

**CHAPTER 19**  
**WAUPACA COUNTY PARK ORDINANCE**  
**(Adopted April 20, 1988)**  
**(Revised February 17, 2009, March 17, 2009)**

**19.01 GENERAL ADMINISTRATIVE AND TERMS:**

(A) Definitions:

1. Park Committee: The terms “Committee”, “Park Committee” and “Parks and Recreation Committee” shall mean the Waupaca County Park and Recreation Committee as determined by the Waupaca County Board of Supervisors.
2. Park: The terms “Park”, “County Park”, “Parkways”, “Waupaca County Park System” and “Fairgrounds” are defined to mean all lands and water heretofore and hereafter acquired by the County for park or recreational purposes or placed under the jurisdiction of the Park Committee, and include, without limitation, parks beaches, trails, boat landings, waysides and privately owned lands, the use of which has been granted to the County for park, recreational or like public purposes. The following areas are designated as Waupaca County Parks:

County Parks

Gills Landing	Waupaca County Dog Park
Keller Park	Fisherman’s Park
Little Wolf Park	Chief Waupaca Historical Site
Nelson Park	Indian Crossing Park
Northland Park	Lowney-Rohan Wetlands
Oakwood Park	Manawa Park
Royalton Park	Marion Park
Tomorrow River State Trail	Pigeon River Park
Wau-King Trail	Symco Park
Wolf River Sturgeon Trail	

Access Sites

Big Falls Pond Access  
Graham Lake Access  
Grass Lake Access  
Kinney Lake Access  
Lembke-Long Lake Access  
Little Wolf Canoe Access  
North Lake Access  
Dake Lake Landing  
Miner Lake Landing  
Rollofson Lake Access  
Taylor Lake Landing  
White Lake Access

County Dams

Keller Lake Dam  
Nelson Park Dam  
Northland Dam  
White Lake Dam

Other County Facilities

Waupaca County Fairgrounds  
Waupaca County Forest  
Waupaca County Farm Cemetery  
Camp Vic-To-Rae  
Pauer’s Environmental Ed. Center

3. Person: The term “person” shall include any individual, firm, partnership, corporation and association of person, and the singular number shall include the plural.
4. Motor Vehicle: The term “Motor Vehicle” means any mechanical device routinely used for surface travel powered by an internal combustion engine or battery, and operating upon two or more wheels, to include but not to be limited to trail bikes, all-terrain cushioned vehicles or golf carts. Motor Vehicle does not include power wheel chairs or scooters designed to provide mobility to a disabled individual, when being used by said individual.
5. Trail: The term “trail” throughout this chapter shall mean any area within any Waupaca County Park designated for other than motor vehicle travel, whether it be dirt, gravel, paved or boardwalk, except that it shall also include areas designated for snowmobile travel. The type of travel permitted on particular trails may be regulated or restricted within this chapter by the Waupaca County Park Committee.

(B) Scope:

Except when the context provides otherwise, the provisions of this Ordinance shall apply to all lands, structures and property owned, leased, or administered by Waupaca County, Wisconsin, and under the management, supervision, and control of the Waupaca County Park Committee and the Waupaca County Parks and Recreation Department.

(C) Parks and Recreation Director:

The Parks and Recreation Director shall be the authorized agent of the Committee as referred to herein.

(D) Closing Hours and Dates:

(1) Closing Hours:

- (A) No person or motor vehicle shall enter or be in any park between the hours of 10:00 p.m. and the following 6:00 a.m.
- (B) Persons transporting watercraft to and from designated boat landings are permitted at any hour, provided the most direct means of ingress or egress is used.
- (C) The Waupaca County Fairgrounds, Camp Vic-To-Rae, and Pauer’s Environmental Education Center, shall be available for extended hours for approved events.
- (D) The Waupaca County snowmobile trails are open twenty-four hours per day when the trails are declared open by the Parks & Recreation Department.

