

CHAPTER 8

PARKS AND RECREATION FACILITIES

8.01 PURPOSE. The purpose of this chapter is to regulate the use of the facilities and property under the jurisdiction of the Education and Recreation Committee. The term "park" as used in this chapter shall include all county parks, county boat ramps, fairgrounds, golf courses, and other such facilities and property under the jurisdiction of the Brown County Education and Recreation Committee.

8.015 BROWN COUNTY YOUTH ICE FACILITY. The Brown County Park Director is designated as the administrator of the Brown County Youth Ice Facility and shall have authority to establish and enforce reasonable rules and regulations for use of the facility. The Education and Recreation Committee shall have authority to lease the Youth Ice Facility for periods not to exceed three (3) years. The Park Director shall have exclusive jurisdiction and control over the operation and maintenance and expenditure of funds appropriated by the County Board for use at the Youth Hockey Facility, subject to the advisory or policy-making functions of the Education and Recreation Committee, and is authorized to enter into contracts to fulfill the County's duties and obligations under this section.

8.02 PERMIT FOR PUBLIC MEETINGS AND ASSEMBLIES. (1) Public meetings, assemblies and like events, and sporting or athletic events are allowed in parks or parkways only by written permit issued by the Parks Director or his designee.

(a) Application for permits shall be made in writing and received by the Parks Director, no less than ten (10) working days prior to the event and shall state:

- (1) The name, address and telephone number of applicant.
- (2) The name and address of the person, persons, corporation or association sponsoring the activity.
- (3) A description of the activity to be conducted.
- (4) The name of the park or parkway and the part thereof for which the permit is requested.
- (5) The date of the proposed activity, and the hour at which it will begin and end.
- (6) The estimated anticipated attendance.
- (7) Special needs, i.e., kitchen, utilities, parking, tent, sound, security and others.
- (8) Any contemplated sale or solicitation. Section 8.18, County General Ordinances, shall be complied with.

(b) A permit shall be issued to an applicant for the facility requested if:

(1) Section (a) has been complied with.

(2) The place requested has not been reserved by other permittees.

(3) The site of 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 is duly designated for the activity to be conducted.

(2) Parades and Processions. Parades or processions shall be allowed in any park and parkway only by a written permit issued by the Parks Director, or his designee, subject to rules and regulations properly promulgated by the Education and Recreation Committee.

(a) Application for permit shall be made in writing and be received by the Parks Director not less than ten (10) days prior to the event and shall state:

(1) The name and address of applicant.

(2) The name and address of the person, persons, corporation or association sponsoring the parade or procession, and the purpose of the event.

(3) The name of the park or parkway through which the parade or procession is to pass.

(4) The date of the parade or procession, its designated route and the time it will pass through the park or parkway.

(5) The estimated number and kind or type of vehicles and approximate number of persons expected to participate in the parade or procession.

(b) A permit shall be issued by the Parks Director or his designee, for the parade or procession provided.

(1) Section (a) has been complied with.

(2) The site and route will safely accommodate the anticipated number of vehicles and persons.

(3) In the event a requested permit is denied or is not issued, the person applying therefore shall be so notified within three (3) working days from the date application was received. Written notice shall be mailed by certified mail to the address on the permit application in the name of the applicant unless it shall have previously been personally delivered to said applicant. The notice shall indicate the area requested, the reason for the denial, alternatives, if any, and shall state that if the applicant desires a review before the Education and Recreation Committee respecting the propriety of the permit denial, he shall, within ten (10) days of receipt of denial, make written request to the Committee. Within three (3) working days of the receipt of notice of request for review, the Committee shall hold a hearing on the propriety of the denial. Notice of the hearing thereof shall be given to the person denied the permit. This procedure is not intended to exclude or limit any other legal remedy available to the applicant.

(4) Interference with permittee prohibited. No person shall, in any manner, disturb, harass or interfere with any person or party holding a written permit, nor with any of their equipment or property.

