

VILLAGE OF WEYERHAEUSER
ORDINANCE 2021- 5
WEYERHAEUSER PARK REGULATIONS

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1. PARK REGULATIONS

a.) Purpose and Definition

In order to protect the parks, parkways, recreational facilities and conservancy areas within the Village of Weyerhaeuser from injury, damage or desecration, these regulations are enacted. The term "park" as hereinafter used in this Chapter shall include all grounds and structures 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.

b.) Specific Regulations

- 1) Littering Prohibited. No person shall litter, dump or deposit any rubbish, refuse, earth or other material in the park, except in containers provided for that purpose.
- 2) Sound Devices. No person shall operate or play any amplifying sound system unless specific authority is first obtained from the Village Board.
- 3) Pets. No person shall permit any dog, cat or other pet owned by him/her to run at large in any park. Animal waste will be picked up and properly disposed of by pet owner.
- 4) 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 Village Board.
- 5) Throwing Stones and Missiles Prohibited. No person shall throw stones or other missiles in or into the park.
- 6) Removal of Park Equipment Prohibited. No person shall remove benches, seats, tables or other park equipment from the park.
- 7) Trapping. "Trapping" when used in this Section includes the taking, or the attempting to take, of any wild animal by means of setting or operating any

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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 the Village park.

- 8) Making of Fires. No person shall start, tend or maintain a fire in the park. The use of personal grills, firepits, or fireplaces is allowed in designated areas in the park.
- 9) Protection of Park Property.
- a. 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, 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, buffing, structure, apparatus, bench, table, official notice, sign or any other property within the park.
 - b. No person shall deface, by throwing stones, pebbles or other debris in any of the toilets, bubblers or other sanitary facilities located in the Village park; or to deface by drawing with crayon, chalk, paint, or anything else on any of the buildings or equipment at the Village park; or to deface the equipment by means of a sharp instrument.
- 10) Motorized Vehicles. Except for authorized maintenance vehicles, no person shall operate an unlicensed or licensed motorized vehicle in the park. Motor vehicles are restricted to the roads and drives and parking areas. No motor vehicles of any nature may be used on the seeded areas except vehicles which have a Village Board authorization for shows, rides or exhibits and then only for the purpose of loading and unloading. No person shall operate any off-the-road vehicle, motorcycle, trail bike, all-terrain vehicle, truck or other motorized vehicle in the park, playground or other public ground where pathways or trails have been developed and/or designated for walking, hiking, jogging, running, bicycling, cross-country skiing, sledding or other pedestrian use. All motorized vehicles are limited to use of roadways specifically for their use and according to other restrictions in this Code.
- 11) Snowmobiles. No person shall operate a snowmobile in the park.
- 12) Glass Beverage Bottles in Parks Prohibited. No person shall bring into, carry onto or possess while in the park, glass bottles or glass containers, including those containing or normally used for containing soda water, fermented malt beverages or alcohol. Any person or organization that has been approved by written application for a park reservation may bring into, carry onto, or possess glass beverage bottles while at the specific event. All glass beverage bottles must be disposed of properly per the requirements in the park rental agreement.

