

**CHAPTER 19**  
**PARKS AND RECREATION**

(Created 02/16/77)

(Amended 4-9-03)

(Amended 1-11-06)

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19.01 VILLAGE PARK COMMISSION (Amended 04/08/98 and 03/28/01). (1) The Village Park Commission shall consist of seven (7) members. Commissioners shall be appointed by the Village Chairman and confirmed by the Village Board. Commissioners shall serve a term of three (3) years, with two (2) Commissioners being appointed/re-appointed in each calendar year, except that in every 3rd year, three (3) commissioners shall be appointed/re-appointed.

(2) Terms shall commence on the 1st day of June in the year appointed, however, a member shall hold his or her office until his or her successor is appointed and confirmed.

(3) The Village Park Commission shall oversee and be responsible for the planning, physical development, operation, and maintenance of all recreational facilities within the Village of Bellevue to include its parks, trails, conservancy areas, park shelters, and other associated facilities. The Park Commission shall also be responsible for the establishment and oversight of recreational programs offered by the Village, and the management of all trees located within public grounds and rights-of-way. To that end, the Park Commission shall be authorized and charged with the responsibility to perform the following duties:

(a) The Director of Leisure Services or his/her designee will submit a monthly report to the Village Board detailing the commissions' activities pursuant to this chapter and specifically listing any items requiring Village Board action. (Amended 06/25/08).

(b) Not later than October 14<sup>th</sup> of each year, the Park Commission shall develop annual operating and capital budget proposals for all projects and operations related to parks, recreation and forestry, and submit the same to the Village Administrator and the Village Board for their consideration in development of the succeeding year's budget.

(c) The Park Commission shall advise the Village Board as to recommended changes to ordinances governing the use and operation of parks and park facilities.

(d) The Park Commission shall prepare for Village Board approval a Comprehensive Outdoor Recreation Plan (CORP) which shall contain an inventory and analysis of existing Village parks and recreational facilities, and make recommendations as to future park, conservancy, facility and cultural needs of the Village. The CORP shall be prepared in accordance with the requirements of Ch. NR 50, Wis. Adm. Code. The plan shall be updated as needed, but at least once every five years.

(e) The following are powers delegated to the Park Commission which it may exercise independently of the Village Board. The Park Commission may:

1. authorize the establishment of recreation programs based on assessment of community needs, and establish a schedule of fees and charges pertaining thereto.

2. establish rules and regulations governing park use and recreational programs, except that Village Board approval is required for any rule or regulation which involves a penalty or which requires creation and/or amendment of an ordinance.

3. establish a schedule of rental fees for use of park shelters, ball diamonds, soccer fields, and other recreational facilities.

4. accept cash and personal property donations made for purposes of contributing towards park projects, programs and memorials. The Commission shall deposit all cash donations with the Village Clerk-Treasurer who will deposit them into a segregated account designated for such donations.

5. apply for and accept any grant which does not require the commitment of public funds.

6. create advisory sub-committees comprised of Park Commissioners, Village residents, or any combination of persons deemed qualified by the Park Commission to conduct studies or perform specific tasks under the authority and direction of the Commission.

(f) the following are powers which may be exercised by the Park Commission with the approval of the Village Board. With Village Board approval, the Park Commission may:

1. layout and improve Village parks to include: determination of types of facilities required, specific design and location, and removal and/or relocation of existing facilities. Such improvements shall be limited to those for which funds have been appropriated in the annual budget.

2. acquire land for park and conservancy use in the name of the Village by purchase, land contract, lease, condemnation, or otherwise.

3. accept donations of land for park and conservancy use in the name of the Village.

4. accept donations of cash or land made in return for naming rights, unless authorized in a previously approved project plan.

5. name any park or park facility.

6. apply for and accept any grant requiring commitment of public funds.