(5) No permittee shall, in any manner, disturb, harass or interfere with any member of the public in the park or parkway, nor with any of their equipment or property.

8.03 GENERAL RESTRICTIONS. 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) Willfully mark, deface, disfigure, injure, tamper with, displace or remove any trees, plants, or other natural features, buildings, bridges, tables, benches, fireplaces, railings, signs, monuments, stakes, posts or other markers, other structures, equipment, facilities, improvements, or park property, or parts or appurtenances thereof whatsoever, either real or personal.

(2) Throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, river, bay, or other body of water or on the ice thereof in or adjacent to any park, any substance, matter, or thing, liquid, or solid, which will or may result in the pollution of said waters.

(3) Engage in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance.

(4) Endanger the safety of or damage the property of any person by any conduct or act.

(5) Violate any duly established rule for the use of the park.

(6) 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 the rules applicable to such use.

8.04 HOURS OF OPERATION. (1) All park areas shall be closed to the general public from sunset to sunrise except such areas and facilities specifically designated by official action of the Education and Recreation Committee and properly posted by the Park Director.

(2) Any park or part thereof, may be declared closed to the public by official action of the Education and Recreation Committee and properly posted by the Park Director. It shall be unlawful for any person to enter or be present in any park or portion thereof which has been closed to the public. In the event of emergency, any park area, facility, or portion thereof may be closed to the general public by the Park Director.

8.05 FIRES. (1) No person or group shall build or maintain a fire in any park, except in grills, fireplaces, or fire rings specially provided for that purpose.

(2) No person or group shall leave a fire unattended, and all fires shall be extinguished before leaving the area.

8.06 REFUSE. (1) No person or group shall bring in, dump or deposit any broken glass, paper, boxes, cans, dirt, rubbish, waste, garbage, or refuse or other trash in any park or leave any such materials therein except in receptacles provided for this purpose. No glass beverage bottles of any kind shall be allowed in any County park at any time, including the shelters and picnic grounds areas.

(2) No refuse or trash shall be placed in any waters or on the ice thereof in or contiguous to any park, but shall be placed in the proper receptacles.

(3) Charcoal residue is to be left in the fireplace or grill or placed in a charcoal disposal container when provided.

(4) Where receptacles for rubbish are not provided, all waste shall be carried away from the park by the person responsible for its presence.

(5) Where receptacles for rubbish, waste, trash or other refuse are provided for persons using park facilities, no person shall leave, deposit, or place any such refuse or household garbage not generated by use of the park's facilities, in or near such park receptacles or anywhere on the premises of any park. For purposes of this subsection the term "household garbage" means those discarded materials resulting from the handling, processing, storage and consumption of food and all other materials produced from community life which have not been generated by the use of park facilities.

8.07 FIREARMS, BOWS, TRAPPING, AND FISHING EQUIPMENT. (1) Except in those parks or portions thereof as may be designated by official action of the Education and Recreation Committee and properly posted by the Park Director, no person in a park shall carry, fire, discharge or have in his/her possession or under his/her control any firearm, air gun, slingshot, bow, or any device designed for shooting a projectile unless the same is unloaded and enclosed in a carrying case, or any bow unless the same is unstrung or enclosed in a carrying case, or have in his/her possession a trap(s) which can be used for trapping animals.

(2) In those parks or portions thereof designated by official action of the Education and Recreation Committee and properly posted by the Park Director where tree stands are allowed, the stands must be removed at the end of each day and no vegetation shall be cut or cleared when erecting or removing such a stand.

(3) No person in a park shall carry or have in his/her possession or under his/her control any fishing equipment, including, but not limited to poles, rods, reels, tackle, bait or nets, except in those parks or portions thereof as may be designated by official action of the Education and Recreation Committee and properly posted by the Park Director.

8.08 PETS (1) Pets shall not be allowed in any of the county parks except in those parks as set forth in subsection (2) herein.

(2) The Facility and Park Management Department will designate areas of public parks and recreational trails to be on-leash or off-lease "Dog Exercise Areas" subject to the Department's rules and regulations and as approved by the Brown County Board of Supervisors.

