

CITY OF PRESCOTT
MEETING NOTICE
ORDINANCE COMMITTEE
MONDAY, JULY 12, 2021
5:00 PM
MUNICIPAL BUILDING
800 BORNER ST
PRESCOTT, WI 54021

1. Call to Order
2. Roll Call
3. Approve Minutes for May 10, 2021
4. Review Chapter 421 Parks, Beaches and Boating ordinances
5. Other Business
6. Adjourn

NOTICE
ACCESS TO THE MUNICIPAL BUILDING FOR THE DISABLED IS
AVAILABLE THROUGH THE MUNICIPAL BUILDING PARKING LOT
ENTRANCE. ALL THOSE WITH SPECIAL NEEDS SHOULD CALL CITY
HALL OFFICES (715-262-5544) IF ASSISTANCE IS REQUIRED.

**CITY OF PRESCOTT, WISCONSIN
MAY 10, 2021 ORDINANCE COMMITTEE MEETING MINUTES**

Pursuant to due call and notice thereof, a meeting of the Ordinance Committee was held Monday, May 10, 2021 at the Municipal Building, 800 Borner St. Prescott, WI 54021

Aldersperson Ruona called the meeting to order at 5:00 p.m. Members present were Dar Hintz, Bailey Ruona and Thomas Oss. City Administrator Jayne Brand represented staff.

Ruona/Oss motion to approve the minutes for March 8, 2021 passed without a negative voice vote.

The committee reviewed the ordinance on the length of time a garbage can can sit on the curb. There currently is no length of time when it needs to be removed from the curb other than stating it needs to be removed from collection. The committee is recommending the can needs to be removed from the curb in 72 hours.

The committee reviewed existing ordinances on outside storage. Outside storage is currently allowed in the industrial zoning districts. Any other outside storage would need to be handled under the nuisance ordinance.

The nuisance ordinances for the city were reviewed. City Administrator Jayne Brand reviewed how the nuisance ordinances are currently being handled. It appears there are a number of ordinances which can be used for outside storage and cleanup which may be needed for a property. It was agreed issuing a citation may help in some situations but the city may have to do some abatement on properties which continue to not be cleaned up.

The committee discussed changing the beach at the Lake Street turnaround to a kayak launch. Aldersperson Ruona stated she would like to see the area be used only for a kayak launch. There are only 4 parking stalls for this area. Aldersperson Ruona also stated she feels a fee should be charged for the kayak launch. Her recommendation is an annual pass for \$25. Aldersperson Oss asked about where vehicles with trailers may park. It was suggested they may need to walk a distance to park a trailer. City Administrator Jayne Brand reminded the committee this area is considered a designated recreational use area and in order to change the use a resolution must be approved by Council. Staff was directed to move forward with the resolution.

Other Business:

Dave Palme discussed recreational burning. He would like to see additional items added into the recreational burning especially regarding smoke. Aldersperson Ruona asked about their homeowners association and how they could help with additional regulations. Aldersperson Oss stated the Council has reviewed the ordinance and made changes they see fit and there have been no complaints so far this year on recreational burning.

Oss/Ruona motion to adjourn passed without a negative voice vote.

Respectfully Submitted,

Jayne M. Brand
City Administrator

Chapter 421. Parks, Beaches and Boating

[HISTORY: Adopted by the Common Council of the City of Prescott 3-10-2014 by Ord. No. 02-14.^[1] Amendments noted where applicable.]

GENERAL REFERENCES

Peace and good order— See Ch. **435**.

Vehicles and traffic — See Ch. **545**.

Shoreland-wetland zoning — See Ch. **620**.

[1] *Editor's Note: This ordinance also repealed former Ch. 421, Parks, Beaches and Boating, adopted as Title 12, Ch. 1, of the former City Code, as amended.*

§ 421-1. Purpose.

In order to protect the parks, parkways, recreational facilities and conservancy areas within the City of Prescott from injury, damage or desecration, these regulations are enacted. Parks may have additional policies and guidelines for use.

§ 421-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

DESIGNATED RECREATION AREA

Areas of municipally owned land that are intended to serve as public recreation areas but are not necessarily designated or official parks. may have few or no facilities or improvements, and which are governed by special regulations as determined by the City Council.

[Added 11-24-2014 by Ord. No. 12-14]

DESIGNATED SWIMMING AREA

Any open body of water developed for swimming purposes.

GREEN BELTS

Areas of municipally owned lands that are intended to serve an environmental control function such as erosion control, flood control and groundwater preservation which land is not generally desirable for public development, but may include any special interest activities which may lend themselves to the area, such as trails.

OPEN SPACES

Areas of municipally owned lands maintained in their natural state, thus supporting native plants and animals.

PARK

Includes all existing, proposed and future municipal property set aside for active or passive use of leisure time. The term "park" as hereinafter used in this chapter shall include all grounds, structures and watercourses which are or may be located within any area dedicated to the public use as a park, parkway, recreation facility or conservancy district in the City.

PARK FACILITIES

Any park area, equipment or structure that has been set aside with a specific use intended.

