

CHAPTER 13
PARKS AND RECREATION

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PARKS AND RECREATION

Sec. 13.01 PARK REGULATIONS

- 1) **PURPOSE AND DEFINITION.** In order to protect the parks, parkways, recreational facilities, and conservancy areas within the Village from injury, damage, or desecration, these regulations are enacted. The term “park,” as hereinafter used in this chapter, shall include all grounds structures and watercourse 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 Village.
- 2) **SPECIFIC REGULATIONS.**
 - (a) **Littering Prohibited.** No person shall litter, dump, or deposit any rubbish, refuse, earth or other material in any park.
 - (b) **Sound Devices.** No person shall operate or play any amplifying system unless specific authority is first obtained from the Village Board.
 - (c) **Pets.** No person shall permit any unleashed dog, cat, or other pet owned by him to run at large in Upper Park. Dogs, cats and all other pets are prohibited in Lower Park.
 - (d) **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 Park Committee.
 - (e) **Throwing Stones and Missiles Prohibited.** No person shall throw stones or other missiles in or into any park.
 - (f) **Removal of Park Equipment Prohibited.** No person shall remove benches, seats, tables or other park equipment from any park.
 - (g) **Trapping.** No person shall trap in any park unless specific written authority is first obtained from the Village board.
 - (h) **Making of Fires.** No person shall start, tend, or maintain a fire except in personal grills or designated fireplaces. 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.
 - (i) **Protection of Park Property.** No person shall kill, injure, disturb, or attempt to injure or disturb waterfowl, birds, or animals, wild or domestic, within any park. No person shall climb any tree or remove flowers or fruit, wild or cultivated, or break, 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.
 - (j) **Motorized 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.
 - (k) **Snowmobiles.** No person shall operate a snowmobile in a Village park except in designated areas.
 - (l) **Speed Limit.** No person shall operate any vehicle in a Village park in excess of 15 miles per hour unless otherwise posted.
 - (m) **Glass Beverage Bottles in park Prohibited.** No person shall possess any glass beverage bottle within the limits of the parks of the Village.
 - (n) **Reckless Driving in Parks Prohibited.** No person shall operate a motor vehicle in a reckless manner in any of the public parks of the Village.
 - (o) **Parking in Parks.** No person shall park any motor vehicle in any park in the Village except in a designated parking area.
 - (p) **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 Parks Committee is first obtained. It shall be unlawful for any person to ride a horse or drive a horse-drawn vehicle in a careless, negligent, or reckless manner which may endanger the safety and well-being of others.
- 3) **RADIO-CONTROLLED MODELS PROHIBITED.** No person shall fly a radio-controlled model airplane in any park in the Village of Whiting except in areas specifically designated and posted for such purpose.
- 4) **USE OF METAL DETECTORS ON PUBLIC PROPERTY.** Absent authorization by the Village Board, the use of metal detectors and digging for buried objects on village property, except beaches where no vegetation is present, is prohibited.

- 5) **PARK HOURS.** All parks in the Village of Whiting shall be closed between the hours of 11:00 p.m. and 5:00 a.m., except for events authorized by the Village Board.

Sec. 13.02 GREEN CIRCLE REGULATIONS

- 1) The Portage County Green Circle Trail Ordinance, numbered as section 6.2 of the Portage County Code of Ordinances, is hereby adopted and by reference made part of this Municipal Code as if fully set forth herein. Any act required to be performed or prohibited by any statute, rule, regulation, or ordinance incorporated by reference herein are respectively required or prohibited by this ordinance.
- 2) Any violation of the Portage County Green Circle Trail Ordinance enumerated above shall be considered a violation of this Municipal Code.
- 3) No person shall violate any posted sign, placard, or other notice of lawfully made regulations on the Portage County Green Circle Trail, or any other recreational trail open to the public for their use.
- 4) The penalty for violation of this subsection shall be consistent with that of the Portage County Green Circle Trail Ordinance.

Sec. 13.03 LEGISLATIVE INTENT

THE GREEN CIRCLE

The purpose of the Green Circle is to link scenic natural areas of the Wisconsin and Plover Rivers. This trail system will significantly increase pedestrian and bicycle safety by routing these uses away from heavily traveled streets and highways. The Green Circle is a linear recreation corridor that will serve many user groups and in particular it will serve the specific needs of those seeking increased physical activities through hiking, walking, jogging, and cross-country skiing.

