

## CHAPTER 42 PARKS AND RECREATION

### 42.01 PARKS

### 42.02 BOATING AND LAKE RECREATIONAL ACTIVITIES

### 42.01 PARKS

#### A. Definitions

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Public grounds* means all public parks owned or operated by the Village.

*Vehicle* means any bicycle, snowmobile, motorcycle, trailer, wagon, horse, or similar means of travel.

**Cross references:** Definitions generally, § 1-2.

#### B. Prohibited Acts

It shall be unlawful for any person to commit any of the following acts in or upon any public grounds in the Village:

1. *Parking.* To park any vehicle, except within the limits of clearly marked parking areas.
2. *Vehicles.* To operate any vehicle, except upon clearly marked roadways, trails or paths designated for such purposes.
3. *Speed.* To operate any vehicle upon any roadway within the limits of such public grounds at a speed in excess of 15 miles per hour or a lesser posted speed limit.
4. *Closing hours.* To enter or remain in or upon such grounds between the hours of 10:30 p.m. and 7:00 a.m. the following morning except as allowed by permit issued by the Park and Recreation Commission.
5. *Firearms.* To carry, keep or use any firearm, bow and arrow, slingshot, trap gun, or other shooting device.
6. *Vandalism.* To soil, deface, injure, damage, upset, or destroy any building, fence, fountain, bench, table, receptacle, fireplace, tree, bush, flower, or other object situated, used, or kept upon such grounds.
7. *Digging.* To dig or break up the ground surface except in areas specifically designated as campgrounds and upon issuance of a permit by the Park and Recreation Commission.
8. *Fires.* To build any fire, except in fireplaces or other suitable facilities provided for that purpose; or to dispose live embers of any fire. Fires may be permitted in areas specifically designated as a campground and upon issuance of a permit by the park and recreation commission.
9. *Litter.* To leave, throw or break any bottle, box, refuse, or other object, except in clearly marked refuse receptacles provided for that purpose.
10. *Animals.* To take, have, or keep any dog or cat, except upon a leash.

11. *Fireworks.* To set off fireworks of any kind, except when a public display permit has been issued by the Village Board pursuant to section 38-111.
12. *Games.* To engage in any athletic contest, game or activity, except in areas specifically designated for such activity, whereby large areas of public grounds are usurped by the participants to the exclusion and at the peril of injury to others.
13. *Rules.* To fail, refuse or neglect to obey the regularly posted rules and regulations for the use or enjoyment of any facilities.

C. **Group use of parks; registration or permit required**

Any assembly of persons over 20 in number shall register with the Village Clerk before using the facilities, giving the name of a person responsible and the activity planned and pay appropriate fee(s). Any group over 200 in number shall obtain a permit from the park and recreation commission prior to the date of use. The commission shall include in its consideration of any such request the ability of the park facilities to accommodate the proposed activity and compatibility of the proposed activity with other planned activities and uses in the park. The committee may require a damage deposit and/or fee established by the Village board in the fee schedule.

D. **Music**

Portable music and sound equipment, including radios, record players, etc., may be used in the park only in such a manner which is not a nuisance to other users or park personnel. Live music or musical instrument playing is allowed in the parks only with prior approval of the park and recreation commission.

E. **Alcohol use**

The only alcoholic beverages to be consumed on such public grounds are those sold on such public grounds by licensees of the Village. The use of alcoholic beverages may be restricted to certain areas of each park by the park and recreation commission to avoid use conflicts. Such restrictions shall be posted in any such designated area.

Cross references: Alcohol and non-intoxicating beverages, ch. 6.

F. **Penalties for violation of article**

Any person who shall violate any provision of this article may be punished by a forfeiture of not more than \$250.00, together with the costs of prosecution, and, in case of default of payment of such forfeiture and costs, by imprisonment in the county jail for a term not exceeding 30 days.

## 42.02 BOATING AND LAKE RECREATIONAL ACTIVITIES

The intent of this ordinance is to provide safe and healthful conditions for the enjoyment of aquatic recreation in the Village of Richfield consistent with public rights and interests, and the capability of the water resources.

A. **Definitions**



The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Mechanical* means a way to power a watercraft through electric, gas, or other methods other than human motions.

*Public access* means any access to the waters by means of public property.

*Slow-no-wake* means that speed at which a boat moves as slowly as possible while still maintaining steerage control.

*Traffic lane* means the surface of the lake that is more than 150 feet distant from and parallel to the shore, or 100 feet distant from the projecting extremities of any pier, wharf or other structure built in or over the water.