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- 13) Parking in Parks. No person shall park any motor vehicle in the park except in a designated parking area.
- 14) Horse and Carriages. No person shall ride a horse or drive a horse-driven vehicle in the park, except on roads or designated bridle paths, except when approval of the Village Board 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. No horse shall be ridden in a reckless manner. Pedestrians shall have the right-of-way when crossing a bridle path, and whenever groups of people are visible within three hundred (300) feet horses shall be ridden at slow gait.
- 15) Removing Tree Protectors. No person shall remove any device for the protection of trees or shrubs.
- 16) Golfing and Sporting Activities. No golfing or practicing golf in the park shall be allowed except with the use of a whiffle ball. All sporting activities must be held in areas so designated for that purpose.
- 17) Arrows. No person shall use or shoot any bow and arrow in the park.
- 18) Fees and Charges. The Village Board shall have the authority to establish such fees as deemed necessary for use of any park facility, shelter or land area. It shall be unlawful to use such areas without payment of such fee or charge when required.
- 19) Firearms: Hunting. Possessing or discharging of any firearm or weapon of any kind is prohibited in the park.
- 20) Controlled Substances. Possessing, using or dispensing of a controlled substance in violation of the Uniform Controlled Substances Act is prohibited in the park.
- 21) Camping. Overnight camping is not permitted in the park, except by prior written permission from the Village Board.
- 22) Utility Installation and Construction. Any private construction which may in any manner encroach upon or affect the park and parkway shall be under the direction and jurisdiction of the Village Board and no such installation, repair or construction shall commence without the written permission therefor from the Village Board. All public works, including construction and installation of power lines, hydrants, sewers and the like shall be commenced only after notice to the Village Board of the Village's intention so to do. Where practicable, such construction and installation shall be performed pursuant to recommendations by the Board.
- 23) Commercial Enterprise. No person shall sell, or offer for sale, any article, thing, privilege or service in the park without prior written permission from the Village Board.

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24) Posted Regulations. In addition to the regulations herein contained and provided, the Village Board may post from time to time specific rules and regulations; and such specific rules and regulations shall be incorporated by reference in to this Chapter as fully as set forth herein.

2. RADIO-CONTROLLED MODEL AIRPLANES & DRONES PROHIBITED IN PARKS

No person shall fly a radio-controlled model airplane, helicopter, or drone in the park in the Village of Weyerhaeuser except in areas specifically authorized, designated and posted for such purpose.

3. TURF PROTECTION ON PUBLIC PROPERTY

Except as authorized by the Village Board, no person shall dig into the turf of the Village park property for any purposes whatsoever or remove any trees or flowers. Absent authorization by the Village Board, the use of metal detectors and digging for buried objects on Village park property is prohibited.

4. PARK HOURS

1.) Closing Hours. The Village Park shall be open between 6:00 a.m. and 10:00 p.m.

2.) Exceptions. The restrictions set forth in Subsection (a) above shall not apply to the following individuals:

- a. Individuals who are attending or participating in community celebrations or events held at the park. However, all such individuals exempted by this subparagraph shall be out of the park within one-half (1/2) hour of the end or closing of the celebration or the event for that evening.
- b. Individuals or groups who have received permission from the Village Board for any special group activity.
- c. Individuals who are law enforcement officers, firemen, emergency personnel, Village employees or Village officers who are in the course of their official duties.

3.) Park Closing and Opening Dates. The Village Board and/or the Public Works Director will have full authority to open and close the park because of season, condition, construction or when, in the interest of public safety, it is deemed necessary.

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5. ULTRALIGHT AIRCRAFT REGULATED.

1. Definition.

An ultralight aircraft, vehicle or hang glider is an unpowered or powered aircraft which is not subject to extensive regulation by the Federal Aviation Administration by virtue of its characteristics and which is defined as an ultralight vehicle (b) 14 C.F.R. and which is defined as an ultralight aircraft by Sec. 114.195, Wis. Stats.

2. Regulations Regarding Use.

- a. No person shall operate any ultralight aircraft within the Village in such a manner or in such a location as to endanger or injure any person or property. No person shall operate an ultralight aircraft in the Village in violation of any applicable state and federal regulations and standards. No person shall cause an ultralight aircraft to land or to take off from any property without permission of the owner or occupant of said property, provided that an emergency landing may be made to prevent a catastrophe. In the case of landing or taking off from the Village park the operator of such ultralight aircraft shall first obtain a permit from the Village Board. No fee shall be charged by the Village Board for such permit which may be issued for a period up to thirty (30) days nor shall the Village Board sponsor such activity.
- b. Any person desiring to land or to take off from any property owned by the Village of Weyerhaeuser shall, prior to receiving a permit, procure evidence of insurance providing for not less than Five Hundred Thousand Dollars (\$500,000.00) of coverage for each occurrence for damage to property or personal injury. Evidence of such insurance shall include a certificate of insurance naming the Village of Weyerhaeuser as an additional insured and said certificate shall be filed with the Village Clerk/Treasurer at the time the applicant seeks a permit.