8.09 HORSES. No person shall bring a horse into any park except that horseback riding shall be permitted in areas specially designated for horses.

8.10 MOTOR VEHICLES. (1) No person shall drive or park a motor vehicle, other than a snowmobile, in any park, except on such roads or parking lots specially designated for the use of motor vehicles.

(2) Unless otherwise posted, no person shall operate a motor vehicle at a speed in excess of 15 miles an hour.

(3) No person shall operate a motor vehicle in a reckless or imprudent manner or in any manner which may tend to create a disturbance or endanger the safety of persons using the parks or property therein.

8.11 SNOWMOBILES. (1) Snowmobiles shall not be operated in any park except on trails specially marked, opened, and designated for the use of snowmobiles.

(2) Snowmobiles shall not be operated at a speed in excess of 35 miles per hour except where other speed limits are posted.

(3) On trails that have been marked and designated for one-way traffic, snowmobiles shall be operated only in the direction so designated.

8.12 COUNTY BOAT RAMPS. (1) No person shall use a County boat ramp facility without paying the applicable daily or annual fee unless such fee has been waived by the Education and Recreation Committee. This ordinance shall include any boat ramp owned or operated by Brown County and is applicable to all water craft used or capable of being used as a means of transportation on water.

(2) Fee amounts shall be established by the Education and Recreation Committee through the budgetary process whereby the Park Director may recommend such amounts.

(3) For a person desiring to pay on an annual basis, an annual launching fee will be established, which when paid, shall be in lieu of the daily fee. A sticker issued for persons paying on an annual basis must be permanently affixed to the lower corner of the windshield on the driver's side of the automobile, motor home, or truck. For persons paying on a daily basis, the daily receipt must be displayed in the lower corner of the windshield of the driver's side of the automobile.

(4) Any person who violates Section 8.12 shall be subject to the general penalties provided in Chapter 1 of the Brown County Code, currently found in Section 1.07.

(5) The owner of a vehicle involved in a violation of this ordinance shall be liable for the violation. It shall be no defense to a violation of this ordinance that the owner was not operating the vehicle at the time of violation.

(6) Funds collected from the imposition of these fees shall be recorded in a separate expendable trust fund to be maintained by the County, and the funds shall be utilized for the maintenance and development of County boat launching facilities.

(7) No person shall park an automobile, motor home or truck in any area adjacent to or on the grounds of a County boat ramp facility except on parking lots specifically designated for use as parking. No person shall park any automobile, motor home, or truck at a designated area on the County boat ramp facility on an overnight basis, except where prior written approval has been obtained from the Park Director or designee. Limitations as to the parking of any automobile, motor home, or truck with attached trailers as designated by the Park Director is allowed according to the signs posting restrictions as to automobile, motor home, or truck parking and automobile, motor home, or truck with boat trailer parking. Parking an automobile, motor home, or truck with or without trailers is allowed according to such signs and prohibited in areas not so designated by the Park Director.

8.13 OFF-THE-ROAD VEHICLES. No person shall ride or operate, or permit a child to ride or operate, bicycle, minibike, trail bike, all-terrain vehicle or other vehicle except in areas specially designated for their use.

8.14 MOLESTING ANIMALS. No person shall molest, disturb, chase, or throw objects at any animal or bird within any park.

8.15 FOOD AND BEVERAGES. (1) Without a written permit, no person or group shall use any portion of the picnic areas, buildings or structures therein to the exclusion of other persons.

(2) Employees shall be authorized to regulate the activities in such areas when necessary to prevent congestion and to secure the maximum use and enjoyment by the public of such facilities.

(3) Excessive use of alcoholic beverages shall be prohibited in all parks, and any person or group who, in the opinion of authorized park personnel, has become intoxicated or has consumed alcoholic beverages to the extent that the person or group interferes with the use of the park by others shall be required to leave the park.

