THE REMOVAL OF A DISORDERLY INDIVIDUAL FROM COUNTY PARKS

WHEREAS, Chapter 14 of the Waukesha County Code concerning Parks and Recreation definitions and rules was initially established in 1958 and has been amended at various times throughout the years; and

WHEREAS, the Waukesha County Parks System strives to maintain clean and safe facilities where all people and families can enjoy recreational activities; and

WHEREAS, the updates to Chapter 14 will modernize provisions to manage current park operations and rules; and

WHEREAS, section 14-147 identifies the acts of an individual that are considered disorderly conduct; and

WHEREAS, section 14-147(b) authorizes the removal of an individual violating the disorderly conduct provisions of the Waukesha County Code but does not address the scope of the removal or provide an individual with the ability to seek review of such a determination; and

WHEREAS, the proposed amendments to sections 14-140 and 14-147(b) establish a process for the removal or park prohibition of a disorderly individual along with the administrative review process of the determination; and

WHEREAS, the proposed amendment to section 14-162 clarifies that horses are prohibited from designated campgrounds due to lack of site accommodations; and

WHEREAS, campground quiet hours in section 14-162 are being adjusted an hour earlier in the evening and later in the morning to address customer feedback regarding noise concerns.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that section 14-140 of the Waukesha County Code is hereby amended by creating a new subsection (c) that reads as follows:

- (c) ***Removal or Park Prohibition.*** Any law enforcement officer of the County or any of its municipal subdivisions or an employee designated by the Director with the authority to issue citations under 13-101 may remove and prohibit a person from returning to any park as set forth in this section.
1. A person may be removed and prohibited from returning to the park in which the violation occurred for forty-eight hours or less if there exists a reasonable probability to believe that the person committed a violation of Section 14-147. A ban of forty-eight hours or less is not reviewable.
  2. A person issued a citation for violation of Section 14-147 shall be prohibited from returning to any park for a period of thirty days

from the date of the issuance of the citation or until the citation is dismissed, whichever occurs first.

- A. Notice of the park prohibition will be provided at the time of the issuance of the citation or mailed at the person's last known mailing address.
- B. A person aggrieved by the park prohibition under this subsection may seek review of the park prohibition by making a written request for reconsideration to the Director. Such written request must be delivered to the Department of Parks and Land Use to the attention of the Director. The Director shall act on such a request within ten days of receipt of the request for review and must provide the aggrieved person a written determination which clearly states the reasons for the determination within the same ten-day period of this subsection. The aggrieved person shall be subject to the terms and conditions of the park prohibition until such time as the prohibition has been rescinded or modified through this review process.

BE IT FURTHER ORDAINED that Section 14-147(b) is hereby repealed.

BE IT FURTHER ORDAINED that Section 14-162(b) is hereby repealed and recreated to read as follows:

- (b) Designated Campgrounds. Designated Campgrounds are those family and group campgrounds within established parks. Horses are prohibited from designated campgrounds.


BE IT FURTHER ORDAINED that Section 14-162(n) is hereby repealed and recreated to read as follows:


- (n) Campground quiet hours. No person shall setup or take down camping units, make or cause to be made any reasonable sounds or noises in or adjacent to any designated campground between the hours of 10 p.m. and 7 a.m.

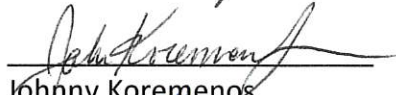
AMEND THE TEXT OF CHAPTER 14, ARTICLE II OF THE WAUKESHA COUNTY CODE OF ORDINANCES TO MODERNIZE PROVISIONS CONSISTENT WITH PARK OPERATIONS AND RULES AND TO CREATE A PROCESS FOR THE REMOVAL OF A DISORDERLY INDIVIDUAL FROM COUNTY PARKS

Presented by:  
Land Use, Parks, and Environment Committee

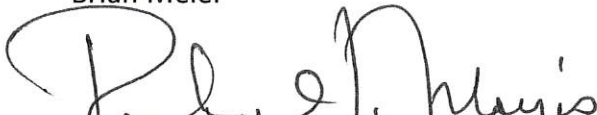
  
Christine M. Howard, Chair

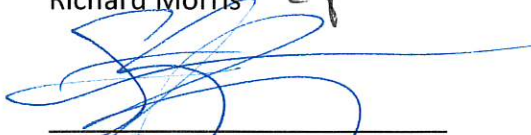
  
Wayne Euclide

  
Robert L. Kolb

  
Johnny Koremenos

  
Brian Meier

  
Richard Morris

  
Steve Styza

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 6/28/24,   
Margaret Wardman, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: X  
Vetoed: \_\_\_\_\_

Date: 7/5/2024,   
Paul Farrow, County Executive

## ARTICLE II. PARKS AND RECREATION

Division 1. Reserved.

Secs. 14-131 - 14-135 Reserved.

Editor's Note: Former Sec. 14-131 regarding sale of sodas at parks and golf courses repealed by Ord. No. 160-26.

Division 2. Park Rules

### Sec. 14-136 Definitions.

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

1. *Camping Unit* shall mean a designated vehicle, trailer, tent, and any other unit, which serves the intended purpose of providing shelter/rest area for users.

(The definition of *Camping Unit* was amended by Enrolled Ordinance 177-8, effective 06/07/2022.)