6. EXCLUSIVE USE OF PARK PROPERTY.

a. Reservation Policy.

The Village-owned park and park facilities and shelter areas are primarily for the nonexclusive use of the residents and visitors of the Village. However, under proper circumstances, exclusive use of the same or parts thereof may be permitted. This Section is intended to regulate exclusive use of municipality-owned parks, park facilities, park shelters or parts thereof, in the Village of Weyerhaeuser to the end that the general welfare of the Village is protected.

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b. Reservation of Park Facilities.

A person or group, firm organization, partnership or corporation may reserve the use of the park facility by written application filed with the Village Clerk/Treasurer for referral to the Village Board for a reservation application for exclusive use of the same. All reservations shall be made on application forms in the office of the Village Clerk/Treasurer and shall be on a first-come, first-served basis, provided however, that any Village-based church or civic group may make reservations for dates used by it in past years on a continuing basis, at any time. Reservation of a designated area shall give the party to whom reserved the right to use such area to the exclusion of others for and during the period of reservation. Areas not reserved shall be open to use by all.

c. Application.

Applications shall be filed with the Village Clerk/Treasurer at least thirty (30) days prior to the date on which the use of the park, or portion of the park, is requested, and shall set forth the following information regarding the proposed exclusive use:

- i. The name, address and telephone number of the person filing the application;
- ii. The name, address, and telephone number of the headquarters of the organization, if an organization is involved, and of the persons who manage such organization and will oversee the use requested;
- iii. The name, address and telephone number of the person who will be responsible for the use of the park, area or facility.
- iv. The exact date for which the application is requested;
- v. The park or portion or facility thereof requested for such use;
- vi. Any additional information which the Village Board or Village Clerk/Treasurer finds reasonably necessary to a fair determination as to whether the application shall be approved.

d. Fee and deposit.

The Village Board shall establish a schedule of fees for park space and shelter use. In addition to any required fee, all applicants for reservation of exclusive use of park space for which a registration application is required shall also be required to pay a deposit in an amount as determined by the Village Board to ensure compliance with the applicant's terms and to pay for the Village's maintenance and clean-up expenses. Applications for reservations for exclusive use of park space shall not be accepted unless accompanied by the deposit and

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the park fee and a signed agreement for such reservation and/or use. The deposit shall be returned after the use if cleanup or repair by the Village is not required and if all terms of the permit have been fully complied with.

e. Action on Application.

The Village Board shall act promptly on all applications for permits for exclusive park use after consulting with the applicant, if necessary.

f. Reasons for Denial.

Applicants under this Section may be denied for any of the following reasons:

- i. If it is for a use which would involve a violation of Federal or State law or any provision of this Code.
- ii. If the granting of the permit would conflict with another permit already granted or for which application is already pending.
- iii. If the application does not contain the information required by Subsection (c) above.
- iv. The application is made less than the required days in advance of the scheduled exclusive use.
- v. If it is for a use of the park or park facility at a date and time when, in addition to the proposed use, anticipated nonexclusive use by others of the park or park facility is expected and would be seriously adversely affected.
- vi. If the law enforcement requirements of the exclusive use will require so large a number of persons as to prevent adequate law enforcement to the park, park facility or shelter area involved or of the rest of the Village.
- vii. The exclusive use will reasonably create a substantial risk of injury to persons or damage to property.
- viii. The exclusive use is so poorly organized that participants are likely to engage in aggressive or destructive activity.

g. Indemnification.

Prior to granting any reservation request for exclusive use of the park, the Village may require the permittee to file evidence of good and sufficient sureties, insurance in force or other evidence of adequate financial responsibility, running to the Village and such other third parties as may be injured or damaged, in an amount depending upon the likelihood of injury or damage as a direct and proximate result of the exclusive use sufficient to

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indemnify the Village and such third parties as may be injured or damaged thereby, caused by the permittee, its agents or participants.

h. Reservation Request Not Required For Village Activity.