(4) Subject to Section 8.22(5), between the dates of November 1, and 8:00 a.m. on the Saturday of the Memorial Day weekend of each year, no person shall bring into, or drink spirituous, vinous, malt, or mixed liquors in any park, or other area regulated by this chapter, except by written permission from the Park Director.

(5) No person shall bring any spirituous, vinous, malt, or mixed liquors or beer into the Brown County Fairgrounds during the Brown County Fair, except in such areas as designated by the Park Director, and then only by written permission of the Park Director, subject to rules and regulations promulgated by the Education and Recreation Committee..

(6) No person shall bring any spirituous, vinous malt, or mixed liquors or beer into that area of the Brown County Reforestation Camp designated as the NEW Zoo.

8.16 GROUP ACTIVITIES. The Park Director may issue permits to groups and organizations to use specific park facilities or buildings for a particular event. The Education and Recreation Committee shall establish such rules and regulations as it deems necessary for the issuance of such permits and may charge a fee or require a deposit to insure the premises are left in good order.

8.17 OTHER ACTIVITIES. No person or group shall engage in ball games or other sports activities, except in such areas as are designated for those purposes or in such areas where such activity will not interfere with the use and enjoyment of the park by others. Horseshoes shall not be allowed to be played except in horseshoe pits constructed by the Brown County Park Department. Golfing, including practicing golf, is not allowed in any County park . No sports activities of any kind shall be allowed in County Park parking lots. Fishing is prohibited in all parks, except in areas designated by the official action of the Education and Recreation Committee and properly posted by the Park Director.

8.18 SALES AND SOLICITATION FOR SALE PROHIBITED WITHOUT PERMIT, DISTRIBUTION OF ADVERTISEMENTS; REGULATIONS OF. (1) Sales and solicitation of sales. No person shall sell, keep or offer for sale any intangible article, merchandise or thing; nor solicit for or pursue any trade, occupation, business or profession, within any park or parkway, without the written permit of the Parks Director or his designee, subject to rules and regulations properly promulgated by the Education and Recreation Committee, provided that any fee imposed for taking photos of persons, groups of individuals, parties or any events shall not be chargeable or collectible from individuals taking photographic pictures within the County park system. Notwithstanding this limitation, the Parks Director is authorized to levy a charge in certain instances where a reasonable basis exists for issuance of a permit including, primarily, where County personnel or equipment is requested or where the general public will be refused or denied use of such park or park areas in order to accommodate the photo sessions.

(2) A permit to sell or solicit shall be issued by the Parks Director or his designee provided:

(a) The applicant has filed a written request for a permit under the provisions of Section 8.02.

(b) A permit under the provisions of Section 8.02 has been or will be granted.

(c) The applicant files a written request for a permit showing the time and place of the sale or solicitation and a description of the purpose of the sale and of the items that will be offered for sale, or a description of the purpose of the solicitation, or both if applicable.

(d) The sale or solicitation shall be concurrent with and related to the event for which a permit under the provisions of Section 8.02 has been or will be granted.

(e) The sale or solicitation is not for commercial gain by a person or entity engaged, directly or indirectly, in rendering services or supplying goods for profit.

(3) Should a permit not be issued hereunder, to a permittee or an applicant for a permit under Section 8.02 by the Parks Director or his designee, the provisions of Section 8.02 (2)(b)(3) shall be complied with.

(4) Any person violating any of the provisions of this section shall, for each offense, forfeit a penalty not to exceed One Hundred Dollars (\$100.00), the cash deposit thereof shall be Fifty Dollars (\$50.00) and the penalty assessment shall be Six Dollars (\$6.00), 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.

8.19 SIGNS. No person or group shall paste, glue, tack, or otherwise post any sign, placard, or advertisement, or distribute any handbills, pamphlets or other materials, or solicit business of any nature in any park without written authorization from the Park Director, subject to rules and regulations promulgated by the Education & Recreation Committee.

8.20 CAMPING. No camping shall be permitted in any park, except in designated campground areas. The Education and Recreation Committee shall adopt regulations for the campground, and any camper who disobeys these regulations may be required to leave the park.

