

## **VERNON COUNTY PARKS & FORESTS ORDINANCE**

### **46.01 PURPOSE**

This chapter shall prescribe the rules and regulations for the establishment, protection, development and management of County parks and forests as provided in Chapters 26, 28, 29, 59, 75 and 77, Wis. Stats., so as to provide a sustained yield of forest products for commercial use and the associated benefits of soil and water conservation, scenic value, recreational benefit and fish and game resources, all in cooperation with the Department of Natural Resources.

### **46.02 SCOPE**

Except as provided otherwise herein, the provisions of this chapter shall apply to all lands, structures and property owned, leased or administered by the County now held or hereafter acquired for forest, park, wayside, water access sites and special use purpose under the management, supervision and control of the Land & Water Conservation Committee, hereafter referred to as the Committee.

### **46.03 COMMITTEE APPOINTMENT**

The County Board hereby assigns administration of the Vernon County Land & Water Conservation Department, hereafter referred to as the Department, to the Land & Water Conservation Committee of the County Board.

### **46.04 DEFINITIONS - For the purpose of this chapter.**

Beach - Any water or adjacent land area designated as a swim area by standard regulatory markers.

Boat Landing - Any site adjacent to water that provides public access to navigable waters.

Campground - Any tract of land designated by the County exclusively for camping purposes.

Camping - The use of any shelter, such as a tent, trailer, motor vehicle, bedroll or sleeping bag, for temporary residence or sleeping purposes.

Camping Party - Any individual, family, individual group or juvenile group occupying a campsite.

Camping Season - That period from April 15<sup>th</sup> to October 15<sup>th</sup>.

Camping Unit - A single shelter defined as a trailer, pop-up, motor home, truck camper or vehicle. In addition, there may be a tent or screen house on a site, but

no more than six (6) people per site. Tarps are not considered a camping unit.

Campsite - A portion of a campground which is numbered and designated for use by a camping unit.

Picnic Shelter - Any building or structure that is capable of being closed to public access and reserved for public or private group activities.

Committee - The Vernon County Land & Water Conservation Committee.

County Forest - All lands owned or leased by the County that are managed under Chapter 28, Wis. Stats. The following areas are designated as Vernon County Forests:

- A. Duck Egg
- B. Kooyumjian / Lost Creek
- C. Esofea / Rentz Memorial Park

County Land - Includes all lands previously and subsequently acquired under supervision of the Land & Water Conservation Committee and those lands under land use agreement with them, including federal, state, town and private lands that provide forest, wildlife or recreational benefit.

Department - The Vernon County Land & Water Conservation Department.

DNR - Department of Natural Resources.

Emergency - A state of exigency which requires that immediate action be taken to protect life or property.

Family - A parent or parents with their unmarried children.

Group Campground - A campground that is designated for use by organizational groups.

Individual Group - A camping party composed of a family and guests not to exceed 8 persons occupying one campsite.

Juvenile - Any person under the age of 18.

Juvenile Group - A group composed of juvenile members of an established organization and under the leadership of at least one competent, mature adult for each 10 juveniles in the group.

Park - Includes the term park, County park, and Vernon County park and is defined to mean all lands and water acquired, leased or managed by the County for park or recreational purposes or placed under the jurisdiction of the

Committee and includes, without limitation, parks, whether on County forest crop land or not, 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 Vernon County Parks:

- A. Esofea / Rentz Memorial Park
- B. Sidie Hollow Park
- C. Jersey Valley Park
- D. Blackhawk Park

Person - Includes any individual, firm, partnership, corporation and association of persons, both singular and plural.

Primitive Campground - A campground or area with minimal or no improvements where camping may be permitted, accessible by hiking or by watercraft.

Special Recreation Area - Includes the terms special recreation area and special use area and means all lands and water owned by the County for special recreational or other purpose and includes, without limitations, hunting areas, target ranges, ski areas and nature areas.

Wayside – Includes the terms wayside, public access, and boat landing and means all lands and water owned by the County for day-use programs and includes, without limitation, waysides, beaches, boat landings and public access points.