Cross references: Definitions generally, § 1-2.

**B. Applicability of article provisions**

The provisions of this article shall apply to the waters of Amy Belle Lake, Bark Lake, Friess Lake, Little Friess Lake, and Lake Five.

**C. Enforcement of article provisions**

The provisions of this article shall be enforced by the Washington County Sheriff's Department lake patrol, a contracted law enforcement unit of the Village of Richfield.

**D. State boating and safety laws adopted**

The statutory provisions describing and defining water traffic, boats, boating and related activities contained in Wis. Stats. §§ 30.50--30.71 and the rules and regulations of the State Department of Natural Resources are adopted and by reference made a part of this article. Any act required or prohibited by the provisions of such statutes or rule or regulation incorporated by reference is required or prohibited by this article.

**E. Posting of Village boating regulations required**

Signs briefly stating boating regulations, as established in this article, shall be posted at all public and private launch sites where a fee is paid.

**F. Speed regulations**

In addition to the speed regulations in Wis. Stats. § 30.66, the following restrictions shall apply:

1. No person shall operate a boat powered by mechanical means at any time on Amy Belle Lake.
2. No person shall operate a boat at a speed greater than 25 miles per hour from 10 a.m. to 7 p.m. on Friess Lake. At all other times the maximum speed shall be slow-no-wake.

3. No person shall operate a boat at a speed greater than 40 miles per hour on Lake Five from 10 a.m. to 8 p.m. or sunset, whichever comes first. At all other times the maximum speed shall be slow-no-wake.
4. No person shall operate a boat at a speed greater than 25 miles per hour during the hours of 10:00 a.m. to 5:00 p.m. on Bark Lake. At all other times the maximum speed shall be slow-no-wake.
5. No person shall operate a boat at a speed greater than slow-no-wake at all times on Little Friess Lake.
6. No person shall operate a boat outside the traffic lane established in section 42.02 (A) on Friess Lake, Lake Five or Bark Lake at a speed greater than slow-no-wake.
7. No person may operate any vehicle on any icebound lake at a speed greater than 25 miles per hour.

**G. Emergency slow no wake**

1. *Declaration of emergency.* During periods of abnormally high lake levels, the Village President or his/her designee is authorized and directed to declare a high lake water emergency for any and all lakes located in the Village. The Village Administrator, working with the lake associations and the Highway Superintendent, shall establish benchmark(s) on each of the lakes to use as reference point(s) during abnormally high lake levels. These reference point(s) shall be used in the determination to declare an emergency. Additional factors may be considered to declare an emergency, such as weather forecasts, shoreline erosion, neighborhood concerns, historical data, DNR information and other variables.
2. *Orders.* During high lake water emergencies, the village president or his/her designee is authorized and directed to issue slow-no-wake orders for any and all lakes located in the Village. Copies of such orders shall be posted at all public and private landings. When lake levels have returned to normal levels the village president or his/her designee shall declare a cessation of the high level emergency and rescind the slow-no-wake order.
3. *Speed limit.* During the period that the slow-no-wake order is in effect, no person shall operate a boat at a speed greater than slow-no-wake.
4. *Penalty.* Any person who violates this section shall be subject to a forfeiture of \$50.00 for the first offense and \$100.00 for the second and subsequent offenses.

**H. Prohibited operation**

In addition to the requirements and restrictions set forth in Wis. Stats. § 30.68 and 30.62(2):

1. No motor boat shall pass within 100 feet of a swimmer or skindiver's marker unless physical circumstances make compliance impossible.
2. No person shall operate any boat repeatedly in a circuitous course around any other boat or around any person who is swimming if such circuitous course is within 200 feet of such boat or swimmer nor shall any water skier operate or approach closer than 100 feet to any swimmer or skindiver's marker.
3. All boats for rent or hire shall have stenciled or printed on the top side of the rear seat thereof the maximum safe carrying capacity of such boat.



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4. No motorboat shall approach or pass another boat in such a manner as to create a hazardous wake or wash.
5. No person shall use wake-enhancing devices, including ballast tanks, wedges, or hydrofoils or other mechanical devices, or un-even loading of persons or gear, to artificially operate bow-high on any lake in the Village.

