

JEFFERSON COUNTY PARKS ORDINANCE

SECTION 8.01. TITLE. This ordinance shall be known as the Jefferson County Parks Ordinance.

SECTION 8.02. PURPOSE. The County of Jefferson owns and maintains land in the county designated as county parks and recreation trails for the use and enjoyment of residents and visitors as well as other property acquired and held by Jefferson County for flood mitigation purposes with such property identified and described by a recorded deed in the Jefferson County Register of Deeds Office. This ordinance provides rules to protect such parks, county recreation trails, and property held for flood mitigation purposes, and to enable and regulate use in a manner consistent with their intended purpose.

SECTION 8.03. COUNTY PARKS COMMITTEE. The County Parks Committee shall perform duties as established by the Jefferson County Board of Supervisors Rules of Order as amended. Said Committee shall have charge and supervision of all county parks, recreation trails, and other property subject to this Ordinance as referenced in section 8.02 PURPOSE, and all lands heretofore or hereafter designated by the Jefferson County Board for park and recreational purposes or held for flood mitigation purposes. The County Parks Committee shall establish rules for an Adopt-A-Trail Program for county recreation trails which program shall be administered by the Department Director. (Ord. No. 2012-12, 08-13-2012)

SECTION 8.04. GROUP MEETINGS. Public meetings, assemblies, music festivals, rock festivals, political events involving an anticipated attendance of more than 20 persons are prohibited within any park, recreation trail, or any other property subject to this Ordinance unless a written permit of the Parks Committee has been first granted and then only in areas designated by the Parks Committee. Prior to issuance of a permit, the applicant shall disclose the anticipated number of persons expected to attend, arrangements for sanitation and garbage disposal, whether an electrically amplified sound system will be used, and, if so, its output. The Parks Committee will review the application to determine whether such use can be accommodated after consideration of existing facilities, traffic access, parking availability, adequate sanitation and waste disposal, adjacent uses, and the effects of the proposed use on other lawful users of the park. The Parks Committee may establish conditions for issuance of the permit, including reasonable security for costs which may result due to such use.

SECTION 8.05. SALES AND SOLICITATION.

- 1) No person shall sell, or offer for sale, any article, merchandise, or thing or solicit for any trade, occupation, business or profession within any park, recreation trail, or other property subject to this Ordinance without a written permit from the Parks Committee.
- 2) No person shall distribute, post, or display any handbill, sign, placard, or advertisement of any kind within any park, recreation trail, or other property subject to this Ordinance without a written permit of the Parks Committee. The word "distribute" shall include the scattering of printed material from aircraft.

SECTION 8.06. HUNTING, TRAPPING, FIREARMS, FIREWORKS, FIRES AND RUBBISH.

- 1) No person may take, catch, kill, hunt, trap, disturb or pursue any wild animal or bird, discharge any firearm, or have in his or her possession or under his or her control any firearm or air gun as defined in s. 932.22, Wis. Stats., unless it is unloaded and enclosed in a carrying case, or any bow, slingshot or spring-loaded device designed for shooting a projectile unless the same is unstrung or enclosed in a carrying case while in any park, recreation trail, or other property subject to this Ordinance except in connection with a hunting activity or event where specifically allowed by written permit issued by the Parks Director or designee, and then only in strict conformity with the conditions stated in the written permit. The prohibition of possession of a firearm shall not apply to a licensee as defined by s. 175.60(1)(d), or (g), Wis. Stats. No person shall discharge any fireworks of any description in a park without a written permit authorized by the Parks Committee and any other authority required by law. The Parks Committee may establish conditions for issuance of the permit, including reasonable security for costs which may result due to such use. [am. 03/08/11, Ord. 2010-30; Ord. No. 2012-27, 02-12- 2013]