**46.05 DESIGNATION OF PARK, COUNTY FOREST, WAYSIDE, AND SPECIAL RECREATION AREA BOUNDARIES AND LAND SUBJECT TO THIS SECTION**

- (1) The boundaries of all parks, county forests, and waysides shall be designated by the County Board, which shall maintain a legal description of each such parcel in the Department office.
- (2) The parks / county forests subject to this section are;
  - (a) Esofea / Rentz Memorial Park
  - (b) Sidie Hollow Park
  - (c) Jersey Valley Park
  - (d) Blackhawk County Park
  - (e) Duck Egg County Forest
  - (f) Kooyumjian- Lost Creek County Forest
- (3) The waysides subject to this section are:
  - (a) Sidie Hollow Public Access
  - (b) Jersey Valley Public Access
  - (c) Runge Hollow Public Access
  - (d) Blackhawk Public Access
  - (e) Hwy. 14/61 Wayside

**46.06 COUNTY FOREST & PARK USE REGULATIONS**

- (1) **Hours** - All parks and waysides shall be open to the public throughout the year between 4 a.m. and 11 p.m. each day, unless posted otherwise. No person may enter or be on such lands outside of those hours, except for campers in or those who are in route to designated campgrounds or persons transporting watercraft to and from designated boat landings. Special closing times may be established in selected areas of various Parks or Forests as is deemed necessary by the Committee.
- (2) **Maintenance** - The facilities in all parks / forests, special recreation areas and waysides shall be maintained by the Department .

- (3) **Fees** – Camping fees for tent, trailer, or other camping units shall be charged at Sidie Hollow Park, Esofea / Rentz Memorial Park, and Blackhawk Park campgrounds. Fees for camping and other uses shall be established from time to time by the Committee and posted in the County Parks and Forests as necessary.
- (4) **Overnight Camping** – No overnight camping is permitted at any other County Parks / Forest properties, special recreation areas, or waysides.
- (5) **Refunds** – No refunds shall be given for camping or shelter reservation, except in emergency situations as deemed appropriate by the County Parks Administrator
- (8) **Violations** - Any camper who violates the rules and regulations of this chapter or of good conduct, including cutting or defacing timber, carelessness with fire, violations of game and littering shall be subject to ejection from the County forest and subject to the penalties provided by County and State laws.

#### **46.07 FEES AND CHARGES**

- (1) **Fee Administration** - No person shall use any facility, shelter or area for which a fee or charge has been established without payment of the fee or charge. Campers using tents, trailers, or other camping units of their own at County owned parks must first obtain an envelope, i.e. registration slip, from the self registration station at each campground. They must then place funds to cover at least one night's stay and deposit the envelope in lock box prior to setting up their camp at designated campsites
- (2) **Fees**
  - (a) Fees for camping shall be determined by the Committee and in accord with fees charged by private similar facilities, so as to not provide undue competition, and be subject to change periodically at the discretion of the Committee. An additional fee shall be charged for wood supply, electrical service, and water hookup.
  - (b) Fees for reserving use of the shelter buildings shall be established by the Committee, and be assessed at the discretion of the Park Manager or Parks Administrator for use by groups. Fees must be deposited with the Parks Manager or Parks Office prior to occupying the shelter.
- (3) **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 or its appointed agent, at its discretion, may set the fees for this facility.

**46.08 ADDITIONAL RULES** - Rules and regulations may be made from time to time by the Committee governing the further use and enjoyment of property administered by the Committee. Any person who shall violate such rules or regulation or who refuses to subject himself thereto may be excluded from the use of such facility and be subject to the penalties provided in this chapter.

**46.09 EXCEPTIONS** - Nothing in this chapter shall prohibit or hinder the Committee, its administrator, foresters, park managers, other authorized agents or any peace officers from performing their official duties.

**46.10 EMERGENCY RULE MAKING AUTHORITY** - In the event of a natural or man-made disaster or emergency which necessitates, in the public interest that all or a part of any land subject to this chapter be restricted from public access, the Committee shall have the power to close such lands, restrict their use or provide for emergency timber sales. Any actions under this section shall be subject to Board review and approval at its next scheduled meeting.