2. *Commission* shall mean the Waukesha County Park and Planning Commission.

3. *Department* shall mean the Waukesha County Department of Parks and Land Use.

4. *Director* shall mean the head of the Department of Parks and Land Use and serve as the general manager of the parks system.

5. *Employee* shall mean full-time, part-time, permanent or temporary worker in the employ of the Department. Employee shall also include unpaid volunteers.

6. *Lake Access* shall mean sites designated by the Department as an area of land providing public boat access or carry-in access, which provides parking for those vehicles with or without trailers.

(The definition of *Lake Access* was amended by Enrolled Ordinance 177-8, effective 06/07/2022.)

7. *Park* shall mean any park, lake access, greenway, open space, arena, golf course, special use area, trail corridor or any other area owned, improved, maintained, operated, including buildings therein, or otherwise controlled by Waukesha County for recreation or natural resource preservation purposes.

(The definition of *Park* was amended by Enrolled Ordinance 177-8, effective 06/07/2022.)

8. *Facility Use and Special Event Permit* shall mean the written permission that must be obtained from the Department to carry out certain activities.

(The definition of *Permit* was amended by Enrolled Ordinance 177-8, effective 06/07/2022.)

9. *Entrance Permit/Pass* shall mean a daily or annual entrance permit is required for all vehicles entering a fee-based park or lake access site.

(The definition of *Entrance Permit/Pass* was created by Enrolled Ordinance 177-8, effective 06/07/2022.)

10. *Group Campsite* means a campsite designated for use by six or more campers.

11. *Family Campsite* means a campsite designated for use by five or fewer campers unless the campers are members of an individual family.
12. *Individual Family* means the principal campsite occupant and persons related to that person as a spouse, child, parent, grandparent, sibling or grandchild, or the spouse's child, parent, grandparent, sibling, or grandchild.

(Ord. of 12-8-58, § 2; Ord. No. 166-35, §1, 08/02/11)  
(Section 14-136 was amended by Enrolled Ordinance 171-7, effective 06/10/16).

#### **Sec. 14-137 Purpose.**

The purpose of this article is to specify rules and regulations to provide for use and enjoyment of the Waukesha County Park System so as to further the safety, health, enjoyment and welfare of all persons in the use thereof, to provide for the protection and preservation of property, facilities and natural resources.

(Ord. of 12-8-58, § 1; Ord. No. 166-35, §2, 08/02/11)

#### **Sec. 14-138 Scope.**

This article applies only to areas identified as parks by Waukesha County.

(Ord. No. 166-35, §3, 08/02/11)

#### **Sec. 14-139 Rules and regulations.**

Until otherwise directed by the county board, the department may adopt additional or revised rules and regulations for the proper conduct and administration of the parks in the county that are not inconsistent with ordinance, and may perform such other acts with reference to the management of the parks as are lawful and as it may deem expedient to promote the beauty and usefulness of said parks and to increase the comfort, safety, convenience and public welfare of the citizens of the county and of visitors to the parks in their use of same.

(Ord. of 12-8-58, § 14(C))  
**Editor's note:** Reference to parkway removed 08-24-11.

#### **Sec. 14-140 Penalties.**

(a) Any person violating any of the provisions of this article shall, for each offense, forfeit a penalty of not less than ten dollars (\$10.00) or more than six hundred dollars (\$600.00) together with the taxable costs in the action in the discretion of the court, and in default of payment thereof shall be imprisoned in the county jail for a period not to exceed ninety (90) days, in the discretion of the court.

1. Fees shall be in accordance with 13-102(d) and the Park System Forfeiture Schedule, which is on file with the department.
2. Whenever an arrest shall have been made or any violation shall occur, the District Attorney shall prosecute by law.

(b) Any law enforcement officer of the County or any of its municipal subdivisions may without a warrant arrest any offender whom they may detect in the violation of any of the provisions of this chapter and take the person so arrested immediately before a magistrate having competent jurisdiction



and he shall have at all times the right to enter the premises of any County building, structure or enclosure in any park or greenway, including such grounds, buildings, structures or enclosures which may be leased or set aside for private or exclusive use of any individual or group of individuals for the purpose of arresting violators and use all necessary means to attain that end. Employees designated by the director of parks and land use, according to 13-101, may issue citations to any person whom he or she believes is violating any of the provisions of this ordinance.

(c) Removal or Park Prohibition. Any law enforcement officer of the County or any of its municipal subdivisions or an employee designated by the Director with the authority to issue citations under 13-101 may remove and prohibit a person from returning to any park as set forth in this section.

1. A person may be removed and prohibited from returning to the park in which the violation occurred for forty-eight hours or less if there exists a reasonable probability to believe that the person committed a violation of Section 14-147. A ban of forty-eight hours or less is not reviewable.

2. A person issued a citation for violation of Section 14-147 shall be prohibited from returning to any park for a period of thirty days from the date of the issuance of the citation or until the citation is dismissed, whichever occurs first.

A. Notice of the park prohibition will be provided at the time of the issuance of the citation or mailed at the person's last known mailing address.

A.B. A person aggrieved by the park prohibition under this subsection may seek review of the park prohibition by making a written request for reconsideration to the Director. Such written request must be delivered to the Department of Parks and Land Use to the attention of the Director. The Director shall act on such a request within ten days of receipt of the request for review and must provide the aggrieved person a written determination which clearly states the reasons for the determination within the same ten-day period of this subsection. The aggrieved person shall be subject to the terms and conditions of the park prohibition until such time as the prohibition has been rescinded or modified through this review process.