19.02 PURPOSE. The purpose of this chapter is to regulate the use of the facilities and property under the jurisdiction of the Park Commission. The term "park" as used in this chapter shall include all parks and other such facilities and property under the jurisdiction of the Park Commission.

19.03 GENERAL RESTRICTIONS. No person or group using a park shall perform or permit others under their custody or control to perform any of the following acts:

(1) Willfully mark, deface, disfigure, injure, tamper with, displace or remove any trees, plants or other natural features, buildings, bridges, tables, benches, fireplaces, railings, signs, monuments, stakes, posts or other markers, other structures, equipment, facilities, improvements or park property or parts or appurtenances, either real or personal.

(2) Throw, discharge or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, river, bay or other body of water or on the ice in or adjacent to any park, any substance, matter or thing, liquid or solid, which will or may result in the pollution of the waters.

(3) Engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance.

(4) Endanger the safety or damage the property of any person by any conduct or act.

(5) Violate any rule for the use of the park established by the Park Commission.

(6) Prevent any person from using any park, or any of its facilities, or interfere with such use which is in compliance with this chapter and the rules applicable to such use.

19.04 HOURS OF OPERATION. (Amended 7-25-07) (1) All parks shall be open to the general public from 8:00 AM to 10:00 PM. No person or group shall occupy or be present in any park during hours in which the park is not open to the public, except where a special permit or permission in writing has been granted by the Park Commission designee for a group to conduct an activity or use specific facilities or buildings for an activity which extends beyond the regular closing hours. East River Trail shall be open to the general public from 6:00 AM to 10:00 PM.

(2) Any park or part thereof may be declared closed to the public by the Park Commission designee at any time and for any interval of time, either temporarily or at regular or stated intervals. No person shall enter or be present in any park or portion which has been closed to the public.

(3) No person or group shall bring in, dump or deposit any broken glass, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse or other trash in any park or leave any such materials therein. Park garbage, refuse, etc. is to be disposed of in the receptacles provided for this purpose. No glass beverage bottles of any kind shall be allowed in any Village park at any time, including the shelters and picnic grounds area.

(4) No refuse or trash shall be placed in any waters or on the ice in or contiguous to any park, but shall be placed in the proper receptacles.

(5) Charcoal residue is to be left in the fireplace or grill or placed in a charcoal disposal container when provided.

(6) Where receptacles for rubbish are not provided, all waste shall be carried away from the park by the person responsible for its presence.

19.05 FIREARMS AND BOW. No person shall carry, fire, discharge or have in his possession or under his control in any Village park any firearm, air gun, slingshot, bows or spring loaded devices designed for shooting a projectile or any trap which can be used for trapping animals.

19.06 PETS. Dogs, cats and other similar pets shall not be allowed in any of the Village parks, unless authorized by the Director of Leisure Services for special events. Dogs shall be permitted on all Village owned improved trails. Owners will be required to clean up, take dog waste off site and properly dispose. Additionally, dogs must be restrained on a leash no longer than five (5) feet. (Amended 06/25/08).

19.07 HORSES. No person shall bring a horse into or ride a horse in any of the Village parks, unless authorized by the Director of Leisure Services for special events. (Amended 06/25/08).

19.08 MOTOR VEHICLES. (1) No person shall drive or park a motor vehicle in any park except on such roads or parking lots specially designated for the use of motor vehicles.

(2) Unless otherwise posted, no person shall operate a motor vehicle at a speed in excess of 15 mph.

(3) No person shall operate a motor vehicle in a reckless or imprudent manner or in any manner which may tend to create a disturbance or endanger the safety of persons using the parks or property therein.

19.09 SNOWMOBILES. (1) Snowmobiles shall not be operated in any park except on trails specially marked and designated for the use of snowmobiles.

(2) Snowmobiles shall not be operated at a speed in excess of 35 mph except where other speed limits are posted.

(3) On trails that have been marked and designated for one-way traffic, snowmobiles shall be operated only in the direction so designated.