**46.11 PERMIT ISSUANCE** - All permits issued by the Forest Administrator, Parks Administrator, or other authorized park personnel shall be subject to review by the Committee.

#### **46.12 LAND USE AGREEMENTS**

- (1) **Public Utilities** - The location of all public and private utilities, structures, lines and pipes within any property administered by the Committee shall be subject to the control of the Committee and their construction, erection, repair or relocation shall be undertaken only after written consent is received from the Committee. The procedure can be found in the Vernon County Comprehensive Land Use Plan.
- (2) **Special Recreational Use Agreements** - Various groups, organizations, or private citizens request opportunities to use County forest land. These requests are handled on a case-by-case basis with approval of the Committee.

#### **46.13 PUBLIC MEETINGS AND SALES**

- (1) Any person desiring to hold a public meeting of any kind whatsoever in any property administered by the Committee shall first obtain a permit from the Committee or its authorized agent. The permit must be applied for not less than 48 hours prior to the scheduled event.

**46.14 PEDDLING AND SOLICITING** – It shall be unlawful for any person to peddle or solicit business of any nature whatever or to distribute handbills or other advertising matter, to post unauthorized signs on any lands, structures or property under the management, supervision, or control of the Committee or to use such lands, structures or property for commercial operations, for soliciting or

conducting business peddling or providing services within or without such lands, structures or property unless first authorized in writing by contractual agreement with the Committee or its duly authorized agents.

**46.15 SIGNS** - No person shall place unauthorized signs on any property administered by the Committee.

**46.16 DISORDERLY CONDUCT** – Refer to Vernon County Code, Section 42-6.

**46.17 PROPERTY OF OTHERS** – Refer to Vernon County Code, Section 42-12.

**46.18 ABANDONED VEHICLES** - As used in this section, vehicle means any motor vehicle, trailer, semi-trailer or mobile home. No person shall leave any vehicle unattended on any property administered by the Committee without prior Committee authorization for more than 48 hours under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. An abandoned vehicle shall constitute a public nuisance.

**46.19 UNNECESSARY NOISES** - Refer to Vernon County Code, Section 42-8.

**46.20 DESTRUCTION AND ENTRY**

- (1) Destruction, Defacement or Removal** - With respect to property administered by the Committee, no person shall disturb, vandalize, damage, deface, remove or destroy any trees, shrubs, plants, other natural growth or sand and gravel; carve on any rocks, archeological or geological features, signs, walls or structures; drive nails into trees; or move, injure or deface in any manner any structures, including buildings, signs, fences, tables, or other County property, except with the approval of the Committee. This prohibition shall not include the picking of edible fruits, nuts and fungi.
- (2) Trespass and Tampering** - With respect to property administered by the Committee, no person shall enter any building, installation or area which may be under construction, locked or closed to public use; tamper with, use or damage any water control structure, dam or culvert; or enter or be upon any building, installation or area after the posted closing time or before the posted opening time or contrary to other posted notices.
- (3) Damage by Vehicles or Non-vehicular Traffic** - No person shall operate a vehicle or utilize other modes of transportation for recreational use or other purpose in or on any property administered by the Committee in such a manner as to cause soil erosion, excessive road & campsite damage, pollution, or other damage.

**46.21 FOREST PRODUCTS HARVEST AND THEFT**

- (1) Timber Cutting** - Commercial cutting, salvage cutting and cultural

cutting on property administered by the Committee shall be by written permit or contract approved by the Committee.

- (2) **Firewood and Special Products** - Commercial harvest of firewood and specialty products on lands administered by the Committee shall be by contract or written permit by the Committee.
- (3) **Product Theft** - No person shall remove any plant, tree parts of a tree or other forest product from an property administered by the Committee, except as authorized by the Committee or its agents by written permit, contract or policy. Picking fruit, berries, nuts, and mushrooms is permitted.

**46.22 EXPLORING OR PROSPECTING** - No person or company shall explore or prospect for minerals, oil, gas, sand or gravel on property administered by the Committee without written permission from the Committee or its agent.