PLAYGROUND

An area either within a larger park area or a small area set aside for the purpose of promoting imaginative and creative play of all children and providing a means of physical exercise through the use of play apparatus.

PUBLIC PROPERTY

All municipally owned parks, designated recreation areas, park facilities, playgrounds, swimming areas, green belts, open spaces, streets, parking facilities and easements for public use.

[Amended 11-24-2014 by Ord. No. 12-14]

§ 421-3. Park regulations.

- A. Littering prohibited. Depositing rubbish or litter in any park or public property is prohibited. No person shall place or deposit any filth, ashes, embers, dirt, garbage, rubbish, paper, or other litter, refuse or offensive matter in or on any park or other public property.
- B. Sound devices. No person shall operate or play any amplifying system unless specific authority is first obtained from the Common Council or a committee or City department designated by the Council.
- C. Bill posting. No person shall post, paste, fasten, paint or attach any placard, bill, notice, sign or advertising matter upon any structure, tree or other natural object in any park, except park regulations and other signs authorized by the Common Council or designated committee thereof.
- D. Throwing stones and missiles prohibited. No person shall throw stones or other missiles in or into any park.
- E. Removal of park equipment prohibited. No person shall remove benches, seats, tables or other park equipment from any park.
- F. Trapping. "Trapping" when used in the section includes the taking, or the attempting to take, of any wild animal by means of setting or operating any device, mechanism or contraption that is designated, built or made to close upon, hold fast or otherwise capture a wild animal or animals; live traps on a person's property are excluded. The trapping of wild animals is hereby prohibited in City parks unless authorized by the Common Council.
- G. Fires. No person shall start, make, or tend a fire except in personal grills, designated fireplaces, or designated fire rings. Personal grills shall be used only in designated picnic areas. The use of personal grills is permitted, provided lawns and vegetation are

not endangered. Unburned fuel and ashes shall be disposed of in such a manner as to prevent fire or damage to any park property.

- H. Protection of park property. No person shall kill, injure, or disturb or attempt to injure or disturb waterfowl, birds or animals, wild or domestic, within any park, except as permitted by this chapter. No person shall climb any tree or remove flowers or fruit, wild or cultivated, or break, or cut down, trample upon, remove or in any manner injure, deface, write upon or ill use any tree, shrub, flower, flower bed, turf, soil, sand, fountain, ornament, building, structure, apparatus, bench, table, official notice, sign or other property within any park.
- I. Motorized vehicles. Except for authorized maintenance vehicles, no person shall operate an unlicensed or licensed motorized vehicle outside of areas specifically designated as parking areas or areas where the operation of such vehicles is specifically permitted. Motor vehicles are restricted to the roads and drives and parking areas. No motor vehicles of any nature other than maintenance vehicles may be used on the seeded areas except vehicles which have Common Council authorization for shows, rides, or exhibits, and then only for the purpose of unloading and loading.
- J. Snowmobiles. No person shall operate a snowmobile in a City park except in designated areas. Snowmobiles shall only be operated on designated trails.
- K. Speed limit. No person shall operate any vehicle in a City park in excess of 15 miles per hour unless otherwise posted.
- L. Glass containers are prohibited.
- M. Reckless driving in parks prohibited. No person shall operate a motor vehicle in a reckless manner in any of the public parks of the City.
- N. Parking in parks. No person shall park any motor vehicle in any park in the City except in designated areas.
- O. Horse and carriages. No person shall ride a horse or drive a horse-driven vehicle in any park, except on roads or designated bridle paths, except when approval of the Common Council is first obtained. It shall be unlawful for any person to ride a horse or drive a horse-driven vehicle in a careless, negligent or reckless manner, which may endanger the safety and well-being of others. Horseback riding shall be allowed only during the daylight hours. No person shall ride a horse which cannot be held under such control that it may be easily turned or stopped.
- P. Removing tree protectors. No person shall remove any device for the protection of trees or shrubs.
- Q. Golfing and sporting activities. No golfing or practicing golf in any City parks or recreation areas shall be allowed except with the use of a whiffle ball. All sporting activities must be held in areas so designated for that purpose.
- R. Arrows. No person shall use or shoot any bow and arrow in any City park, except in authorized areas.
- S. Fees and charges. The Common Council shall have the authority to establish such fees and charges as deemed necessary for the use of any park facility, shelter, or land area.

It shall be unlawful to use such area without payment of such fee or charge when required.

- T. Firearms. Unlawful discharge of any firearm or weapon of any kind is prohibited in all City parks. The Common Council may authorize the discharge of period weapons for reenactment.
- U. Cleaning. Cleaning of fish in shelters, toilet facilities or picnic areas is prohibited in all City parks.
- V. Controlled substances. Possessing, using or dispensing of a controlled substance in violation of the Uniform Controlled Substances Act is prohibited in all City parks.
- W. Selling of food, alcohol, and merchandise. No person or organization shall sell food, alcohol, or merchandise in City parks without the approval of the Common Council.
- X. Pets. Pets must be kept on leads not to exceed 15 feet in length or in control of the owner or his/her designated representative at all times. (Refer to § 235-8.)