- 2) No person shall make or maintain a fire for any purpose except in places provided or in portable metal grills. Notwithstanding the foregoing, no person shall make or maintain any fire of any kind, including fireworks, smoking, grilling, disposing of matches, ashes, charcoal or otherwise when the Parks Director has given notice of a burning ban within the parks, recreation trails, or any other property subject to this Ordinance (Ord. No. 2012-12, 08-13-2012)
- 3) No person shall deposit on or within any park, recreation trail, or other property subject to this Ordinance cans, bottles, food, garbage, personal property, waste, junk, salvage material or other discarded material except in waste containers provided.
- 4) No person shall deposit trash not related to the use of parks, recreation trails, or other property subject to this Ordinance in waste containers provided by the County for depositing waste.
- 5) The Parks Committee is authorized to adopt rules regulating hunting and trapping on or within parks, recreation trails, and all other property subject to this Ordinance. Such rules shall require the issuance of written permits for persons authorized and may assess an appropriate fee for the permit. Violation of any rule or permit condition shall constitute a violation of this ordinance and be subject to the penalties set forth herein. [am. 06/08/04, Ord. 2004-11; 03/08/11, Ord. 2010-30]

SECTION 8.07. ANIMALS IN OR ON PARKS, RECREATION TRAILS, OR OTHER PROPERTY SUBJECT TO THIS ORDINANCE.

- 1) No person having the control or care of a dog shall permit such dog to enter or remain in or on a park or recreation trail unless it is on a leash not longer than 6 feet. Dogs shall not be allowed on other property subject to this ordinance without written permission for the Parks Director. Dogs found running at large in or on a park, recreation trail, or other property subject to this Ordinance may be impounded by a humane officer or a deputy sheriff. No person having the control or care of a dog shall fail to remove and properly dispose of excrement.
- 2) No person having the control or care of a horse shall permit such horse to enter or remain in or on a park, recreation trail, or other property subject to this Ordinance
- 3) Notwithstanding Subsection (1), pets of any kind shall be prohibited in Lower Rock Lake Park, being that portion of the park between C.T.H. "B" and Park Lane Road.
 - (a) Notwithstanding (1), dogs may be off leash in areas so designated in Bicentennial Park, which shall also be known as the Jefferson County Dog Park.
 - (b) The Parks Committee may adopt rules for the use of the dog park. Such rules shall be posted on signs at the park. Violation of any rule so posted shall constitute a violation of this ordinance and subject the violator to the penalties set forth herein.
 1. The Parks Director may bar individuals or their dog(s) from the dog park when such individual or dog has been involved in repeated rule violations or incidents harming people or their pets.
 2. Violation of an order by the Parks Director barring use of the dog park shall constitute a violation of this ordinance.
 3. An order by the Parks Director barring use of the dog park shall be appealable to the Parks Committee, which shall hear such appeal in accordance with Ch. 68.11, Wis. Stats. [am. 05-11-10, Ord. 2010-07]
 - (c) No dog shall be allowed into the dog park without a municipal license and Jefferson County dog park permit. Dog park permit fees shall be as set forth in the Jefferson County Budget adopted each November [Section 8.07(4) adopted on 10/14/03, Ord. 2003-18; am. 09/11/07, Ord. 2007-20; Res. No. 2011-64, 11-15-2011; Ord. No. 2014-28, 11-12-2014]

- 4) Domestic animals or animals that have been live captured may not be relocated or released to any Jefferson County Park, recreation trail, or other property subject to this Ordinance. [Ord. No. 2020-07, 08-10-2020]

SECTION 8.075. GEOCACHING.

- 1) No person shall place a geocache in or on any park, recreation trail, or other property subject to this Ordinance without a written permit therefore in compliance with all rules established by the Parks Committee. [cr. 03/08/11, Ord. 2010-30]
- 2) The Parks Committee is authorized to establish rules and may charge a \$25 permit fee for geocaching. Violation of any rule or permit condition shall constitute a violation of this ordinance and be subject to penalties set forth herein. [cr. 03/08/11, Ord. 2010- 30]

SECTION 8.08. MOTOR VEHICLES.