#### **46.23 CLEANING AND REFUSE**

- (1) The washing of cars, persons, pets, cooking utensils or clothing, as well as the cleaning of fish and game, is prohibited in all of the lakes and streams; any picnic grounds, playgrounds, recreation areas, boat landings, parking lots or roadways; and within 50' of any pump, fountain or drinking water outlet on any property administered by the Committee.
- (2) **Refuse**
  - (a) No person shall dispose of any trash, garbage, debris or other waste material in or on any property administered by the Committee not directly generated within such property or dispose of the same in any manner other than in designated receptacles.
  - (b) Charcoal residue shall not be discarded onto any grounds or into any containers other than those designated for such purposes.

**46.24 LITTERING** - Dumping of rubbish, debris, sewage, dirt, stones or any other material shall be prohibited on all property administered by the Committee. Visitors, including berry pickers, hunters, fishermen, tourists and all others who visit property administered by the Committee shall not leave litter anywhere on such property or in adjoining lakes or streams.

#### **46.25 VEHICULAR TRAFFIC**

- (1) No person shall operate or park any vehicle on other than established roads and parking area on any property administered by the Committee including but not limited to, hiking trails, mountain bike trails, horse trails, playgrounds, beach areas, and picnic areas.

- (2) No person shall operate any ATV, snowmobile, motor bicycle, or other snow vehicle in any area or upon any trail on any property administered by the Committee, unless first authorized in writing by the Committee or its duly authorized agents. An exception will be made for snowmobiles riding on county maintained and funded snowmobile trails through county park and forest properties.

**46.26 VEHICLES AND WATERCRAFT** - No person shall park, stop or leave standing, whether attended or unattended, any vehicle, obstruction or watercraft in or on any property administered by the Committee in any manner, which is:

- (1) Blocking, obstructing or limiting the use of any road, trail, parking lot, boat landing, waterway or winter sport facility.
- (2) Outside of any area provided for such purpose.
- (3) Contrary to posted notice.
- (4) In any park area between 11 p.m. and the following 4 a.m., except that vehicles or watercraft owned by registered campers residing in adjacent campgrounds and vehicles at designated boat landings used to transport watercraft are permitted at any time.
- (5) The use of internal combustion motors is prohibited on all inland waters under the control of the County except the Mississippi and Kickapoo River. Electric motors are restricted to one per watercraft, and not to exceed twelve (12) volts
- (6) Persons using or operating boats in , on or from lands or waters within County Parks & Forests shall abide by all State and Federal laws as adopted, as well as provisions of this ordinance.
- (7) Boats shall be launched at designated boat launch sites, except that light boats, canoes, or kayaks may be launched at other locations provided that the watercraft shall be carried from the nearest legal driving point or designated parking area.
- (8) Mooring of boats, of any kind, within County Parks & Forests, shall be done only with the written permission of the Committee or its authorized agents. Permissible mooring sites may be designated and fees charged may be established from time to time by the Committee as they deem necessary. Such information shall be posted in locations where it applies.

**46.27 FIRES**

- (1) Within any park or wayside, no person shall start, tend or maintain any

fire or burn any refuse, except at designated fireplaces, fire rings or grills, unless otherwise posted; except that fires for cooking or heating may be designated in campgrounds and picnic areas.

- (2) No person shall leave unattended or abandon any fire, discard any matches, cigarettes, cigars, pipe ashes or embers without first extinguishing them on any property administered by the Committee.
- (3) No person shall start or possess any fires in or on any property administered by the Committee or on any County owned land on a DNR designated red flag day including, but not limited to, campfires, use of cooking grills, smoking of cigarettes or pipes in the open.

**46.28 FIREWORKS** - No person shall possess fire, discharge, explore or set off any squib, cracker or other explosive or pyrotechnic device containing powder or other combustible or explosive material within the boundaries of any park or wayside, except by permission of the Committee or its authorized agent.