(Ord. of 12-8-58, § 15(B); Ord. No. 166-35, §4, 08/02/11)

(Section 14-140 was amended by Enrolled Ordinance 177-8, effective 06/07/2022.)

### **Sec. 14-141 Permits generally.**

(a) All Facility Use and Special Event Permits required by this article issued by the Director or by the Director's designee, shall be in writing, and shall be subject to all Park rules and regulations. Permits shall be required for the exclusive use of all or portions of specific areas, buildings and other Park facilities for conducting special events. The Director shall have the authority to revoke a Permit. Permits may not be transferred or relinquished to another person or group of persons without written authorization from the Director.

(b) The persons to whom such Facility Use and Special Event Permits have been granted shall be fully bound by the rules and regulations as though the same were inserted in the Permits, and any person to whom a Permit has been issued shall be liable for any loss, damage, or injury sustained to by any person by reason of the negligence of the person to whom the Permit has been issued, their servants or agents.

(c) All vehicles entering any fee-based Park or Lake Access site shall have properly purchased and registered each vehicle license plate for a Daily or Annual Entrance Permit.

(d) Purchase of Daily or Annual Entrance Permit does not guarantee access and will not be refunded in the event of closure due to weather, safety, Executive Order(s), when facilities are filled to capacity, or special event(s).

(e) Exception for (c) may be made for events held in a Park or Lake Access site where an event organizer requests to reimburse Waukesha County for all guests' vehicular entrance fees. This exception will still require vehicle owner to complete proper registration of each vehicle license plate entering a fee-based facility.

(Ord. of 12-8-58, § 14(A); Ord. 154-03, §1, 4/27/99; Ord. No. 166-35, §5, 08/02/11)  
(Section 14-141 was amended by Enrolled Ordinance 171-7, effective 06/10/16.)  
Section 14-141 was amended by Enrolled Ordinance 177-8, effective 06/07/2022.)

#### **Sec. 14-142 Leasing of equipment.**

The department is authorized to lease equipment suitable for recreational purposes to private organizations upon such terms as it may determine provided that any such lease shall contain the provision binding the lessee to save and keep the county harmless from any and all liability whatsoever arising out of the leasing and use of such equipment, and provided further that the department may, in its discretion, in each case require lessee to provide public liability insurance covering the use of such equipment.

(Ord. of 12-8-58, § 14(B))

#### **Sec. 14-143 Reserved.**

Editor's note - Ordinance No 147-151, § 4, adopted March 23, 1993, repealed § 20-33, which pertained to powers of peace officer and derived from an ordinance of December 8, 1958, § 15(A).

#### **Sec. 14-144 Operating hours.**

(a) Except for vehicular traffic moving through streets or roadways, and except when the department publishes general permission or permission through permit to use all or certain parks the parks shall be closed at 10:00 p.m. each night until sunrise the following morning, and no person shall remain therein during those hours, except for registered campers in or en route to designated campgrounds and persons transporting watercraft to and from designated boat landings are permitted at any hour. The department may from time to time, in all or any of the parks, publish or post closing hours different from the above, or discontinue closing hours, as in the exercise of the judgment of the director may appear reasonable and necessary.

(b) In case of an emergency, or when in the judgment of the department the public interest demands it, any portion of the parks or buildings therein may be closed to the public or to designated persons until permission is given to return.

(Ord. of 12-8-58, § 3(A), (B); Ord. No. 166-35, §6, 08/02/11)

#### **Sec. 14-145 Interference with park employees.**

It shall be unlawful for any person to knowingly:

(a) Interfere with or in any manner hinder any employee or agents of the department from performing their assigned duties. Interfering includes, without limitation, knowingly giving false information to an employee with intent to mislead the employee in the performance of duty including the issuance of any citation.

(b) Obstruct an employee while in the discharge of duties in an official capacity and with

lawful authority.

(Ord. of 12-8-58, § 3(C); Ord. No. 166-35, §7, 08/02/11)

**Sec. 14-146 Use of liquor in parks.**

It shall be unlawful for any person to:

(a) Use, possess or sell any alcoholic beverage in violation of Wisconsin Statutes. "Alcoholic beverages" means fermented malt beverages, intoxicating liquor, and wine as defined in Wisconsin Statute 125.02.

(b) Serve, possess, or consume any alcoholic beverage except:

1. Beer and wine in areas designated by the director. Any person must obtain a permit in order to bring beer and wine into a park in kegs, barrels or other tap quantities.
2. By permit or concessionaire agreement approved by Director.

(c) Serve, possess, or consume any alcoholic beverage at sites where the department or its agent is a licensed vendor of alcoholic beverages unless purchased at that site.

(Ord. of 12-8-58, § 3(D); Ord. No. 166-35, §8, 08/02/11)

**Sec. 14-147 Disorderly conduct.**

(a) No person, or group, using a park, shall perform or permit others under their custody or control to perform any of the following acts:

1. Violate any duly established rule for the use of the park.
2. Prevent any person from using any park or any of its facilities or interfere with such use, which is in compliance with this chapter and rules applicable to such use.
3. Engage in violent, threatening, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance in any park.
4. -Commit, perform or engage, nor solicit or ask anyone to engage, in any lewd, lascivious, obscene or indecent act.
5. Endanger the safety of or damage the property of any person by any conduct of act.
6. No person shall use docks or piers adjacent to any lake access facility in any manner as to obstruct or hinder the launching, landing, loading or unloading of watercraft.
7. No person shall intentionally deface, vandalize or remove from park property, buildings, equipment or facilities; or intentionally deface, destroy, cover, damage or remove any placard, notice, or sign or parts thereof, whether permanent or



temporary, posted or exhibited by the Department.

