

CHAPTER 10
PARKS AND RECREATION
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CHAPTER 10

PARK AND RECREATION

10.100 DEFINITIONS

(a) MOTORCYCLE/MINI-TRAIL BIKE

A motorcycle is a motor vehicle designed to travel on not more than 3 wheels which is capable of speeds in excess of 10 mph with a 150 lb. rider on dry level ground excluding a tractor or an All Terrain Vehicle.

(b) OFF ROAD VEHICLE

Off Road Vehicle means any motorized vehicles designed for or capable of cross country travel on or immediately over land, water, sand, snow, ice, marsh or other terrain which would include, but would not be limited to, such vehicles as four wheel drive, trucks, air cushion vehicles; except that such term excludes:

- (1) any registered motor boat
- (2) any military, fire, emergency, or law enforcement vehicle when used for official or emergency purposes, and
- (3) any vehicle whose use is expressly authorized by the committee under permit, lease, license, or contract.
- (4) all Terrain Vehicles.

(c) FORESTRY VEHICLE

Forestry Vehicle means a vehicle or piece of equipment or machinery designed for the harvesting or transport of forest products, used exclusively in the conduct of forestry operations.

(d) AUTOMOBILE

Automobile-Four-wheeled automotive vehicle designed for passenger transportation and commonly propelled by an internal-combustion engine using a volatile fuel.

(e) DEPARTMENT

Department: Means the Oconto County Forestry, Lands, Parks and Recreation Department.

(f) PARK ADMINISTRATOR

Park Administrator means the Oconto County Land & Forest Agent.

(g) CAMP OR CAMPING

Camp or Camping means: The use of a shelter such as a tent, trailer, motor vehicle, tarpaulin, bed roll or sleeping bag for temporary residence or sleeping purposes.

(h) CAMPSITE

Campsite means: A segment of a campground which is designated for camping use by a camping unit for camping party.

(i) CAMPING UNIT

Camping Unit means: Any single shelter used for a camp by a camping party except those used exclusively for dining purposes.

(j) CAMPING PARTY

Camping party means: Any individual, family or unorganized group occupying a Campsite. An unorganized group may not exceed 4 persons who are 18 years of age or older.

(k) FAMILY

Family means: Parents and minor children living together in a household. *(Amended 12/22/16)*

(l) PICNIC AREA

Picnic area means: Any tract of land developed and maintained for picnicking including adjacent playground and play field areas.

(m) BATHING BEACH

Bathing Beach means: Any water area or adjacent land area designated as a swim area by standard regulatory markers or posted notice.

10.200 ADMINISTRATION

The Oconto County Board of Supervisors has assigned the administration of lands entered under Section 28.11 and all park lands as well as any lands designated as reserved lands in the official copy of the reserved lands book files in the office of the County Clerk to the Forest, Lands, Parks, and Recreation Committee. Hereinafter called the Committee.

(a) VEHICLE OWNER'S LIABILITY

When any vehicle is involved in a violation of any provision of Sec. 10.501, 10.802, 10.809, 10.810, 10.815, 10.1001, 10.1002 and 10.1004, the owner of said vehicle as shown by the ownership registration of the vehicle supplied by the Wisconsin Department of Transportation, Wisconsin Department of Natural Resources, or a comparable authority of any other State, shall be presumed to have violated the applicable Sections of the Oconto County Code of Ordinances set forth herein. The following are defenses to a violation of this section.

(1) That a report that the vehicle was stolen was given to a traffic officer before the violation occurred or within a reasonable time after the violation occurred.

(2) If the owner of the vehicle provides issuing officer with the name and address of the person operating the vehicle at the time of the violation and the person so named admits operating the vehicle at the time of the violation, then the person operating the vehicle and not the owner shall be charged under this section.

- (3) If the vehicle is owned by a lessor of vehicles and at the time of the violation the vehicle was in the possession of the lessee, and the lessor provides an issuing officer with information required, then the lessee not the lessor shall be charged under this section.
- (4) If the vehicle is owned by a dealer, and at the time of the violation the vehicle being operated by any person on a trail run, and if the dealer provides the issuing officer with the name, address and operator's license number of the person operating the vehicle, that the person operating the vehicle, and not the dealer, shall be charged under this section.