**46.29 PETS** - No person shall allow pet animals to enter any public building, bathing beach, picnic grounds or playground within any park or allow them to run at large at any time in parks or waysides or otherwise contrary to posting. Subject to the conditions expressed, such animals shall be permitted upon lands under the control of the Committee, provided that they are kept on a leash no longer than 8' and under the owners control at all times. Persons shall not allow their pet animals to deprive or disrupt the enjoyment or use of any area by another person.

**46.30 EQUESTRIAN ACTIVITIES** – The use of horses, ponies, donkeys, and mules is prohibited in areas where it will conflict with swimming, camping, picnicking or other assembly of people. For this reason, horses and ponies are not allowed under any circumstances in Sidie Hollow Park, Jersey Valley Park, Esofea/Rentz Memorial Park, Blackhawk County Park, Kooyumjian-Lost Creek County Forest and all other waysides and special recreation areas managed by the Committee. Horses and ponies are allowed at Duck Egg County Forest, on designated and signed equestrian trails only, so as not to risk damage to immature tree plantations, prairie plantations, or other natural areas requiring protection. Horses and ponies shall be controlled at all times and shall not be ridden at excessive speed or in a reckless manner so as to endanger the lives, health, or property of others.

Equestrian trails and/or certain sections of equestrian trail, or any type of trail, may be closed by authorized agents of the Committee during periods of prolonged wet conditions, after flood events, seasonal wet / thawing conditions, in preparation for or during timber harvests, or for any reason deemed necessary by the Committee or duly authorized agents. New equestrian trail development and construction shall not be permitted without prior written consent from the Committee.

**46.31 HUNTING, FISHING, and TRAPPING** – No person shall take, catch, kill, hunt, trap, pursue, or otherwise capture any wild animals or birds within Blackhawk Park or any waysides subject to this ordinance. Hunting & trapping is permitted during legally established hunting & trapping seasons prior to April 15 and after October 15 in Sidie Hollow Park, Esofea / Rentz Memorial Park, and Jersey Valley Park so as to maintain an acceptable level of safety for campground users. Hunting & trapping is permitted in Duck Egg County Forest and Kooyumjian – Lost Creek County Forest during all legally established hunting & trapping seasons and in accordance with Department of Natural Resources fishing regulations. Fishing is permitted within any park or wayside in accordance with Department of Natural Resources fishing regulations.

**46.32 TREE STANDS** - No person shall construct, cause to be constructed, use or occupy any permanent elevated scaffold or other permanent elevated device, commonly referred to as a tree stand, on any lands owned or under the control of the County. Portable tree stands may be used, provided that they are erected after September 1 and completely removed no later than January 1 of the following year, such portable tree stands are not in any manner bolted, nailed or screwed to the tree and such portable tree stands cause no permanent damage to the trees in which they are placed. The use of nails, screws, spikes or other devices to aid in climbing a tree is prohibited. The cutting of shooting lanes is prohibited. Tree stands found in violation of this section may be removed and destroyed by authorized agents of the Committee.

#### **46.33 GATED ROADS AND TRAILS**

- (1) No person shall operate any unauthorized motor vehicle, off-road vehicle or all-terrain vehicle on roads or trails which are gated, cabled, bermed, ditched, embanked or posted to prohibit travel.
- (2) The Department may authorize, by permit, persons with physical disabilities to use a motorized vehicle as a mode of personal conveyance behind gated roads and trails. A permit is required for disabled persons using a motorized wheelchair.

**46.34 ATHLETICS** - No person shall play or practice baseball, golf, tennis, horseshoe pitching, archery or other games or sports upon or within any park or wayside, except upon ball fields, horseshoe pits, and tennis courts established by the Committee, unless such activity, in the opinion of the authorized agent, does not create any use problems for other purposes for which the area is provided.

#### **46.35 SURVEY REGULATIONS**

- (1) **Survey Monuments** - No person shall remove, cover, bury, destroy or deface any survey monument, corner post, monument accessory, witness tree, bearing tree or survey accessory on any lands within the County, except in compliance with ' 59.635, Wis. Stats.