~~(b) Any person violating any of the prohibitions enumerated in subsection (a) may be removed from any park.~~

(Ord. of 12-8-58, § 3(E); Ord. No. 166-35, §9, 08-02-11)

**Sec. 14-148 Smoking; throwing lighted cigarette or cigar out of motor vehicle.**

(a) No person shall be permitted to smoke, as defined in Sec 3-2 (d), in any building, or section of a building, or in any park where officially posted notices so prohibit.

(b) No person shall throw or drop a lighted cigar or cigarette stub or empty a lighted pipe from a motor vehicle moving along a park drive.

(Ord. of 12-8-58, § 3(F); Ord. No. 166-35, §10, 08-02-11, Ord No. 177-92, 03-03-2023)  
(Section 14-148 was amended by Enrolled Ordinance 177-92, effective 03/03/2023)

**Sec. 14-149 Littering.**

No person shall knowingly:

(a) Throw, deposit, scatter, drop or abandon in any park, any paper, bottles, cans, sewage, waste, trash or other debris, except in receptacles provided by the department for such purpose. Where receptacles for rubbish are not provided, all waste shall be carried away from the park by the person responsible for its presence.

(b) Deposit in any receptacle any accumulation of waste and trash generated outside the boundaries of the park.

(c) Deposit or leave garbage, sewage, or waste material upon any body of water.

(d) Upset or turn over the contents of any receptacles or recycling container in any park.

(Ord. of 12-8-58, § 3(G); Ord. No. 166-35, §11, 08-02-11)

**Sec. 14-150 Permit for public meetings and assemblies.**

(a) Planned or advertised public meetings and assemblies, or sporting and athletic events, are allowed in parks only by written permit issued by the director of parks and land use or by the director's designee.

1. Application for permits shall be made in writing and received by the director no less than 10 working days prior to the event and shall state:
  - A. The name, address and telephone number of the applicant.
  - B. The name and address of the person(s), corporation or association sponsoring the activity.
  - C. Description of the activity to be conducted.
  - D. The name of the park and the part thereof for which the permit is requested.

- E. The date of the proposed activity, and the hour at which it will begin and end.
  - F. The estimated attendance.
  - G. Special needs, i.e., kitchen, utilities, parking, tent, sound, security and others.
2. A permit shall be issued to an applicant for the facility requested if:
- A. Subsection 1 has been satisfied.
  - B. The place requested has not been reserved by other permits.
  - C. The site or facility requested will safely accommodate the anticipated attendance, the activity will not physically damage the site, and the activity is not proscribed by law; and for athletic or sporting events, the site will accommodate the activity to be conducted.
3. Any applicant for a permit under this section shall have the right to appeal the denial of a permit to the Executive Committee of the County Board. The appeal shall be made within 10 days of the denial of the permit, and shall be made by filing a written notice of the appeal in the Office of the Chairman of the Waukesha County Board. The Executive Committee shall act upon the appeal within 30 days of receipt of the notice of appeal by the Office of the County Board Chairman.

(Ord. 154-03, § 2, 4/27/99)

Editor's note: Reference to parkway removed 08-24-11.

Sec. 14-151 Reserved.

**Sec. 14-152 Noise.**

(a) No person shall use or operate any radio, tape or disc player, musical instrument or other mechanical or electrical sound making, reproducing or amplifying device in a park so as to be heard at a distance greater than (a) 15 feet from the instrument, device, radio or tape or disc player if used in a campsite area, or (b) 75 feet from the instrument, device, radio or phonograph if used in a non-campsite area.

(b) No such radio, tape or disc player, musical instrument or above-described device may be used or operated within a park within 75 feet of the legal boundaries of the park such that the device can be heard outside the park.

(c) The director of parks and land use or the director's designee may authorize or permit musical shows, cultural events, public gatherings, and exhibitions which are not limited by this section.

(Ord. 154-03, § 4, 4/27/99)

Editor's note: Reference to parkway removed 08-24-11.

**Sec. 14-153 Sales and Handouts.**

(a) No person shall sell, or offer for sale, any article, merchandise, or thing, nor promote any trade, occupation, business or profession, for commercial purposes in any park without a written permit from the director of parks and land use or the director's designee.

(b) No person shall deposit, place or scatter any material in any park. It shall not be unlawful, however, to hand out or distribute, without charge to the recipient, any printed or written material to any person willing to accept it.

(c) No person shall deposit or place any material in or upon any vehicle in any park unless the owner or occupant of the vehicle is willing to accept it.

(d) Any person who distributes any material shall keep the area of distribution free of any litter caused by or related to the distribution.

(e) No person shall post, stick or otherwise affix any item or material to or upon any tree, equipment or structure of any kind in any park.

(f) In this section, "material" means and includes any printed or written matter, any sample or device, circular, leaflet, pamphlet, newspaper, magazine, paper, book, or other printed or otherwise reproduced original or copies of any matter or literature.