THE GREEN CIRCLE CORRIDOR

The Green Circle Corridor includes existing trails located along the Wisconsin River between Bukolt park and the River Pines Living Center facility. The Green Circle will link this trail with other public properties connecting the Stevens Point – Hull – Whiting and Plover areas. The trail includes privately held properties and it crosses a number of municipal boundaries. The Green circle links the following public properties: Zenoff park (City of Stevens Point), the Schmeckle Reserve (University of Wisconsin – Stevens Point), the Stevens Point Water Department and Airport lands (City of Stevens Point), Iverson Park (City of Stevens Point), Plover River Park (City of Stevens Point), the Village of Whiting well fields (Village of Whiting), the Hoover Road corridor extending the system to the Village of Plover, and the Whiting Village Park (Village of Whiting).

PURPOSE OF ORDINANCE

The purpose of the Portage County Green Circle ordinance is to provide laws for the safe and peaceful public use of the Green Circle Trail and its associated facilities and the protection and preservation of public and private property and natural resources. It is to serve as a model to be enacted by the city of Stevens Point and the Villages of Whiting and Plover so there is uniform enforcement of ordinances between unincorporated and incorporated areas.

6.2 PORTAGE COUNTY GREEN CIRCLE ORDINANCE

6.2.1 DEFINITIONS

(A) *“Person”* as used throughout this ordinance shall be deemed to include any individual, partnership, firm, or corporation.

(B) *“Green Circle Trail”* is described as:

A linear corridor 18’ more or less in width and about 30 miles in length running through the City of Stevens Point, the Village of Whiting, the Town of Hull, the Town of Plover, Village of Plover, and Village of Park Ridge, posted with trail head signs named River Pines trail; Riverfront trail, Stage Coach trail; the Holiday trail; University trail; Moses Creek trail; Plover River trail; Iverson Park trail; McDill trail; Hoover Road trail; Whiting Park trail; and Paper Mill trail, Mainland Meadows, and the Westside Loop.

And includes public property and private property where Portage County and/or the City of Stevens Point has been granted the right of public use for the *“Green Circle Trail.”*

6.2.2 USE

The use of the Green Circle trail and its corridor by the public is limited to pedestrian activities such as walking, hiking, running, jogging, cross country skiing and bicycling. Bicycling is not allowed where alternate bicycle routes are posted.

6.2.3 PERSONAL CONDUCT AND NUISANCES

(A) No person shall be threatening, abusive, insulting, profane or be unreasonably loud to another person while on the Green Circle Trail, or commit other disorderly conduct that tends to cause or provoke a disturbance.

(B) No person shall operate any loudspeaker, radio or other device that produces noises in an unreasonably loud manner.

6.2.4 DESTRUCTION, DEFACEMENT OR REMOVAL

No person shall disturb, molest, deface, remove or destroy any trees, shrubs, plants or other natural growth, rocks, flora and fauna, archaeological or geological features, signs, walls or structures; injure or deface in any manner any structures including buildings, signs, fences, tables or property within the Green Circle trail or any support facility associated with the Green Circle trail.

6.2.5 LITTERING AND REFUSE

(A) Littering

State and County ordinances against littering are incorporated within this ordinance and shall be strictly enforced on the entire Green Circle trail whether on private or public property.

(B) Refuse

No personal refuse or garbage shall be carried onto the Green Circle trail and be deposited and/or dumped next to or into refuse containers or left anywhere along the trail corridor or its support facilities.

6.2.6 PEDDLING AND SOLICITING

No person shall sell, peddle or solicit business of any nature or distribute handbills or other advertising matter, post unauthorized signs or decorative matter on any structures, trees or any other property within the Green Circle trail corridor; nor use this corridor as a base of commercial operations for soliciting or conducting business, peddling or providing services.

6.2.7 PUBLIC MEETINGS

No person may conduct or participate in an assembly or public demonstration, except with written permission of the Portage County Parks Director or his/her designee. This includes such organized events as walks and runs for various non-commercial and civic purposes.

Approval is based upon a finding that such activity would not substantially interfere with the use of the Green Circle trail corridor by the general public and is not for commercial purposes and participants are not charged user fees.

6.2.8 MOTOR VEHICLES

Motorized vehicles, excluding wheel chairs, of any kind are prohibited within the Green Circle trail corridor unless they are used for maintenance, operations, emergency, enforcement of the Green Circle Trail ordinance or other purpose authorized in writing by the parks director.

6.2.9 ANIMALS

(A) Pets

Pets are prohibited on those sections of the trail corridor that are so posted. Pets shall be effectively restrained at all times to within the Green Circle Trail Corridor boundaries and shall be restrained by a leash or tie not more than eight feet long.