- (2) **Filing of Surveys** - A correct and true copy of all surveys for individuals or corporations performed by any land survey of land in the County must be filed in the office of the County Surveyor within 60 days after completion of the survey.

#### **46.36 LEGAL ACTION**

- (1) **Civil Action** - Whenever an arrest shall have been made or any violation shall occur, the District Attorney or Corporation Counsel shall prosecute or proceed as provided by law.
- (2) **Arrest Powers** - Any law enforcement officer of the County or any of its municipal subdivisions may, without a warrant, arrest any offender whom he may detect in the violation of any of the provisions of this chapter and take the person arrested before a judge or court commissioner having competent jurisdiction, and he shall have at all times the right to enter the premises of any County building, structure or enclosure in any park, wayside or special recreation area, including such grounds, buildings, structures, campsites or enclosure which may be leased or set aside for private or exclusive use of any individual or group of individuals for the purpose of determining that there is compliance with this chapter and the rules and regulations made by the Committee and may use all necessary means to attain that end.
- (3) **Authority** - County forestry & parks personnel authorized by the Committee can recommend civil summonses for violations committed in their presence of this chapter or of rules and regulations made by the Committee and shall have at all times the right to enter the premise of any County building, structure or enclosure in any park, wayside or special recreation area, including such grounds, buildings, structures, campsites or enclosures which may be leased or set aside for private or exclusive use of any individual group of individuals for the purpose of determining that there is compliance with this chapter and the rules and regulations made by the Committee and may use all necessary means to attain that end.
- (4) **Seizure** - Whenever forest products are found known to have been unlawfully severed from County lands, the Sheriff shall, on satisfactory evidence, seize such materials pursuant to ' 26.06, Wis. Stats., for use by the County or sales as the Committee may determine.
- (5) **Damages**
  - (a) In addition to the penalties specified in ' 16.50, any person violating any of the provisions of this chapter shall be liable for any damages.
  - (b) Whenever evidence of unlawful cutting on County lands shall be lodged with the District Attorney, he shall, on recommendation of

the Committee, bring suit to recover damages as provided by ' 26.09, Wis. Stats. Similarly, civil suit shall be brought against parties responsible for forest fire damage under ' 26.21, Wis. Stats.

#### **46.37 SPECIAL EXCEPTIONS AND REPEALS**

- (1) **Special Exceptions** - Special exceptions may be granted by prior approval of the Land & Water Conservation Committee and County Parks / Forests Administrator(s).
- (2) **Repeals** - All ordinances and parts of ordinances in conflict herewith are hereby repealed.

#### **46.38 SNOWMOBILE, OFF-ROAD & ALL-TERRAIN VEHICLES**

##### **(1) Definitions**

All-Terrain Vehicle - As defined in ' 340.01(2g), Wis. Stats., means an engine driven device which has a net weight of 900 lbs. or less, which has a width of 48" or less, which is equipped with a seat designed to be straddled by the operator and which is designed to travel on 3 or more low-pressure tires. A low-pressure tire is a tire which has a minimum width of 6", which is designed to be mounted on a rim with a maximum diameter of 12" and which is designed to be inflated with an operating pressure not to exceed 6 lbs. per square inch as recommended by the manufacturer.

Off-Road Vehicle - Includes, but is not limited to, trail bikes, motorcycles, mini-bikes, airboats and air cushioned vehicles or golf carts.

Snowmobile - Any engine driven vehicle of a type which utilizes sled type runners, skis or an endless belt tread or any combination of these or similar means of contact with the surface upon which it is operated, but does not include such vehicles which are either manually propelled or driven by a motor of 4 horse power or less and operated only on private property.

##### **(2) Restricted Use of Snowmobiles, Off-Road, and All-Terrain Vehicles**

- (a) No person shall drive a snowmobile, all-terrain vehicle, or off-road vehicle on any park, forest, or wayside under the supervision, management or control of the Committee. An exception to this rule will be made for county maintained and funded sections of snowmobile trail through county park and forest properties.

**46.39 PENALTY** – Violations of this ordinance are subject to Section 1-11 of Vernon County Code.