(Ord. 154-03, § 5, 4/27/99)

Editor's note: Reference to parkway removed 08-24-11.

#### **Sec. 14-154 Games and amusements; gambling prohibited.**

No person shall engage in any sport, game, race, or amusement in any park except upon such portion thereof as may be designated for that purpose, and then only under such rules and regulations as may be established by the Department.

(Ord. of 12-8-58, § 4(F); Ord. 154-03, § 6, 4/27/99)

Editor's note: Reference to parkway removed 08-24-11.

(Section 14-154 was amended by Enrolled Ordinance 177-8, effective 06/07/2022.)

#### **Sec. 14-155 Permits for picnic areas and interference with permittees prohibited.**

(a) No person shall in any manner disturb, harass or interfere with any person or party holding a written permit from the Department or with any such person's or party's equipment or property.

(b) Permits for the exclusive use of any picnic or play area for any specific date or time may be granted at the discretion of the Department, and no person shall in any manner disturb or interfere with any person or party occupying the ground under such a permit, or with any of such person's or party's equipment or property.

(Ord. of 12-8-58, § 4(G))

(Section 14-155 was amended by Enrolled Ordinance 177-8, effective 06/07/2022.)

#### **Sec. 14-156 Weapons and fires.**

(a) No person shall carry, fire, or discharge any gun, pistol, or firearm, nor any rocket, or any other fireworks of any description, nor shall any person engage in trapping; nor shall any person hunt with bow and arrow within any park, except as provided below in (2). The word "gun" includes air gun.

1. No person shall possess or discharge any fireworks regulated by s. 167.10(1), Wis. Stats. in parks except that exhibitions of fireworks given under the direction or by the permission of the Director or an authorized agent are permitted.

2. No person shall have in their possession or under their control any firearm as defined in s. 167.31(c), Wis. Stats., or air gun as defined in s. 939.22, Wis. Stats., unless the same is unloaded and encased or any bow unless the same is unstrung or enclosed in a carrying case in any park except those areas of the park where bows are permitted on designated ranges and in accordance with posted regulations and except where in use for hunting purposes following State of Wisconsin hunting regulations on lands designated for such purpose in the Waukesha County Park and Open Space Plan, as required through a grant condition for the purchase of the property or otherwise authorized in this code.

(b) No person shall throw or shoot an arrow, knife, stone, paintball or other projectile, by hand or any other means, in any park. This subsection shall not apply to arrows used on archery ranges authorized by the Department or for the discharge of a bow or firearm for hunting purposes as authorized by this code.

(c) No person shall start, tend or maintain any fire or burn any refuse except at designated fireplaces, fire rings or permanent grills within any park.

1. The use of charcoal burners in designated picnic areas shall be permitted provided lawns and other vegetation are not damaged and provided further that all unburned coals or ash are disposed of in such manner as to prevent fire or damage to any park property. Charcoal residue or wood ash shall be left in a grate or fireplace until cool or placed in receptacle provided for such purposes.
2. Fires for cooking or heating may be made in portable metal stoves, heaters, grills or replaces at the picnic areas or designated campgrounds.
3. No person shall abandon any fire, leave any fire unattended, or throw away any matches, cigarettes, cigars, pipe ashes or embers without first extinguishing them.
4. To reduce the risk of transporting exotic invasive species, firewood is not allowed to be brought into the parks by the public.

(Ord. of 12-8-58, § 5; Ord. No. 166-35, §12, 08-02-11)

#### **Sec. 14-157 Animals.**

(a) **Animals in Public Facilities.** No person shall allow a dog or other animal to enter any public buildings, bathing beaches or picnic grounds in any Park, except for a service animal specially trained to perform tasks benefitting a person with a disability or to provide support for mobility-impaired persons or as authorized by the department.

(b) **Animals running at large.** No person shall allow a dog or other animal to run at large in any park. The animal shall be considered as running at large, unless it is on a leash, in or upon a vehicle, or in an area designated as off-leash.

(c) **Exercising animals.** No person shall exercise or walk a dog or other animal in any park without a leash. A leash shall not be more than 6 feet in length. Shock collars cannot be used in lieu of a leash. No leash is required when dog is swimming in approved areas or in a designated dog exercise area. No leash is required during dog shows or training programs authorized by the department.

(d) **Handlers.** There shall not be more than 3 dogs per handler. Handlers must have control of their animals at all times.

(e) **Animal feces.**

1. The owner or person having immediate care, custody or control of a dog or other animal shall promptly remove and dispose of, in a sanitary manner, any feces left or deposited by the animal upon any park.
2. No person shall permit a dog or other animal to be on any park unless such person has, in their immediate possession, an appropriate means of removing animal feces.

(f) **Horses.**

1. No person shall ride or use a horse or other beast of burden in any manner in any park, except on designated bridle trails or for events authorized by the department.
2. No person shall ride or use a horse or other beast of burden in a careless, negligent or reckless manner so as to create a nuisance or to endanger life, property or person of others.

(Ord. of 12-8-56, § 6; Ord. No. 166-35, §13, 08-02-11)  
(Section 14-157 was amended by Enrolled Ordinance 177-8, effective 06/07/2022.)

**Sec. 14-158 Fish, waterfowl, game birds.**

(a) Fishing is permitted unless prohibited by posted signs, and provided state law and state department of natural resources rules and regulations are observed.

