

TITLE 12

Parks and Recreation

Chapter 1 Parks and Navigable Waters

Chapter 1

Parks and Navigable Waters

12-1-1	Park Regulations
12-1-2	Operation of Remote or Radio-Controlled Airborne Toys or Devices Prohibited
12-1-3	Turf Protection on Public Property
12-1-4	Park Hours
12-1-5	Boating and Water Sports; Beaches and Public Waters
12-1-6	Boat Launching and Parking Regulations

Sec. 12-1-1 Park Regulations.

- (a) **Purpose and Definition.** 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. The term “park” as hereinafter used in the 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.
- (b) **Definitions.**
- (1) **Parks.** Includes all existing, proposed and future municipal property set aside for active or passive use of leisure time.
 - (2) **Park Facilities.** Any park area, equipment or structure that has been set aside with a specific use intended.
 - (3) **Playgrounds.** An area, either within a larger park area or a small area set aside for the purpose of promoting imaginative and creative play of school children and providing a means of physical exercise through the use of play apparatus.
 - (4) **Swimming Areas.** Any open swimming area developed with the intent for use for swimming purposes and under the supervision of a professional lifeguard.
 - (5) **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 .
 - (6) **Open Spaces.** Areas of municipally owned lands maintained in their natural state, thus supporting native plants and animals.
 - (7) **Public Property.** All municipally owned parks, park facilities, playgrounds, Swimming areas, green belts, open spaces, streets, parking facilities and easements for public use.
- (c) **Specific Regulations.**
- (1) **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.

- (2) **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*.
- (3) **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.
- (4) **Throwing Stones and Missiles Prohibited.** No person shall throw stones or other missiles in or into any park.
- (5) **Removal of Park Equipment Prohibited.** No person shall remove benches, seats, tables or other park equipment from any park.
- (6) **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.
- (7) **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.
- (8) **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.
- (9) **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 area 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.
- (9) **Snowmobiles.** No person shall operate a snowmobile in a City park except in designated areas. Snowmobiles shall only be operated on designated trails.
- (10) **Speed Limit.** No person shall operate any vehicle in a City park in excess of fifteen (15) miles per hour unless otherwise posted.
- (11) **Glass Beverage Bottles in Parks Prohibited.** No person shall bring into,

Carry onto or possess while in any public park glass bottles or glass containers, including those containing or normally used for containing soda water, fermented malt beverages or alcoholic beverages.

- (12) **Speed Limit.** No person shall operate any vehicle in a City park in excess of fifteen (15) miles per hour unless otherwise posted.
 - (13) **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.
 - (14) **Parking in Parks.** No person shall park any motor vehicle in any park in the City except in designated areas.
 - (15) **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.
 - (16) **Removing Tree Protectors.** No person shall remove any device for the protection of trees or shrubs.
 - (17) **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.
 - (18) **Arrows.** No person shall use or shoot any bow and arrow in any City park, except in authorized areas.
 - (19) **Fees and Charges.** The Common Council shall have the authority to establish such fees and charges as deemed necessary for the use for any park facility, shelter, or land area. It shall be unlawful to use such area without payment of such fee or charge when required.
 - (20) ~~**Camping.** Camping in Freedom park shall be limited to three consecutive days with tents, recreation vehicles or campers to be removed by 12:00 p.m. of the fourth day. A three day extension may be obtained upon application, from City Hall.~~¹
 - (21) **Firearms; Hunting.** Possessing or discharging any firearm or weapon of any kind is prohibited in all City Parks. The Common Council may authorize the discharge of period weapons for reenact
 - (22) **Cleaning.** Cleaning of fish in shelters, toilet facilities or picnic areas is prohibited in all City parks.
 - (23) **Controlled Substances.** Possessing, using or dispensing of a controlled Substance in violation of the Uniform Controlled Substances Act is prohibited in all City parks.
- Cross-Reference:** Section 11-4-1.
- (24) **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.*
 - (24) **Pets.** *Pets must be kept on leads not to exceed 15 feet in length, and in control of the owner or his/her designated representative at all times.*

¹ Adopted 8/8/05

Sec. 12-1-2 Operations of Remote or Radio-Controlled Airborne Toys or Devices Prohibited.