19.10 OFF THE ROAD VEHICLES. (1) This section applies to bicycles, mini-bikes, trail bikes, all-terrain vehicles and similar devices.

(2) No person shall ride or operate, or permit a child to ride or operate a bicycle, mini-bike, trail bikes or other all-terrain vehicle except in areas specially designated for their use.

19.11 MOLESTING ANIMALS. No person shall molest, disturb, chase or throw objects at any animal or bird within any park.

19.12 FOOD AND BEVERAGES. (1) Without a written permit, no group shall use any portion of the picnic areas or the buildings or structures therein for the purpose of holding picnics to the exclusion of other persons.

(2) Designee shall be authorized to regulate the activities in such areas when necessary to prevent congestion and to secure the maximum use and enjoyment by the public of such facilities.

(3) Excessive use of alcohol beverages shall be prohibited in all parks. Any person or group who, in the opinion of authorized park personnel, has excessively used alcohol beverages to the extent that the person or group interferes with the use of the park by others, shall be required to leave the park. Excessive use of alcohol beverages shall be defined as alcohol consumption which results in a blood alcohol count exceeding .08. Excessive use of alcohol beverages shall further be defined as alcohol consumption which results in a blood alcohol count of less than .08 and which is accompanied by loud, profane and violent behavior of such nature so as to interfere with the use of the park by others. (Amended 06/25/08).

(4) Between the dates of November 1 and April 30, no person shall bring into or drink spirituous, vinous, malt or mixed liquors in any park or other area regulated by this chapter, except by written permission from the Park Commission designee.

(5) Beer may be sold at Josten Park upon obtaining a special license from the Village Board. No beer or alcohol sales are allowed in DeBroux Park. In order to have beer sales in any other Village park, the proper license must be obtained from the Village Board.

(6) All concession stands must close at 10 p.m. in all Village parks.

19.13 GROUP ACTIVITIES. Any Park Commission designee may issue permits to groups and organizations to use specific park facilities or buildings for a particular event. The Park Commission shall establish such rules and regulations as it deems necessary for the issuance of such permits and may charge a fee and require a deposit to insure the premises are left in good order.

(1) Rental of a facility or park area is required for groups over 50 people. (Created 10-13-04)

19.14 OTHER ACTIVITIES. No person or group shall engage in ball games or other sports activities, except in such areas as are designated for those purposes or in such areas where such activity will not interfere with the use and enjoyment of the park by others. Golfing (not including Disc Golf), including practicing golf, is not allowed in any Village park. No sports activities of any kind shall be allowed in parking lots. Fishing is prohibited in all parks, except in areas designated by the Park Commission.

19.15 SALES. No person or group shall vend, sell or offer for sale any food, beverage or other commodity or article within any park to the public without written authorization from the Park Commission designee. Any individual or group who obtains such authorization shall be personally responsible for obtaining all required permits in order to perform the function for which they have obtained authorization.

19.16 SIGNS. No person or group shall paste, glue, tack or otherwise post any sign, placard or advertisement or distribute any handbills, pamphlets or other materials, or solicit business of any nature in any park without written authorization from the Park Commission designee.

19.17 CAMPING. No camping shall be permitted in any Village park.

19.18 METAL DETECTORS. No person shall operate a metal detector in any park without a

written permit from the Park Commission designee.

19.19 ADDITIONAL RULES AND REGULATIONS. The Park Commission is authorized to adopt additional rules and regulations as may be necessary for the management of parks and the uses thereof and may implement and enforce the same.

19.20 NOISE. No person shall use or operate any radio, phonograph, musical instrument or other mechanical, electrical sound making, reproducing or amplification device in a park or parkway so as to be heard at a distance greater than 50' from the above described instrument or device, radio or phonograph.

19.25 PENALTY. Except as otherwise provided, any person found in violation of this chapter or any order, rule or regulation made hereunder shall be subject to the penalty provided in §25.04 of this Code of Ordinances.