(b) No person shall throw any object into the waters of the parks so as to injure or unnecessarily disturb the fish in said water.

(c) No person shall take, catch, kill, hunt, trap, pursue or otherwise disturb any wild animals or rob or disturb the nest of any bird in any park unless authorized by the department.

(d) Hunting is allowed on department approved park properties designated in the Waukesha County Park and Open Space Plan or as required through a grant condition for the purchase of the property as allowed by permit or general authorization.

(e) Bag limits, daily hours, licenses or other regulations are in accordance with those rules and regulations established by the Wisconsin Department of Natural Resources.

(f) Possession and discharge of bows and firearms are subject to local municipal regulations.

(g) Permanent blinds and stands are not permitted. All stands and blinds must be removed at the close of each day. The damaging of trees or removal of vegetation is prohibited.

(h) Target practice or shooting not associated with the actual harvest of licensed game is prohibited, except in areas designated by the department.

(Ord. of 12-8-56 § 7(A); Ord. No. 166-35, §14, 08-02-11)

**Sec. 14-159. Injury to vegetation, structures, and equipment.**

(a) Destruction and entry

1. *Deface, remove or destroy.* No person shall disturb, molest, deface, remove or destroy any trees, shrubs, plants or other natural growth; disturb or remove shoreline rip-rap; carve on any rocks, archaeological or geological features, signs, walls or structures including buildings, signs, fences, tables or other park property. Edible fruits, nuts, wild mushrooms and wild asparagus may be



gathered without permit, except on State Natural Areas.

2. *Entry and manipulation.* No person shall enter in any way any building, installation or area that may be under construction or locked or closed to public use or molest or manipulate any water control structure, dam or culvert or enter or be upon any building, installation or area after the posted closing time or before the posted opening time or contrary to posted notice in any park.

(b) No person shall without written authorization of the director:

1. Intentionally remove, alter, injure or destroy any natural resource.
2. Dig trenches, holes or other excavation in a park.
3. Plant or cultivate any plant, or release any animal into the park.

(Ord. of 12-8-56, § 7(B); Ord No. 166-35, §15, 08-02-11)

**Sec. 14-160 Removal of ice or sand prohibited.**

No person shall take ice from any stream or lake within any park, nor remove any sand therefrom or from the shores thereof without written permit from the department.

(Ord. of 12-8-56, § 7(C))

Editor's note: Reference to parkway removed 08-24-11.

**Sec. 14-161 Aircraft landing prohibited.**

No person shall ascend or land any manned or unmanned aircraft, including drones, gliders and parachutes, nor engage in any stunt flying or parachute landing in any Park without a written permit of the Department.

(Ord. of 12-8-56, § 7(D))

Editor's note: Reference to parkway removed 08-24-11.

(Section 14-161 was amended by Enrolled Ordinance 171-7, effective 06/10/16.)

**Sec. 14-162 Sleeping or camping.**

(a) Camping prohibited. Camping is prohibited in all Parks, except at designated campgrounds or other areas authorized by the Department.

(b) Designated Campgrounds. Designated Campgrounds are those family and group campgrounds within established Parks. [Horses are prohibited from designated campgrounds.](#)

(c) Camping Permit. No person shall camp without completing and displaying a Camping Permit. All camping fees shall be paid online through the Park System online reservation system for the permit period as provided in this chapter relating to a fee or charge established by the Department. The Camping Permit holder is required to be onsite with the party and is responsible for ensuring the campsite is maintained in satisfactory condition.

1. Daily or Annual Entrance Permit is required for all vehicles.
2. Group Campsite must be reserved through the Park System online reservation system prior to setup and requires a minimum of 3 tents per night paid. Any additional units will be charged at the site by Park employees.
3. Family Campsites must be reserved through the Park System online reservation system and prior to set-up.
4. Failure to comply with Camping Permit will be grounds for removal from site.

(d) Camping limited, designated campgrounds. No person shall camp and no Camping Unit shall remain in a designated campground for a period greater than 7 consecutive days. The camping unit shall be removed from the property for at least 24 hours before being eligible to return.

(e) Any site left unoccupied, in which Camping Permit fees are not current, is considered abandoned.

(f) All personal and camping property left unattended after Permit expiration will be considered abandoned property.

(g) Family Campsite occupancy. Maximum of 2 Camping Units per site.

(h) Campsite changes. No camping party shall move from its assigned campsite to another campsite without prior approval of Park staff.

(i) Camping Permit expiration. All Camping Permits expire at 12 p.m. on the last day of the permit period.

(j) Camping Permit extensions. Extensions within the 7-day limit may be granted on camping Permits. Extensions shall be obtained prior to 10 a.m. on the expiration date of the Permit.

(k) Campsite reservations. All Campsite reservations must be made through the Park System online reservation system.

(l) Camping contrary to posted notice. No person shall camp on any lands under the management, supervision or control of the Department contrary to posted notice.

(m) Camping violations. A violation of any state, local or federal law by a member of a camping party is cause for revocation of the camping Permit.

(n) Campground quiet hours. No person shall setup or take down camping units, make or cause to be made any unreasonable sounds or noises in or adjacent to any designated campground between the hours of 10 p.m. and 7 a.m.