- 1) No person shall operate or drive any motor vehicle on or within a recreation trail, park, or other property subject to this Ordinance except on roads and in parking areas designated for vehicular travel. For purposes of this ordinance, "motor vehicle" is defined, without limitation by enumeration, as an automobile, truck, van, bus, motorcycle, minibike, go-cart, golf cart or all-terrain vehicle.
- 2) No person shall operate or drive an all-terrain vehicle or motorized three-wheel vehicle not licensed for use on a public highway on or within a recreation trail, park, or other property subject to this Ordinance.
- 3) No person shall park any bus, large truck, boat trailer or other vehicle in a manner substantially obstructing the use and enjoyment of any park, recreation trail, or other property subject to this Ordinance. No person shall leave an unoccupied motor vehicle on or within a recreation trail, park, or other property subject to this Ordinance if such property is closed to the public.
- 4) No person shall operate a snowmobile on or within a recreation trail, park, or other property subject to this Ordinance other than on a trail marked for snowmobiling.
- 5) No person shall operate a motor vehicle in excess of the posted speed limit or 15 miles per hour, whichever is less, on a park road or in a parking area. The Parks Committee may, by posting proper signs, designate areas with reduced speed limits.

SECTION 8.09. NON-MOTORIZED VEHICLES.

- 1) Park Trails
 - (a) No person shall operate or drive any motorized or non-motorized vehicle on a bike path or within a park except on trails designated and marked for their defined use.
 - (b) An individual with a physical disability may operate a personal assistive mobility device on any trails that are open to other pedestrian traffic.
 - (c) Dog sledding is prohibited in all county parks, trails, and paths unless otherwise authorized by issuance of a special use permit.
 - (d) Fat bikes are only allowed on park trails where the posted park rules allow and, when trails are snow covered, groomed, and listed as open by the County Parks Department.
 - (e) No person may hike or walk dogs on designated cross-country ski trails when the trails are snow covered and groomed in any park.

2) Bike Paths

- (a) All Jefferson County bike paths are considered multi-use paths and open to pedestrians, bicycles, e-bicycles, inline skates, play vehicles, and electric scooters as defined below unless otherwise posted.
- (b) Electric vehicle users shall comply with Wisconsin Statutes, sections 346.77 through 346.82 at all times while on Jefferson County bike paths.
- (c) It shall be unlawful for any person operating a bicycle, e-bicycle, e-scooter, or other vehicle on a bike path to pass another person or vehicle traveling in the same direction on the path without providing a warning to the person being passed either verbally or with a bike horn, bell, or other device and making it evident that the person being passed is aware of the passing person's approach.
- (d) Pedestrians shall at all times have the right-of-way upon any bike paths; and if necessary, the person operating such bicycle, e-bicycle or e-scooter shall dismount and exit the traveled portion of the bike path to the extent necessary to prevent a collision.
- (e) Bicycle riders shall proceed in their extreme right-hand side of the trail at all times, in a single file only.
- (f) Any such person operating a bicycle, e-bicycle, e-scooter, or other vehicle upon a bike path must have the bicycle, e-bicycle, e-scooter, or other vehicle under control at all times.
- (g) All e-bicycles, e-scooters, and other electric powered vehicles shall be restricted to 15 mph at all times when on Jefferson County bike paths that allow their use.
- (h) All other temporary regulations, restrictions, and closures, posted by the Jefferson County Parks Department at trail heads and trail crossings shall be adhered to at all times.