(2) Dates: No motor vehicle shall enter or be in any county park between November 1st and April 30th except as follows:

- (A) All County operated boat launches shall be open to motor vehicle traffic on designated roads and parking areas all year.
- (B) The Waupaca County Fairgrounds may be open for motor vehicles on an approved basis.

- (C) Designated road and open parking areas at trail heads or other winter recreation areas.
  - (D) The Waupaca County snowmobile trails are open twenty-four hours per day when the trails are declared open by the Parks & Recreation Department.
  - (3) Closing of Parks: Any county park, trail or any portion of any county park or trail as they are defined under this section of the Waupaca County Park Ordinance, may be closed to motor vehicles and/or persons for any length of time deemed necessary, when in the opinion of the Waupaca County Parks and Recreation Director such closing is necessary to protect the public safety, or the facilities and resources of the county parks and trails from injury or damage by persons or other forces. In the event the Director or Parks Supervisor is not available, then the Waupaca County Sheriff or the senior Waupaca County Deputy on duty shall act under this section.
- (E) Fees, Charges and Deposits:  
 No person shall use any facility, shelter, land or area for which a fee or charge has been established by the committee without payment of such fee or charge as posted or otherwise established by the Park Committee. Such fees may be established for but not restricted to fairgrounds rental, shelter rentals and storage. Such fees may be periodically reviewed and changed by the Committee to reflect current economic conditions.
- (1) The Purpose of Fees: The fees collected by Waupaca County for the use of Waupaca County park property and fairgrounds are intended solely to defray part of the cost of the operation of the Waupaca County parks and fairgrounds which are maintained solely in the governmental capacity of Waupaca County and the payment of a fee by a person or persons is not intended to imply a business invitee relationship.
  - (2) Special Fees: Any park structure, facility, or area other than the above, may be reserved or rented for special purposes subject to the approval of the Committee. The Committee, at its discretion may set the charge for this facility.
  - (3) Notice Fees: An individual violating any provision of this ordinance may be assessed a notice fee for said violation.
- (F) Additional Rules, Permits, Exceptions:
- (1) Additional Rules: Rules and regulations may be made from time to time by the Committee, governing the further use and enjoyment of parks, parkways, playgrounds, beaches, boat landings, fairgrounds, campgrounds, lakes, streams and the facilities thereof. Any person who shall knowingly violate such rules or regulations or who refuses to subject himself hereto, may be required to leave the park premises and may be subject to penalties as set forth in Section 19.75 of this ordinance. Persons required to leave the park premises for violation of this ordinance shall not return to the park for a 24 hour period from the date and time of such order to leave the park.
  - (2) Permits: Any person to whom a permit shall have been issued by the Director of the parks, or other authorized person, shall be bound by the provisions of all

ordinances of Waupaca County as fully as though the same were inserted in each permit.

- (3) Exceptions: Nothing in this code shall prohibit or hinder the Waupaca County Park Committee of Waupaca County, Wisconsin, its Park Director, Supervisors, Caretakers or other duly authorized agents, or any peace officers from performing their official duties.

(G) Compliance With Orders of Park Police:

No person shall fail or refuse to comply with any reasonable order relating to the regulation, direction, or control of traffic or to any other order lawfully given by any park police or deputy sheriff acting under the park police or deputy sheriff or any other official in the execution of his office.

**19.02 MOTOR VEHICLE TRESPASS TO COUNTY SNOWMOBILE TRAILS  
(Adopted March 18, 1986, Published April 3, 1986)**

(A) Is hereby created to read as follows:

(B) **MOTOR VEHICLE TRESPASS TO COUNTY SNOWMOBILE TRAILS:**

- (1) It is unlawful for any person to operate a motor vehicle upon any snowmobile trail.
- (2) Definitions:
  - (A) "Motor Vehicle" means any mechanical device routinely used for surface travel powered by an internal combustion engine and operating upon two or more wheels, to include but not be limited to trail bikes, all terrain vehicles, motorcycles, mini-bikes, and air cushioned vehicles or golf carts.
  - (B) "Snowmobile Trails" include all snowmobile trails or routes that have been designated by the Waupaca County Snowmobile Coordinator or the Waupaca County Parks and Recreation Committee.
- (3) Exception.
  - (A) This ordinance shall not apply to landowners operating a motor vehicle on snowmobile routes laid out on his or her land nor to any person so operating with the permission of such landowner.
  - (B) At the discretion of the Snowmobile Coordinator or the Waupaca County Parks and Recreation Committee.
- (4) This section shall be enforced by any law enforcement officer within the County, including the police of any municipality or any fish and game warden.
- (5) Severability. Should any section of this ordinance be declared unconstitutional or invalid, the constitutionality or validity of the remainder shall not be affected thereby.

**19.05 PUBLIC MEETINGS AND SALES:**

- (A) Public Meetings:
  - (1) Any person desiring to hold a public meeting of any kind whatsoever in any park shall first obtain a permit from the Committee or its duly authorized agent. The permit must be applied for not less than 48 hours prior to the scheduled event.
  - (2) Permits will be granted for the purpose of holding any lawful public assembly in accordance with published regulations governing the reasonable use of parks.
  
- (B) Peddling and Soliciting:

No person shall peddle or solicit business of any nature whatever, or to distribute handbills or other advertising matters either of a commercial or political nature, to post unauthorized signs, bill or commercial or political nature, to post unauthorized signs, bill or decorative matter on any lands, structure, or property as a base of commercial operations for soliciting or conducting business, peddling or providing services within or outside of such lands, structures or property unless first authorized in writing by the Waupaca County Park Committee or its duly authorized agent.

**19.10 PERSONAL CONDUCT AND NUISANCES:**

- (A) Personal conduct:

All Wisconsin Statutes and Waupaca County ordinances will be strictly enforced as to conduct on county property, including, without limitation, disorderly conduct and criminal damage to property.
  
- (B) Unnecessary Noises:

No person shall operate any sound truck, loudspeaker, motor, motor vehicle, or other device that produces undue or unnecessary noises without first obtaining a written permit from the Committee or its authorized agent.

**19.15 DESTRUCTION, ENTRY, CLEANING AND REFUSE:**

- (A) Destruction and Entry:
  - (1) Destruction, Defacement or Removal: No person shall enter any building, installation, or area that may be under construction or locked or closed to public use; or to molest or manipulate any water control structure, dam or culvert; or to enter or be upon any building, installation or area after the posted closing time or before the posted opening time, or contrary to posted notice, in any park.
  
- (B) Cleaning and Refuse:
  - (1) Washing: The washing of cars, persons, pets, cooking utensils, or clothing is prohibited in any of the lakes or streams or on any picnic grounds, playgrounds, recreation areas, boat landings, parking lots, roadways or fairgrounds except in designated areas.
  - (2) Fish and Game Cleaning: No person shall clean, butcher, scale or skin any fish, game, livestock or poultry in any county park except at designated fish-cleaning

tables if provided for such purposes. Refuse from such cleaning operations must be suitably wrapped or packaged and deposited in the refuse containers provided for that purpose.

- (3) Refuse:
- (A) State laws and County ordinances against littering shall be strictly enforced on county property.
  - (B) Charcoal residue must be left in a grate or fireplace until cool, or placed in receptacles provided for such purposes.
  - (C) No person shall dispose of any refuse in a county park receptacle if such contents are not as a result of the use of the park.
  - (D) All recyclable refuse shall be removed from the park and recycled in accordance to applicable law and ordinance, by the park patron.

## **19.20 MOTOR VEHICLES AND BOATS:**

(A) Vehicular Traffic:

- (1) No person shall operate any motor vehicle at a speed in excess of 15 m.p.h. or contrary to official traffic signs in any county park.
- (2) No person shall operate any motor vehicle in any part of any park in a reckless manner contrary to the provisions of Sections 356.62 and 941.01 of the Wisconsin State Statutes.
- (3) No person shall operate or park a motor vehicle upon county park property except upon designated areas.
- (4) No person shall operate, within any park, any motor vehicle which is not customarily registered with the Department of Motor Vehicles of the State of Wisconsin and designated for highway travel.