(Ord. of 12-8-56, § 7(E); Ord. No. 166-35, §16, 08-02-11)  
(Section 14-162 was amended by Enrolled Ordinance 171-7, effective 06/10/16.)  
(Section 14-162 was amended by Enrolled Ordinance 177-8, effective 06/07/2022.)

**Sec. 14-163 Public utilities and private construction.**

(a) The location of all sewers and receivers, gas pipes, water pipes, stopcock boxes, hydrants, lamp posts, telegraph, telephone, and electric power posts and lines, manholes, conduit and pumps within any park shall be subject to the jurisdiction and control of the department and their construction, erection, repair or relocation shall be undertaken only after written permission is received from the department.

(b) *Private Construction.* No curb, whether stone, concrete or grass, shall be cut for the purpose of constructing a private driveway across any park border nor for any other purpose, without written permission from the department. The location, width, grade, and construction of all paths, driveways and roadways across any sidewalk border along any park shall be subject to the approval of and constructed only after written permission thereof is obtained from the department. Every person who shall receive a permit to open a trench, to cut a curb, or to deposit materials in or upon any park shall at all times after such work has been commenced or materials deposited, and until the same has been completed, and until all accumulations of materials resulting from such work have been removed, so guard and protect the same that persons driving or passing along the roadway, sidewalk, or in the vicinity of the place where the work is being done, shall not be likely to meet with any accident therefrom. Such a person shall also during the time from sunset to sunrise, each night while said work is in progress, cause the same to be securely fenced and guarded by a warning light or lights placed in a conspicuous position, and so secured that the same shall not be extinguished.

(Ord. of 12-8-58, § 8; Ord. No. 166-35, §17, 08-02-11)  
Editor's note: Reference to parkway removed 08-24-11.

**Sec. 14-164 Traffic regulations.**

(a) When any vehicle or vehicle license plate is identified in violation of any provision of this chapter including entrance to a fee-based park or lake access site without purchase of Daily or Annual Entrance Permit, the owner of the vehicle, as defined under Chapter 340, Wis. Stats., and as shown by the ownership registration of the vehicle supplied by the Wisconsin Department of Transportation or a comparable authority, including in any other state, shall be deemed to have committed the violation for purposes of enforcement of this chapter and shall be subject to the applicable forfeiture penalty.

(b) No person shall drive any automobile, motorcycle, or other vehicle of traffic or burden upon any part of the parks except the proper drives and parking areas, or permit the same to stand upon the drives or any part thereof so as to congest traffic or obstruct the drive.

(c) No person shall cause any taxicab, bus, limousine or other vehicle for hire to stand upon any part of the parks for the purpose of soliciting or taking in passengers or persons other than those carried to the parks by the vehicle, unless licensed by the department.

(d) No person shall cause any bus, cart, dray, wagon, truck, trailer, or other vehicle carrying goods, merchandise, manure, soil, or any other articles, or solely in use for the carriage of goods, merchandise, manure, soil or other article, to enter or be driven in any part of the parks. This subsection shall not apply to vehicles engaged in the construction, maintenance, or operation of the parks, to vehicles making deliveries to the parks, or to busses under permit of the department.

(e) It shall be the duty of every person operating an automobile, motorcycle, or other vehicle

of traffic or burden within the parks to comply with the state, county and municipal traffic laws and with all orders, directions, and regulations of traffic officers, or officially displayed on any post, standard, sign, or device installed for the regulation of traffic.

(f) The department shall cause signs to be erected indicating speed limits on roads and drives. Where no such signs are posted the speed shall in no case be greater than twenty-five (25) miles per hour.

(g) The department shall cause to be erected such other traffic control signs as are necessary or which might become necessary for the proper regulations and safe movement of vehicles, pedestrians, and equestrians.

(h) Vehicles normally shall be parked in designated parking areas. Parking along roads and drives may be controlled by appropriate signs.

(i) No person shall operate or park any motor vehicle, including, but not limited to electric scooters, self-balancing devices such as segways, hover boards, and unicycles, and golf carts, except as provided in this subchapter, upon any bridle path, hiking trail, beach area, playground, picnic area, recreational trail or any other area than established roads, parking areas, lake access and service areas or contrary to posted notice or within any park seasonally closed to vehicular traffic.

(j) No person shall operate or park any motor vehicle, except as provided in this subchapter, upon any bridle path, hiking trail, beach area, playground, picnic area or any other area other than established roads, parking areas, lake access and service areas or contrary to posted notice or within any park seasonally closed to vehicular traffic.

(k) No person shall leave any vehicle unattended without the approval of the Department or its authorized agent for more than 48 hours under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. An abandoned vehicle shall constitute a public nuisance and be subject to removal at the owners' expense. Removal of the vehicle shall not relieve the owner or operator of the vehicle from any penalty incurred because of such violation.

(Ord. of 12-8-58, § 9; Ord. No. 166-35, 08-02-11)

Editor's note: Reference to parkway removed 08-24-11.

(Section 14-164(i) was amended by Enrolled Ordinance 176-16, effective 06/01/2021.)

(Section 14-164 was amended by Enrolled Ordinance 177-8, effective 06/07/2022.)

#### **Sec. 14-165 Bicycles.**

(a) The term bicycle(s) shall include class 1 electric bicycles, as defined in Wis. Stat. § 340.01. (15ph)

(b) The operation of class 1 electric bicycles is allowed, whereas, the operation of class 2 and class 3 electric bicycles is not allowed.