§ 421-4. Turf protection on public property.

Except as authorized by the Common Council, no person shall dig into the turf of any City-owned park or recreational property for any purposes whatsoever or remove any trees or flowers. Absent authorization by the Common Council, the use of metal detectors and digging for buried objects on City parks or recreational property, except beaches where no vegetation is present, are prohibited.

§ 421-5. Park hours.

- A. Park hours. Subject to certain exceptions listed in Subsection **B** below, all City parks shall be closed from 10:00 p.m. to 5:00 a.m. the following day unless posted otherwise. Closing hours shall not be applicable for authorized events. The Common Council shall approve any event or activity requiring the use of the park after the hour of 10:00 p.m. or before 5:00 a.m.
- B. Park closing and opening dates. The Chief of Police or Common Council will have full authority to open and close any park, facility or area because of weather conditions, physical condition, and construction or when, in the interest of the public safety, it is deemed necessary.

§ 421-6. Boating and water sports; beaches and public waters.

- A. State laws adopted. For the protection of life and property through regulation of boat operation and water recreation activities on waters within the corporate boundaries of the City, the following enumerated sections of the Wisconsin Statutes, as from time to time amended, are adopted and made a part of this chapter by reference as it fully set forth herein:

30.51	Certificate of number and registration; requirements; exemptions
30.52	Certificate of number and registration; application; certification and registration period; fees; issuance
30.53	Certificate of origin; requirements; contents
30.54	Lost, stolen or mutilated certificates
30.55	Notice of abandonment or destruction of boat or change of address
30.60	Classification of motorboats
30.61	Lighting equipment
30.64	Patrol boats
30.65	Traffic rules
30.66	Speed restrictions
30.675	Distress signal flag
30.68	Prohibited operation
30.69	Water skiing
30.70	Skin diving
30.71	Disposal of waste from boats equipped with toilets
30.76	Deposit of money to obtain release from arrest ^[1]
30.77	Local regulation of boating
30.79	Local water safety patrols; state aids

[1] *Editor's Note: Section 30.76, Wis. Stats., was repealed by L. 1975, c. 365, § 52, effective 5-29-1976.*

- B. Local regulations regarding boating markers and navigation aids. No person shall without authority remove, damage, destroy, moor to, or attach any watercraft to any buoy, beacon, or marker placed in the waters of the rivers by authority of the United States, the State of Wisconsin, or the City of Prescott.
- C. Local regulations regarding designated swimming area and bathhouse.
- (1) Shall be open each year for public use during posted hours; the bathhouse shall be open for public use during corresponding hours.
 - (2) No person shall swim or use bathhouse facilities for any purpose between sunset and sunrise.
 - (3) No fermented malt beverages, wine, beer, or intoxicating liquors; nor shall any person at any time discard any bottles, cans, glass, plastic, refuse or other litter.
 - (4) No person shall engage in any activity which may endanger life or limb of persons.
 - (5) No person shall discharge any fireworks or firecrackers at the designated swimming area or in the waters adjacent to the swimming area.
 - (6) No person shall deface the interior or exterior walls of the bathhouse, nor in any manner damage or destroy the bathhouse or the premises.

- (7) No person shall tip over, move, remove, cause to sink, nor carry away any float, marker, springboard, boat, lifesaving devices, signs, or other beach apparatus provided by the City.
- (8) No person shall change clothes anywhere except in the bathhouse or other enclosed place.
- (9) No animals, except for service animals, are permitted.
- (10) No person shall falsely call for help or assistance except in an emergency.
- (11) No person shall conduct himself/herself in the water in such a manner as to jeopardize the safety of himself/herself or others.
- (12) No person having any infectious disease shall be permitted in the bathhouse or in the water.
- (13) Any person violating any provision of this subsection shall be subject to a penalty as provided in § 1-4 of this Code. In addition, violators may be ejected from the beach area and prohibited from using the same for a period of 30 days for each violation.

§ 421-7. Boat-launching regulations.

The following regulations shall apply:

- A. Boat parking. Parking at the courtesy dock shall be limited to four hours at a time except in the case of emergency. Violators will be charged a forfeiture as provided in § 1-4 of this Code plus court cost. "Emergencies" shall be defined as any reason that a boat cannot be moved, including public safety.
- B. Required fees. All boat operators or boat owners launching their boat at the Prescott boat launch shall pay the required launching fee. Any owner or operator failing to pay the required fee shall be subject to a forfeiture as provided in § 1-4 of this Code.

§ 421-8. (Reserved)

§ 421-9. Designated recreation area.

[Added 11-24-2014 by Ord. No. 12-14]

- A. A designated recreation area is intended for public use, and may permit special uses or require special regulations which enhance, modify or supersede the regulations found in this chapter.
- B. These special uses and regulations and the public property they apply to shall be established and designated by the City Council by resolution.
- C. If a special use or regulation authorized by the Council for a designated recreation area conflicts with any other provisions of this chapter or any other City ordinance, the special use or regulation enacted under this § 421-9 shall govern.

D. A list of designated recreation areas and the special regulations which apply to each shall be available at City Hall.