3) Definitions

- (a) Pedestrian: means any person afoot or any person operating a wheelchair, either manually or mechanically propelled, or other low-powered, mechanically propelled vehicle designed specifically for use by a physically disabled person, but does not include any person using an electric bicycle, electric scooter, or an electric personal assistive mobility device.
- (b) Electric personal assistive mobility device: a self-balancing, 2-nontandem-wheeled device that is designed to transport only one person and that has an electric propulsion system that limits the maximum speed of the device to 15 miles per hour or less.
- (c) Play vehicle: Means a coaster, skateboard, roller skates, sled, toboggan, unicycle, or tow vehicle upon which a person may ride and does not include in-line skates or electric scooters.
- (d) In-line skates: means skates with wheels arranged singly in a tandem line rather than in pairs.
- (e) Bicycle: vehicle propelled by feet or hands acting upon pedals or cranks and having wheels any 2 of which are not less than 14 inches in diameter.
- (f) Electric bicycle (e-bike): means a bicycle that is equipped with fully operative pedals for propulsion by human power and an electric motor of 750 watts or less and as defined by Wisconsin Statutes 340.01.
- (g) Electric scooter: means a device weighing less than 100 pounds that has handlebars and an electric motor, is powered solely by the electric motor and human power, and has a maximum speed of not more than 20 miles per hour on a paved level surface when powered solely by the electric motor.

“Electric scooter” does not include an electric personal assistive mobility device, motorcycle, motor bicycle, electric bicycle, or moped.

- (h) Bike Path: All paved or graveled off-road trails managed by the Jefferson County Parks Department including the Glacial River Bike Trail, Jefferson Interurban Trail, and the Korth Park Connector Trail.
- (i) Mountain Bike: an all-terrain bicycle with wide knobby tires, strong frame, and straight handlebars that is used for riding over rough ground.
- (j) Fatbike: a bicycle with oversized tires 3.5” or wider, designed for riding off-road, particularly on soft terrain such as snow or sand.
- (k) Mountain Bike Trail: An off-road, unpaved trail designated and designed for use by mountain bikes.

SECTION 8.10. DESTRUCTION OR REMOVAL OF PROPERTY.

- 1) No person shall intentionally cut down, break, injure or destroy any tree, shrub, flowers, turf, building, signs, tables, or other property on or within a recreation trail, park, or other property subject to this Ordinance.
- 2) No person shall intentionally take or remove any County property, including, but not limited to, signs and notices, from any recreation trail, park, or other property subject to this Ordinance. [Ord. No. 2016-22, 02-14-17]

SECTION 8.11. FORAGING.

- 1) In order to preserve the natural beauty for future visitors to enjoy, no person shall destroy, molest, deface or remove any natural growth or natural or archaeological feature from any recreation trail, park, or other property subject to this Ordinance except the harvesting of edible plants for personal consumption such as edible fruits, edible nuts, wild mushrooms, wild asparagus and watercress. Harvesting of edible plants is limited to a single one-gallon pail per person, per day. Foraging in areas designated as a State Natural Area is prohibited.
- 2) Collecting seeds from herbaceous plants such as grasses and wildflowers is prohibited without written authorization from the Jefferson County Parks Director or designee. [Ord. No. 2016-22, 02-14-2017]

SECTION 8.12. CAMPING OR LODGING PROHIBITED.

No person shall use a recreation trail, park, or other property subject to this Ordinance for overnight sleeping, camping, lodging, or use overnight equipment customarily associated with campsites, or recreational vehicles without a permit. The Parks Committee may establish conditions for issuance of a permit, including reasonable security for costs which may result due to such use. [Ord. No. 2016-22, 02-14-17]

SECTION 8.13. PARK AND TRAIL HOURS.