(c) Riders of bicycles shall comply with Wisconsin Statutes, sections 346.77 through 346.82.

(d) Bicycles are only allowed on designated trails.

(e) Bicycle riders shall proceed in the extreme right-hand lane of the drives at all times, in a single file only.

(f) A bicycle shall not be towed by a rope or otherwise, nor shall any rider hold on to any moving vehicle for purpose of being drawn along.

(g) Children riding bicycles that have wheels less than twenty (20) inches in diameter may use the footwalks.

(h) Wherever possible, bicycles shall be parked in places provided for such purpose.

(Ord. of 12-8-56, § 10; Ord. No. 166-35, §20, 08/02/11)  
(Section 14-165 was amended by Enrolled Ordinance 176-16, effective 06/01/2021.)

**Sec. 14-166 Horseback riding.**

(a) No person shall ride horseback in any park except upon designated roadways and bridle paths.

(b) No person shall be permitted to ride horseback in any park after dark or before daybreak.

(c) No person shall be permitted to ride or drive a horse which cannot be held under such control that it may be easily turned or stopped.

(d) No person shall be permitted to ride or drive a horse in a reckless manner.

(e) Pedestrians shall have the right of way when crossing a bridle path, and whenever groups of people are visible within three hundred (300) feet, horse shall be ridden at a slow gait.

(f) Every rider shall comply with all department rules and signs along the bridle paths.

(Ord. of 12-8-56, § 11)  
Editor's note: Reference to parkway removed 08-24-11.

**Sec. 14-167. Bathing and swimming regulations.**

(a) It shall be unlawful for any person to:

1. Wade, bathe, or swim within a park except at such pools or beaches as are or may be designated for that purpose by the department.
2. Take any food or beverage into the water of any area designated for wading, bathing or swimming under (a), above.
3. Take any glassware or bottles of any kind except eyeglasses on to any grass or sand area of a designated beach or pool for bathers.

4. Use water flotation devices when a lifeguard is on duty, except for U.S. Coast Guard approved lifejackets and vests that are of a proper size and are worn and secured properly.

5. Bring in or consume any alcoholic beverages of any kind in designated beach areas.

(b) Non-swimmers are restricted to areas designated. Children 5 years of age or younger must be supervised by an adult. All persons, regardless of age, may be asked to demonstrate their swimming proficiency at the discretion of department employees.

(c) Patrons of any area designated for wading, bathing or swimming are to speak to lifeguards only in the case of an emergency and are not permitted to interfere with the execution of a lifeguard's duties or responsibilities.

(d) Swimmers and bathers shall comply with all rules and regulations that are posted at beaches, pools or in bathhouses or other buildings.

(e) Failure to comply with any rules or regulations may result in the violator being required to leave the beach, pool, or bathhouse or other enforcement actions permitted by law.

(f) *Boundary Buoys.* No person shall disturb or molest a beach boundary buoy or marker in any swimming beach in any park or moor or cause to be within that area of water enclosed in the boundary buoys any boat, raft or craft used to transport persons.

(g) *Beach Athletics.* Except in locations designated for such purpose, no person shall engage in any athletic game or sport or in any activity upon a bathing beach or in the water when injury or inconvenience to others might result therefrom except with written permission of the Department.

(h) *Bathing attire.* No swimmer or bather shall enter the water or onto any beach unless clothed in a suitable bathing suit.

(i) Scuba diving is permitted in designated areas.

(Ord. of 12-8-56, § 12; Ord. No. 166-35, §21, 08-02-11; Ord. No 170-30, 07-23-15.)  
Editor's note: Reference to parkway removed 08-24-11.

#### **Sec. 14-168 Boat launching and docking regulations.**

(a) No person shall launch or dock any boat or other watercraft except at locations or facilities provided and designated for that purpose by the department.

(b) No person shall launch or dock any boat or other watercraft except at such times as are designated by the department.

(c) No person shall store or leave unattended overnight any boat or other watercraft without the written permission of the department.

(d) All persons using the boating facilities of the county park system shall comply with all





## VOTE RESULTS

22

YES

0

NO

0


ABSTAIN

3

ABSENT

### Ordinance 179-O-018

Ordinance 179-O-018: Amend the Text of Chapter 14, Article II of the Waukesha County Code of Ordinances Operations and Rules and to Create a Process for the Removal of a Disorderly Individual from County Parks

 Passed By Majority Vote

D1 - Styza	ABSENT	D10 - Thieme	AYE	D19 - Enriquez	AYE
D2 - Euclide	AYE	D11 - Howard	M AYE	D20 - Schellinger	AYE
D3 - Morris	S AYE	D12 - Wolff	AYE	D21 - Gaughan	AYE
D4 - Batzko	AYE	D13 - Leisemann	AYE	D22 - Szpara	AYE
D5 - Grant	AYE	D14 - Mommaerts	AYE	D23 - Hammitt	ABSENT
D6 - Walz	AYE	D15 - Kolb	AYE	D24 - Bangs	AYE
D7 - LaFontain	AYE	D16 - Crowley	AYE	D25 - Johnson	AYE
D8 - Koremenos	ABSENT	D17 - Meier	AYE		
D9 - Heinrich	AYE	D18 - Nelson	AYE		

3rd Meeting, 179th Year of the County Board of Supervisors - June 25 2024 07:47:51 PM

June 25, 2024