A reservation application is not required for exclusive use of the park or a park facility sponsored by the Village of Weyerhaeuser.

i. Reservation Application Revocation.

The Village Board, may revoke a reservation request already approved if it is deemed that such action is justified by an actual or potential emergency due to weather, fire, riot, other catastrophe or likelihood of a breach of the peace or by a major change in the conditions forming the basis of the issuance of the permit.

j. Form of Reservation Request.

Each reservation request shall be in a form prescribed by the Village Board and shall designate the park or park facility involved, date, hours of the exclusive use, purpose of the exclusive use and the name of the person, group, firm, organization, partnership or corporation to which the permit is issued.

k. Class B Fermented Malt Beverage Licenses.

When fermented malt beverages are sold at any event authorized by this Section, a valid Fermented Malt Beverage license shall be obtained. Said license must be held by the person who filed the original license and shall be presented to any law enforcement officer upon request.

l. Care of Facilities.

Persons reserving Village facilities shall be completely responsible for cleaning up the facilities after the event to the satisfaction of Village officials. All reserved areas shall be left in a clean condition, with refuse placed in containers provided for such purpose. Any organization or corporation reserving any area in a Village park shall agree to assume full responsibility for all damage to Village property by any invitee of said organization or corporation and shall make full payment therefore upon billing by the Village Clerk/Treasurer. Failure to do so shall deny future use of park facilities until

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such payment be made, in addition to any other remedy which the Village may have.

m. Violation of terms of permit.

It shall be unlawful for any person, organization or other entity to which a permit is issued for the village park, park area or shelter to use or occupy the park, park area or shelter other than that for which the permit is issued. Any person, organization, or other entity violating this section shall be subject to immediate revocation of its registration application and removal from the park, park area or shelter, forfeiture of the deposit paid, together with forfeiture as provided in §§ 7 and 8 of the Code of Ordinances.

7. VIOLATIONS AND PENALTIES.

Any person violating any provision of this chapter, including those provisions of Wisconsin Statutes or other materials which are incorporated herein by reference, shall upon conviction thereof forfeit not less than Fifty and no/100 Dollars (\$50) nor more than Five Hundred and no/100 Dollars (\$500) for the first offense and not less than One Hundred and no/100 (\$100) nor more than One Thousand and no/100 Dollars (\$1,000) for a subsequent offense, the costs of prosecution, the costs of property damages, and in default of payment of such forfeiture and the cost of prosecution shall be imprisoned in the county jail until payment of such forfeiture and costs of prosecution, but not exceeding Ninety (90) days for each violation, provided, however, that in no case shall the forfeiture imposed for a violation of any provision of this section exceed the maximum fine for the same offense under the laws of the State of Wisconsin. The issuing of a penalty for violating any provision of this chapter shall be executed by the Public Works Director, a Village employee, the Village President, or a Village Trustee; payable to the Village Clerk/Treasurer at the Village Hall.

8. ADOPTION OF STATE SCHEDULES.

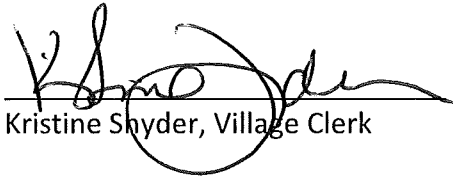
The State of Wisconsin Revised Uniform State Traffic Deposit Schedule and Alcohol Beverages, Harassment, Safety, Tobacco, U.W. Rule, and Drug Paraphernalia Violations Deposit Schedule and Uniform Misdemeanor Bail Schedule and Trespass to Land Deposit Schedule are hereby adopted by reference.

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9. EFFECTIVE DATE.

This ordinance shall take effect and be in force from and after passage and publication.

Approved at the monthly Village Board meeting of the Village of Weyerhaeuser, Rusk County, Wisconsin, this 14th day of July, 2021.


Kristine Snyder, Village Clerk


Tom Bush, Village President