10.300 AUTOMOBILES, MOTORCYCLES, MINI BIKES, DIRT BIKES, TRUCKS, OFF-ROAD VEHICLES (OTHER THAN ATV'S) AND SNOWMOBILES. *(Ordinance - O2017-10-02 Chapter 10 – Parks and Recreation - 10.19.2017)*

(a) PERMITTED USE OF VEHICLES

- (1) Emergency, Law Enforcement, Forestry and Park vehicles are permitted to use all roads, trails, and lands under the management, supervision or control of the Forest, Parks & Recreation/Land Information Systems Sub-Committee.
- (2) Disabled person(s) may use vehicles as a means of personal conveyance (excluding non-disabled person(s) by written permit obtained by Forest, Parks & Recreation/Land Information Systems Sub-Committee or designee).

(b) RESTRICTED USE OF VEHICLES

No person shall operate any motor vehicle, including but not limited to, automobiles, motorcycles, mini bikes, dirt bikes, trucks, off-road vehicles, snowmobiles or motor bicycles, as defined in s. 340.01(30), Wis. Stats., on park or forest lands under the management, supervision or control of the Forest, Parks & Recreation/Land Information Systems Sub-Committee, except as follows:

- (1) Automobiles, motorcycles, trucks and off- road vehicles that are currently registered with the Department of Transportation are permitted on County Forest Roads (approved by the State Department of Transportation), and existing trails (over 12 feet cleared width) that are not closed by a gate, berm, stumps or posting, or roads that are not designated recreation trails for such purposes as, including but not limited to hiking, cross country skiing, snowmobiling, horseback riding, or ATV operation.
- (2) The Forest, Parks & Recreation/Land Information Systems Sub-Committee may authorize and permit snowmobiles on designated snowmobile trails.
- (3) A non-electric motor bicycle: without the motor engaged, running or otherwise in operation is excepted from this provision.

10.500 CAMPING

(a) CAMPING PERMITS

Camping is prohibited, except in designated areas of county parks or county recreation areas. It shall be unlawful to camp in such areas without permit and payment of such fees as may be required. Fee required before camping.

(b) OCCUPANCY

A Maximum of 4 Adults or one family shall occupy a single site. Additional Adults shall pay for and occupy an additional site under the terms of this permit. *(Amended 12/22/16)*

(c) DEFINED LIMITS

No camping unit shall be set up beyond the defined limits of the Campsite.

(d) MOVING

No camping party shall move from its assigned site to another campsite without prior approval.

(e) EXPIRATION

All camping permits expire at 3:00 P.M. at Chute Pond Campground and 1:00 P.M. at North Bay Shore Campground on the last day of the period.

(f) EXTENSIONS

Extensions within the 14 day limit may be granted on camping permits.

(g) TIME PERIOD

No person shall camp and no camping unit shall remain for a period greater than 14 days in any 4-week period in the property of registration. Thereafter, the camping unit must be removed from the property for at least 7 days before being eligible to return. Except campers having a signed seasonal contract for a greater period of time.

(h) TAKE DOWNS

No camping party shall set up or take down its camping unit between the hours of 10:00 P.M. and the following 6:00 A.M.

(i) PARKING

It shall be unlawful to park any motor vehicle outside the parking area designated at each campsite and not more than 2 motor vehicles are permitted to any campsite. Except campers having a signed seasonal contract for a greater period of time.

(j) REVOCATION

Violation of any state law, or county ordinance, by a member of a camping party is cause for revocation of the camping permit.

(k) UNOCCUPIEDSITES

A campsite must be occupied by a member of the camping party and no campsite may be left unoccupied for more than 16 hours.

(l) TABLE AND OUTLETS

Any party occupying a campsite shall be allowed the use of only one table and one electrical outlet.