(B) Horses

Horses are not permitted within the Green Circle Trail Corridor.

(C) Animal Excreta

Any owner or person having the immediate care, custody or control of any animal shall promptly remove and dispose of, in a sanitary manner, any excreta left or deposited by the animal within the Green Circle trail corridor. Any person bringing a dog or dogs on the Green Circle trail must have at least one dog feces waste bag per dog in his or her possession.

(D) Hunting and Trapping

No person shall take, catch, kill, hunt, trap, pursue or otherwise disturb any wild animals or birds within the Green Circle Trail Corridor.

6.2.10 ALCOHOLIC BEVERAGES, NARCOTICS, AND ILLEGAL DRUGS AND BARBITURATES

(A) No person may sell or consume alcoholic beverages within the Green Circle trail corridor.

(B) No person shall possess or use any illegal narcotic drug within the Green Circle Trail Corridor.

6.2.11 FIRES AND FIREWORKS

(A) Fires

No person shall start, tend or maintain any fire, or burn any refuse within the Green Circle trail corridor except in designated park grills.

(B) Fireworks

No person shall possess, fire, discharge, explode or set off any explosive or pyrotechnic device containing powder, or other combustible or explosive material within the Green Circle trail corridor.

6.2.12 REGULATION OF BICYCLE RIDERS

(A) Ride only on trails designated for bicyclists' use.

(B) Yield to all other trail users. Slow down and pass with care.

(C) When encountering walkers on narrow trails, stop and wait for them to pass or signal you through.

(D) Use your bell or horn to announce your presence to walkers well in advance, particularly when approaching from behind.

(E) Never exceed the 15 m.p.h. speed limit. Slowly approach blind turns in anticipation of other trail users and obstacles that are beyond your view.

(F) Yield to other bicyclists traveling uphill.

(G) Racing or reckless riding is prohibited.

(H) Walk bicycles on boardwalks, steep hills, and narrow bridges.

6.2.13 ATHLETICS

No person shall play ball or any other game or sport upon or within the Green Circle trail corridor.

6.2.14 CLOSING OF THE GREEN CIRCLE CORRIDOR AND SUPPORT FACILITIES

In an emergency, or when in the judgment of the Park Commissioner or its Director, any portion of the Green Circle Corridor and its support facilities may be closed to the public for reasons that may include severe high fire danger, flooding, severe weather, deer gun season, or any other reason that the public interest demands closing of the corridor. Use of the portion of the corridor after it is posted "closed" under this section shall be trespass.

6.2.15 ADDITIONAL RULES AND EXCEPTIONS

(A) Rules and regulations may be made from time to time by the Commission, governing the further use and enjoyment of the Green Circle Corridor and the facilities thereof. These rules shall be posted on the Trail Corridor. Any person who shall violate such rules shall be posted on the Trail Corridor. Any person who shall violate such rules or regulations may be required to leave the trail corridor or support facility and may be subject to penalties as set forth in Section 6.3.17(B) of this ordinance. Persons required to leave the Trail Corridor or its support facilities shall not return for a 24 hour period from the date and time of order to leave.

(B) Exception

Nothing in this ordinance shall prohibit or hinder the Portage County Park Commission, its Director, or other duly authorized agents, or any peace officers from performing their official duties.

6.2.16 LEGAL ACTION

(A) Civil Action

Whenever any violation shall occur, the Corporation Counsel shall prosecute as provided by law.

(B) Secondary Fees

In lieu of arrest or commencing a civil action for any violation set forth herein, the Portage County Parks Director may, at his discretion, impose a notice fee for such violation in the amount of \$20.00. If this notice fee is not paid within 5 days of issuance, the matter shall be referred to the corporation counsel for prosecution in accordance with (C) below. The Parks Director shall prepare an envelope in which the notice fee shall be submitted. The notice fee shall be submitted in the manner stated on the envelope which may be amended from time to time as the Parks Director deems necessary.

(C) Penalties

Any person who violates this ordinance, which is not resolved in accordance with (B) above, shall be required to forfeit as set forth in Chapter 5, together with all legally applicable costs, fees, and assessments, and in default thereof, shall be subject to imprisonment in the Portage County Jail for a period not to exceed thirty (30) days.

(D) Citations for violations of this chapter may be issued by any peace officer of the County, City, Town or Village within its jurisdiction or by those persons designated under this ordinance.

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