It shall be unlawful for any person to fly, operate or make use of any remote or radio-controlled model airplane, helicopter, vehicle or any other such airborne device in, over or upon any street, park or other public or private property except in areas specifically designated and posted for such purpose and with the consent of the property owner or lessee of the property.

Sec. 12-1-3 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, is prohibited.

Sec. 12-1-4 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. 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 hours 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.

Sec. 12-1-5 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:

- 30.50 Definitions
- 30.51 Operation of Unnumbered Motorboats Prohibited
- 30.52 Certificate Number
- 30.53 Identification Number to be Displayed on Boat
- 30.54 Transfer of Ownership of Numbered Boat
- 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 Exempt from Certain Traffic Regulations
- 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 Boats Equipped with Toilets
- 30.76 Deposit of Money to Obtain Release from Arrest.
- 30.77 Local Regulation of Boating
- 30.79 Municipal Water Safety Patrols

(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 Bathing Beach and Bathhouse

- (1) The public bathing beach shall be open each year for public use during posted hours, the bathhouse on the beach shall be open for public use during corresponding hours.
- (2) No person shall use the beach or bathhouse facilities for any purpose *between sunset and 8:00 A.M. of the following day.*
- (3) No person shall consume on the bathing beach, *or in the bathhouse of the beach,* any fermented malt beverages, wine, beer, or intoxicating liquors; nor shall any person at any time discard on the beach or the premises contiguous thereto any bottles, cans, glass, *plastic,* refuse or other litter; no person shall *engage in any activity* which may endanger life or limb of persons using the beach; nor shall any person discharge any fireworks or firecrackers on the beach, *in the swimming area or in the waters adjacent to the swimming area.*
- (4) No person shall deface the interior or exterior walls of the bathhouse, nor in any manner damage or destroy the bathhouse or the premises on which the beach and bathhouse are situated, nor shall any person 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 for use on the beach or beach premises.*
- (5) No person shall change clothes anywhere on the beach except in the bathhouse or other enclosed place.
- (6) *No animals, except for service animals, are permitted on the beach or in the bathhouse*
- (7) *No person shall falsely call for help or assistance except in an emergency.*
- (8) No person shall conduct himself on the beach or in the water in such a manner as to jeopardize the safety of himself or others.
- (9) No person having any infectious disease shall be permitted on the beach, in the bathhouse or in the water.
- (10) Any person violating any provision of this subsection shall be subject to a penalty as provided in section 1-1-7. In addition, violators may be ejected from the beach area and prohibited from using the same for a period of thirty (30) days for each violation.

Section 12-1-6 Boat Launching and Parking Regulations.

- (a) **Boat Launching Regulations.** The following regulations shall apply to the launching of boats from the Prescott Public Boat Launch.
- (1) **Boat Parking.** Parking at the Courtesy Dock shall be limited to four (4) hours at a time except in the cases of emergency. Violators will be charged a forfeiture of Twenty-five (\$25.00) plus court cost. Emergencies shall be defined as any reason that a boat cannot be moved including public safety.
 - (2) **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 section 1-1-7.
 - (3) **Commercial Fishing License** An annual license is required to use the City of Prescott facilities for the launching of boats used for commercial fishing purposes. Any such owner or operator failing to pay the required fee shall be subject to forfeiture as provided in Section 1-1-7.
 - (4) **Commercial Launching Fee** An annual license is required for the use of the City of Prescott facilities for the launching of boats for commercial purposes (such as summer docking and winter storage.) Any such owner or operator failing to pay the required fee shall be subject to forfeiture as provided in Section 1-1-7.
- (b) **Boat Trailer and Vehicle Parking Regulations.** The following regulations shall apply to the parking of vehicles and boat trailers in the boat parking lot of the Prescott Public Boat Launch/River Walk.
- (1) No vehicles or boat trailers shall be parked in the Public Boat Launch Parking Lot unless a paid daily permit from the City is displayed or a current year annual Boat Launch Sticker is attached to the trailer. Paid Daily boat Launch permits must be displayed on the dashboard on the driver's side of the vehicle.
 - (2) No parking allowed at the Prescott Public Boat Launch between the hours of 2:00 a.m. to 4:00 a.m. (Ordinance Change 10/15/06)