10.600 RESERVATIONS

(a) ADVANCED RESERVATIONS

Reservations must be at least 1 week in advance and paid in full at the time the reservation is made.

(b) NON-MEMBER

It shall be unlawful for any person to obtain a camping permit for use by a camping party of which he/she is not a member.

(c) RESERVATION PERIOD

A minimum reservation is 2 nights on non-holiday weekends and 3 nights for holiday weekends. The site will be held until check-out time of the next day after the reservation was made for.

(d) REFUNDS

No refunds will be given unless a written cancellation is received 2 weeks in advance of the time of the reservation date.

(e) SEPARATE RESERVATIONS

A separate reservation must be made for each site in the name of the camping party that will occupy the site.

10.700 SHELTERS/ORGANIZED GROUPS USES

(a) Whenever more than 50 persons from an organized group request to use any park facility they shall apply for and obtain a special park use permit.

A refundable deposit for the cleanup and maintenance of the park will be held by the Department as a security deposit. The committee shall establish a fee schedule for this permit and deposit.

(b) Any organized fishing tournament regardless of size shall obtain a special use permit when using launching facilities.

10.800 PARK GENERAL RESTRICTIONS

(a) METAL DETECTORS

The use of metal detectors is prohibited except by written permit issued by the Committee.

(b) REFUSE

It shall be unlawful for any person to discard or leave any refuse, sewage, or other waste material on the ground, or in any building or installation or into the water or upon the ice of any lake or stream or other body of water, or to dispose of any such refuse or waste material in any manner except by placing

in receptacles or other authorized locations provided for such purposes.

(c) PETS

It shall be unlawful for any person to allow his or her dog, cat or other pet to be in any public building or to be upon any bathing beach, picnic area, or playground. In all other park areas, all campgrounds, and on posted trails, dogs, cats and other pets shall be kept on a leash not more than 8 feet in length and under the control of the owner at all time. No person shall fail to prevent his or her dog, cat or other pet from interfering in any manner with the enjoyment of the area by others. The Department shall designate a person to act as Poundmaster for the parks for the purpose of providing a pound for pets found running at large within the parks and which are referred to such Poundmaster for impoundment under provisions of State Statute 174.046 by those persons designated by the Committee to enforce the Ordinance. The Poundmaster may charge the owner of pets impounded for the costs of impoundment prior to their release. If after 7 days an animal is not claimed, the Poundmaster may dispose of the animal. The Poundmaster shall present a monthly statement to the department for animals impounded and not reclaimed by the pet owner. Costs for such impoundment shall be payable to the Poundmaster out of the County's dog license fund.

(d) FIRES

It shall be unlawful for any person to start tend or maintain any fire on the ground or to burn any refuse except in fire places or fire rings in camping areas in any county park.

(e) PEDDLING AND SOLICITING

It shall be unlawful for any person to peddle or solicit business of any nature whatever or to distribute handbills or other advertising matter, to post unauthorized signs on any lands, structures, or property under the management, supervision, or control of the Committee or to use such lands structures or property for commercial operations, for soliciting or conducting business peddling or providing services within or without such lands, structures or property unless first authorized in writing by contractual agreement with the committee or its duly authorized agents.

(f) WATER RIDES

It shall be unlawful to use in any manner the dock, pier, wharf, boat landing, mooring facilities or the waters in the immediately adjacent to any lands under the management, supervision or control of the Committee for the purpose of soliciting rides of any kind unless authorized by the committee.

(g) BOATS IN SWIMMING AREAS

It shall be unlawful to operate a boat within a water area marked by buoys or other approved regulatory devices as a bathing beach, nor operate a boat in a restricted use area contrary to regulatory notice marked on buoys or other approved regulatory devices.

(h) HORSES

It shall be unlawful to ride, lead, or cause or suffer any horse in any county park.

(i) PARKING

No person shall park, stop or leave standing whether attended or unattended, any vehicle or watercraft, in any manner as to block, obstruct or limit the use of any road, trail, waterway, or winter port facility,

or contrary to posted notice.