(B) Watercraft Speed and Aquatic Activity Regulation:

- (1) No person shall operate a motor driven watercraft at a speed greater than “slow-no-wake” speed and no person shall operate or cause to be operated any watercraft towing a person on water skies, aquaplane or similar device upon the following lakes as specified:
  - (A) Keller Lake
  - (B) Other areas as designated by the Committee
- (2) No person shall operate a boat towing persons engaged in water skiing, aquaplaning or similar activity or operated a watercraft in excess of “slow-no-wake” speed within 100 feet of any buoyed restricted area, marked swimming area, marina development, boat landing, dock or pier on any lake, river or other waters having a county owned or operated public boat marina. The authority vested in this section applies to those sections of any lake, river or pond located within Waupaca County, Wisconsin.

(C) Definition:

For the purpose of this ordinance, the definition of “slow-no-wake: speed is defined as the slowest possible speed so as to maintain steerage.

- (D) Snowmobiles:  
In areas where snowmobiles are permitted, no person shall operate a snowmobile contrary to official signs, or in a reckless manner in a county park.

**19.25 FIRE, FIREWORKS, FIREARMS:**

- (A) Fires:
  - (1) No person shall start, tend, or maintain any fire, or to burn any refuse, except at designated fireplaces, fire rings, or grills within any county park, except that fires for cooking or heating may be made in portable stoves, heaters or grills at designated picnic areas. All grills are designated for charcoal burning only.
  - (2) No person shall leave any fire unattended, throw away matches, cigarettes, cigars, or pipe ashes or any embers without first extinguishing them, or abandon any fire.
  
- (B) Fireworks:  
No person shall 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.
  
- (C) Firearms:  
No person except any authorized law enforcement officers shall have in his possession or under his control any firearm or air gun as defined by the Wisconsin Statutes, unless the same is unloaded and enclosed in carrying case, or any bow unless the same is unstrung or enclosed in a carrying case, in any county park except if such bow or gun is within the confines of any designated gun or archery range or in those parks where hunting is authorized.

**19.30 ANIMALS:**

- (A) Pets:
  - (1) Pets shall be prohibited from entering in or on any public building, bathing beach, picnic grounds or playgrounds or to run at large at any time on county park grounds. Pets shall be effectively restrained at all times in those areas where pets are permitted. Leashes or ties used to restrain pets shall be no longer than eight feet long.
  - (2) The owner or person having immediate control of a pet shall promptly remove and dispose of, any excreta left or deposited by the animal upon any parks and recreation property.
  - (3) The owner of any pet found to be in violation of this section shall be liable and be subject to the penalty provisions of this ordinance.
  
- (B) Horses:  
Unless expressly permitted, horses are prohibited on beaches, foot paths, picnic grounds, athletic fields or other similar special public use areas in any county park. Riding a horse in a careless, negligent, or reckless manner so as to endanger the life, property or person of others, on any county park roads or designated trails is prohibited.

- (C) Hunting and Trapping:  
No person shall take, catch, kill, hunt, trap or otherwise disturb any wild animals or birds in any county park except where hunting is authorized.

**19.35 ATHLETICS:**

- (A) No person shall play ball, golf, tennis, archery, other games or sports, upon or within any county park or parkway except upon designated areas established by the Committee.