- 1) All parks, park roads and parking areas shall be closed to the public and vehicular traffic, except police and emergency vehicles, from one-half hour after sunset to one-half hour before sunrise and no person shall remain in parks during said hours, unless authorized by the issuance of a permit therefore by the Parks Director.
- 2) Bike Paths may be used at any time except as limited by order of the Parks Director.
- 3) Any person launching a boat at Rock River County Park or Cappies Landing during normal operating hours may utilize the park boat launches at any time outside of normal operating hours for egress purposes.
- 4) During the months of November through April Dorothy Carnes County Park East and Korth park will be open from 6:00 a.m. to 9:00 p.m. daily to accommodate use and access to cross-country ski trails for uses allowed by the Jefferson County Parks Ordinance including, but not limited to, cross-country skiing and

snowshoeing. This after normal hours access will only be allowed when trails are groomed and listed as open on the Jefferson County Parks webpage or as otherwise designated by the Parks Director. (Ord 2022-17, 01-10-2023)

- 5) The Parks Director may grant permits to groups for park usage outside of normal park hours for events consistent with the mission of the Parks Department and shall report issuance of any such permit promptly to the Parks Committee. [am. 06/13/06, Ord. 2006-09; 09-13-11, Ord. 2011-13; 02/14/12, Ord. 2011-26; Ord. No. 2016-22, 02-14-17; Ord. No. 2020-12, 10-12-2021; Ord. No. 2022-17, 01-10-2023]

SECTION 8.131. OTHER PROPERTY SUBJECT TO THIS ORDINANCE.

All property subject to this ordinance not designated as a park, recreation trail, park road, or parking area shall be closed to the public unless such property is posted for public use or there is written authorization issued for use by the Jefferson County Parks Director.

SECTION 8.135. BOAT LAUNCHING AT ROCK RIVER COUNTY PARK AND CAPPIES LANDING.

No person may launch a boat using the boat launches at Rock River County Park or Cappies Landing without first paying a boat launch fee of \$5.00 per day or \$25.00 per year to the Jefferson County Parks Department.

SECTION 8.14. PERMITS.

Applications for permits shall be in writing and shall be addressed to the County Parks Committee and delivered to the office of the Parks Director. Permits shall be issued by a duly authorized representative of the Parks Committee. The County Parks Committee may establish a schedule of fees for the issuance of such permits. [Ord. No. 2016-22, 02-14-17]

SECTION 8.15. PENALTIES.

- 1) Any person violating any provision of this ordinance shall, upon conviction, be subject to a forfeiture of not less than \$50 nor more than \$500, in addition to penalty assessments and costs of prosecution, and in default of payment of such forfeiture, penalty assessments and costs, shall be imprisoned in the County Jail until such forfeiture and costs are paid, such imprisonment not to exceed 90 days. Enforcement may be by commencement of a civil action with each day of violation being a separate offense. [renumbered 09/11/07, Ord. 2007-21]
- 2) In addition to issuing citations or other methods of forfeiture enforcement, the Parks Director or designee or a county law enforcement officer may also issue a violation notice to a person violating any provision of this ordinance. The notice fee shall be \$25. If the notice fee is not paid within five (5) days of issuance of the notice, a citation or other method of forfeiture collection shall be used. [cr. 09/11/07, Ord. 2007-21; Ord. No. 2016-22, 02-14-17]

SECTION 8.16. SEVERABILITY.

The provisions of this ordinance are severable and provisions or sections which may hereinafter be declared to be illegal or unconstitutional shall be declared repealed and the remainder shall not be affected thereby. [Ord. No. 2016-22, 02-14-2017]

SECTION 8.17. REPEAL OF CONFLICTING ORDINANCES.

Any ordinances or parts of any ordinances heretofore enacted in conflict with this ordinance are hereby repealed. In the event of any conflict between this ordinance and the County's Weapon Policy the provisions of this ordinance shall control. [02/12/2013, Ord. 2012-27; Ord. No. 2016-22, 02-14-2017]

SECTION 8.18. EFFECTIVE DATE.

This ordinance shall be effective upon passage and publication. [Ord. No. 2016-22, 02-14-2017]

Adopted 05/12/98; (Ordinance No. 1998-27) publication 05/14/98

Amendments: 02/12/2013; 11/12/2014; 02/14/2017; 08/10/2020; 11/10/2020; 10-12-2021; 07-12-2022; 01-10-2023;

03-14-2023.