(j) VEHICULAR ACCESS

No person shall operate any motor vehicle in any county park or recreation area except on roads improved for vehicular traffic.

(k) ABANDONED VEHICLES

It shall be unlawful to leave any vehicle unattended without prior Committee approval 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.

(l) FIREARMS

It shall be unlawful for any person to have in his possession or under his control any firearm or airgun as defined in section 167.31(1)(c) Wisconsin Statutes, or any slingshot or springloaded device designed for shooting a projectile unless the same is unloaded and enclosed in a carrying case, or any bow unless it is unstrung or enclosed in a carrying case.

(m) WILDLIFE

No person shall take, catch, kill, hunt, trap, pursue, or otherwise disturb any wild animals or birds in any county park, campground or picnic area or contrary to posted notice on other areas under the control of the committee.

(n) FEES AND CHARGES

It shall be unlawful for any person to use any facility, land or area for which a fee or charge has been established by the committee without payment of such fee or charge.

(o) CLOSED/RESTRICTED AREAS

The department may close/restrict, by posted notice/sign, any park, park facility or park activity and county forest area recreation activity or activities, including but not limited to the following: any picnic area, beach, camp area, trail head, boat landing, unpaved road or similar recreation facility.

(p) BEACHES

It shall be unlawful for any person to perform any ambulation or shampoo on any bathing beach or in the water adjacent to any bathing beach in any county park. It shall be unlawful to swim beyond or disturb or molest a bathing beach boundary buoy or marker in any swimming beach in any county park.

(q) FIREWORKS, ROCKETS, EXPLOSIVE DEVICES

It shall be unlawful for any person to possess, fire, discharge, explode, or set off any squib, cracker, or other explosive or pyrotechnic device containing powder or other combustible or explosive material, within the limits of any county park, excepting that exhibitions of fireworks as authorized by the committee or its agents by written permit, contract or policy, are permitted.

(r) NOISE

It shall be unlawful for any person to operate any sound truck, loudspeaker, generator, air-conditioner or other device that produces excessive noise without first obtaining a written permit from the committee or their authorized agent.

(s) CURFEWS

The designated park areas will be closed except for camping areas to registered campers from 10:30 p.m. to 5:00 a.m.

(t) DESIGNATION OF CURFEW AREAS

Pioneer Memorial Park
Ranch Lake Beach Area
North Bay Shore Recreation Area
Chute Pond Park (Fisher Memorial Park)
Townsend Dams
Gillett Riverside (BB)
D.E. Hall
North River Road Boat Access
Iron Bridge Access
Anderson Lake
Machickanee Flowage Access
Grange Park
Recreation Trail
Pensaukee Landing
Patzner Park
Coulliardville Park

(u) SWIMMING IN LAUNCH AREAS

It shall be unlawful for any person to swim within 100 feet of a county boat landing.

(v) NORTH BAY SHORE HARBOR AND BREAK WATER

It shall be unlawful for any person to swim within the harbor area or between the breakwaters.

10.900 BOATS

(a) USER FEE

(1) There is hereby established a user fee for a boat or some other form of watercraft from Oconto County Boat Landings under Forest/Parks control, including:

- (A) North Bay Shore Recreation Area (Park 2)
- (B) D.E. Hall Park (Park 1)
- (C) North River Road Boat Access
- (D) Iron Bridge Access
- (E) Machickanee Flowage Pond
- (F) Chute Pond East
- (G) Chute Pond Field House
- (H) Chute Pond South

- (I) Patzer Park
- (J) Pensaukee Landing
- (K) Gillett Riverside Park (BB Park)
- (L) Anderson Lake

- (2) Launch fee must be paid prior to using launch
- (3) That the fee be established by the Forest, Lands, Parks and Recreation Committee and reviewed every year for the launch or use of one of the designated Oconto County Launch Facilities. Such fee shall have a daily, annual component, and commercial compact.
- (4) That any revenues generated by these fees be placed into a special non-lapsing account that would be designated specifically for capital improvements of any County launch facility.