8.21 METAL DETECTORS. No person shall operate a metal detector in any park without a written permit from the Park Director.

8.22 ADDITIONAL RULES AND REGULATIONS. The Education and Recreation Committee is authorized to adopt additional rules and regulations as may be necessary for the management of parks and the uses thereof and may implement and enforce the same.

8.225 NOISE. No person shall make or assist in making any noise tending to unreasonably disturb the peace and quiet of persons in the vicinity thereof unless the making and continuing of the same cannot be prevented and is necessary for the protection or preservation of property or of the health, safety, life or limb of some person.

8.23 GOLF COURSE. (1) Definition. "Golf Course" whenever used in this section, shall mean the Brown County Golf Course .

(2) Fiscal Management and Fees. (a) It is hereby declared to be the policy of Brown County that any golf course owned and/or operated by the County shall be fiscally managed such that it does not require a property tax subsidy, and thus is not a burden to the property taxpayers of Brown County. To effectuate this policy, fees charged for use of any County course shall be established in an amount which provides sufficient revenues to adequately pay for the following expenditures related to the Golf Course:

1. Operating Expenses
2. Indirect costs.
3. Payment in lieu of taxes.
4. Return on Investment.
5. Capital improvements.

(b) Fee amounts shall be established through the budgetary process and shall be substantially based on an analysis of the five criteria listed above. Additionally, the Golf Course Superintendent shall be delegated the authority with concurrence of the Chair or Vice Chair of the Education and Recreation Committee to temporarily lower County Golf Course Fees.

(c) Golf Course revenues shall be placed in an enterprise fund, which fund shall continue from year to year. It is anticipated that actual revenues in a given year may be less than those projected and in that event revenues remaining in the enterprise fund from previous years can and should be used to cover the Golf Course expenses in the priority in which they are listed above, from 1 to 5, with the highest priority being number 1 -- Operating expenses, and the lowest priority being 5 -- Capital improvements.

(3) Rules and Regulations. (a) No person may play on the Golf Course without first registering and purchasing a greens fee permit at the Pro Shop. Rain checks will be issued at the Pro Shop on the same day ticket is purchased. No cash refunds will be made at any time. Extra holes will not be played without purchase of an additional ticket. There shall be no complimentary golf allowed at the golf course.

(b) No person may practice or play on the Golf Course when the Golf Course is officially closed.

(c) All persons using the Golf Course must abide by the rules posted on the Golf Course and on the score card, and must conduct themselves properly at all times.

(d) No person may sell golf balls, equipment for golfing, food, candy or any type of drink on the Golf Course without consent of the Golf Course Superintendent, subject to the rules and regulations of the Education and Recreation Committee.

(e) No person shall be permitted to loiter or retrieve golf balls on the Golf Course property unless approved by the golf pro or Course Superintendent to do so.

(f) No golf professional, or any person who would be considered as a professional under the rules of the U.S.G.A. may instruct at the Golf Course without the consent of the Golf Course Superintendent.

(g) No owner of any vehicle and no person shall park any vehicle at the Golf Course except in authorized areas as designated by the posted signs.

(4) Interference with Permittees. No person shall, in any manner, disturb, harass or interfere with any person or party holding a written permit, as indicated above, nor with any of their equipment or property.

(5) Use of Liquor. No person shall bring into or drink any alcoholic beverages, malt or mixed liquors, on the Golf Course, except in such areas as designated by official action of the Education and Recreation Committee and properly posted by the Golf Course Superintendent and except at such places as beverages are sold by licensees of the County.

(6) Disorderly Conduct. No person violating any of the prohibitions enumerated in this section or engaging in disorderly conduct shall be allowed to remain on the Golf Course .

(7) Enforcement. The Clubhouse Manager, Superintendent, or his designee shall be charged with the enforcement of this section.

8.24 PENALTIES. Any person violating this chapter shall be subject to the penalty provided for violation of this code.