**19.40 BEACHES:**

- (A) Food and Beverages:  
No person shall carry or consume any food or beverage of any kind on any bathing beach or in the water adjacent to any bathing beach in any county park.
- (B) Regulatory Marker Buoys - Molestation:  
No person shall disturb or molest any regulatory buoy or marker in any swimming beach in any county park and no person shall swim or float beyond any bathing beach boundary buoy or swimming area marker.
- (C) Swimming and Bathing During Storms:  
No person shall swim, bathe, or float on a floating device in the water fronting any bathing beach during electrical storms or in dangerous weather.
- (D) Beach Athletics:  
Except in locations designated for such purposes, no person shall engage in any athletic game or sport or in any activity upon a bathing beach or in the water, when injury or inconvenience to others might result therefrom.
- (E) Bathing Dress:  
No person shall swim, bathe or enter the water or onto any bathing beach unless clothed in a suitable dress or suit for bathing.
- (F) Changing Clothing:  
No person shall change clothes, except in beach houses or other enclosed places.
- (G) Water Safety:  
No person shall falsely call for help or assistance; or act in any manner that would jeopardize the safety of others.
- (H) Designated Swimming Areas and Hours:  
No person shall swim in any waters in county parks except in those areas designated as public swimming areas and only during such hours as specified.



- (I) Infectious Diseases:  
Any person having any infectious disease shall be prohibited from entering onto any bathing beach or into any bathing house or waters adjacent thereto.
- (J) No Watercraft Within Swimming Areas:  
Operation of any boat, other than inflatable devices, motor driven or otherwise, within a designated swimming area as marked by buoys or other means, is strictly forbidden.

**19.45 CAMPING:**

- (A) Definitions:  
For the purpose of this ordinance the following definitions apply:
  - (1) Camping or Camp: The use of a shelter such as a tent, trailer, motor vehicle, tarpaulin, bed roll, or sleeping bag for temporary residence or sleeping purposes.
  - (2) Designated Campground: Any tract of land designated exclusively for camping by groups.
- (B) Camping Regulations:
  - (1) Camping Prohibited: Camping is prohibited in any park, except at designated campgrounds and it is further prohibited unless a permit is first obtained from the Committee.
  - (2) Designated Campgrounds: Designated campgrounds are those areas defined by the Committee and include Keller Lake, Vic-To-Rae, and the Waupaca County Fairgrounds.
  - (3) Camping Violations: Violation of any state law or any rules of the Waupaca County Park Committee by a member of a camping party is cause for revocation of the camping permit and may be subject to penalties as set forth in Section 19.75 of this ordinance.

**19.75 ENFORCEMENT:**

- (A) Notice Fee:  
In lieu of arrest or commencing a civil action for any violation set forth herein, the Waupaca County Parks Director, or their designee, may impose a notice fee for such violation. The amount of this notice fee is to be determined by the Waupaca County Parks and Recreation Committee and kept on file in the Waupaca County Parks Department. If this notice fee is not paid within five (5) days of issuance, the matter shall be referred to the Corporation Counsel for prosecution in accordance with (B) below. Instructions for paying notice fees are provided at the time the notice fee is issued.
- (B) Civil Action:  
The provision of this chapter shall be enforced pursuant to section 25.04 of the General Code. Prosecution under this chapter shall be handled by the Corporation Counsel's office. All Wisconsin Statutes and Waupaca County ordinances will be strictly enforced.

(C) Powers of County Park Police:

- (1) Any park personnel duly appointed and authorized by the Waupaca County Park Committee and its Director to function as park police shall have the authority to enforce provisions of this ordinance and any other park rules and regulations established by the Park Committee. The Director, designated park police, and any deputy sheriff, shall have authority to issue a citation and/or notice fee to any individual whom he believes has committed a violation of this ordinance. Such citation shall inform the individual of the offense charges, the date of appearance in court and forfeiture required. The copies of any citation issued shall be immediately forwarded to the Waupaca County Parks and Recreation Director who shall then consult with the Waupaca County Corporation Counsel.
- (2) Any county park police or deputy sheriff shall have at all times the right to enter the premises of any building, structure, or enclosure in any park or parkway, including such grounds, buildings, structures or enclosures which may be leased or set aside for private or exclusive use of any individual or group of individuals for the purpose of enforcing this ordinance.

EFFECTIVE DATE AND REPEALS:

(A) Effective Date:

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

(B) Repeals:

All ordinances and parts of ordinances in conflict herewith are hereby repealed.