(Amended 12/22/16)

(b) DISPLAY OF RECEIPT

- (1) Daily permit in the form of a sticker or some other form designated by the Department shall be displayed on the vehicle used for launching from the respective boat launch in the manner described by the department. All permits shall remain on display for the entire time the vehicle is on the premises of the respective boat launch.
- (2) Seasonal Permit in the form of a sticker shall be displayed on trailer used for launching.
- (3) Commercial sticker must be in vehicle while launching.

(c) FAILURE TO PAY

It shall be unlawful for any person or owner of a vehicle to fail to pay the required fee at the time of launch at any of the designated boat launches, and to display the receipt of same. The owner of a vehicle found in violation of this section of the code shall be liable for the violation.

(d) LATE FEE

It shall be established in lieu of issuance of a citation and payment of a forfeiture a late fee of \$20.00 is hereby established insomuch as the late fee is received no later than 5 days from the date of violation. If the late fee is not received within the five day period a citation may be issued for failure to pay as stated in section 10.903 of this ordinance. Late fee will be reviewed and adjusted if necessary every year by the Forest, Park and Recreation/LIS Sub-Committee.

(e) PENALTY

Any person violating any provisions of this ordinance shall, upon conviction, be subject to a forfeiture of not less than \$5.00 nor more than \$100.00, plus costs of prosecution, and in default of payment of said forfeiture and costs, shall be imprisoned in the Oconto County Jail until said forfeiture and costs are paid but not to exceed 90 days.

(f) UNATTENDED WATERCRAFT

No boat, watercraft or personal watercraft shall be left on shore, moored, left unattended or anchored overnight in waters of any County Park or County Forest, except in areas designated for that purpose.

(g) NO WAKE

The following areas shall be no wake for all watercraft:

- (1) North Bay Shore Harbor
- (2) Between North Bay Shore Breakwaters
(Amended 12/22/16)

10.1000 STATE RECREATIONAL TRAIL (NICOLET AND OCONTO RIVER)

(a) ADMINISTRATION

The Oconto County Board of Supervisors, hereinafter called the Board, hereby assigns the administration of the recreation trail hereinafter described to the Committee of the County Board known as Forest, Parks, & Recreation/Land Information Systems Sub-committee, hereinafter referred to as the Committee.

(b) LAND

Management and regulatory control of all lands and facilities designated by this Ordinance is delegated to the Committee.

(c) SCOPE

The provisions of this Ordinance shall apply to all lands covered by the Nicolet Trail easement and the Oconto River Easement. The aforementioned lands shall be open to the public for the purpose of bicycling, hiking, snowmobiling, or other mutually agreed upon compatible uses.

(d) CODES REFERENCED

- (1) Sections 9.700(p) Abandoned Vehicles and Personal Property, 9.700(t) Camping, 9.700(u) Fire, 9.700(y) Trash/Litter, 9.700(z) County Property, 9.900 All-Terrain Vehicles Regulated, 10.300(a) Permitted Use of Vehicles, 10.300(b) Restricted Use of Vehicles, 10.800(b) Refuse, 10.800(d) Fires, 10.800(i) Parking, 10.800(l) Firearms, and 10.800(o) Closed Areas, shall apply to the recreation trail.
- (2) PENALTY. The penalty for violation of any provision of this ordinance shall be a forfeiture as hereinafter provided along with costs and penalty assessments. Any person failing to pay said forfeiture shall be imprisoned in the Oconto County Jail for a period not to exceed 60 days.
- (3) Local Regulations. Except as otherwise provided, any person found; guilty of violating the provisions of this ordinance shall pay a forfeiture of not less than \$50.00 nor more than \$500.00.

(e) TRESPASS

It shall be unlawful to enter private lands adjacent to the recreational trail except with prior approval from the private landowner.

(f) CAMPING/PICNICKING/REST STOP

It shall be unlawful to camp, picnic, or make a rest stop except in those places designated by a posted sign authorized by the Committee.

(g) HUNTING

Hunting will not be allowed on any State Recreation Trail (Nicolet & Oconto River).