**I. Water skiing**

In addition to the requirements and restrictions set forth in Wis. Stats. § 30.68:

1. No person shall operate a motorboat towing a person on water skis, aquaplane, wakeboard, or similar device unless there is in the boat a competent person in addition to the operator in a position to observe the progress of the person being towed. An observer shall be considered competent if he/she can, in fact, observe the progress of the person being towed.
2. No person shall operate nor shall any boat owner allow a boat to be operated to tow more than two persons on water skis, aquaplanes or other similar devices at any one time, except that on Bark Lake not more than one person may be so towed.
3. Persons waterskiing or using other similar devices shall also conform to all provisions of this article and shall not engage in any activity contrary to the provisions of this article.

**J. Rafts, buoys, and markers**

1. All rafts, platforms, buoys, and markers shall be anchored and shall have at least eight inches of freeboard above the waterline so that they will not float or drift in excess of ten feet in any direction from the position that is directly above their anchor.
2. On Bark Lake no raft or pier shall be located within 100 feet of the traffic lane marked with buoys in accordance with section 42.02 (A).

**K. Swimming and skindiving**

In addition to the requirements and restrictions set forth in Wis. Stats. § 30.70, no person shall swim in the traffic lane unless he is accompanied by a manned boat.

**L. Aircraft**

It shall be unlawful for any aircraft, whether designed for taking off or landing on water or not, to use any part of the lakes or waters regulated under this article for landing or taking off, except in the case of emergency.

**M. Public notification if amended**

In addition to following all state and local laws governing public notification when amending this ordinance, the Village will make every effort to notify the Lake Association Presidents or lake residents at least 60 days prior to the proposed modifications.

**N. Penalties for violation of this article**

Wisconsin state boating penalties as found in Wis. Stat. 30.80, and deposits as established in the Uniform Deposit and Bail Schedule established by the Wisconsin Judicial Conference, are hereby adopted by reference.

-DNR ID #0922-

STATE OF WISCONSIN      VILLAGE OF RICHFIELD      WASHINGTON COUNTY

**ORDINANCE 2010-6-17**

**AN ORDINANCE TO MODIFY SECTION 42.02(F)(2) OF THE VILLAGE OF RICHFIELD CODE OF ORDINANCES**

**Section 1:** Section 42.02(F)(2) is amended as follows:

2. No person shall operate a boat at a speed greater than 35 miles per hours from 10 a.m. to 7 p.m. on Friess Lake. At all other times, the maximum speed shall be slow-no-wake.

**Section 2:** This ordinance shall become effective upon passage and posting.

**Section 3:** Several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific Section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, Sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

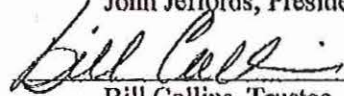
Passed on this 15<sup>th</sup> day of July, 2010.  
Adopted on the 15<sup>th</sup> day of August, 2010.

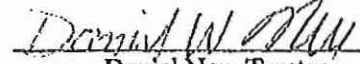
Received  
DNR Law Enforcement


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ATV Boating Snowmobile  
Recreational Enforcement & Education



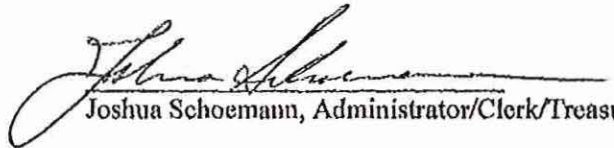
John Jeffords, President  
  
Bill Collins, Trustee

  
Daniel Neu, Trustee

  
Rock Brandner, Trustee

  
Michael Shea, Trustee

ATTEST:

  
Joshua Schoemann, Administrator/Clerk/Treasurer



STATE OF WISCONSIN VILLAGE OF RICHFIELD WASHINGTON COUNTY

## ORDINANCE 2010-7-15

## AN ORDINANCE TO MODIFY SECTION 42.02(I)(2) OF THE VILLAGE OF RICHFIELD CODE OF ORDINANCES

**Section 1:** Section 42.02(I)(2) is amended as follows:

2. No person shall operate nor shall any boat owner allow a boat to be operated to tow more than two persons on water skis, aquaplanes or other similar devices at any one time.

**Section 2:** This ordinance shall become effective upon passage and posting.

**Section 3:** Several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific Section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, Sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

Passed and adopted this 15<sup>th</sup> day of July, 2010.

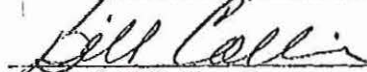
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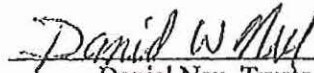
ATV Boating Snowmobile  
Recreational Enforcement & Education



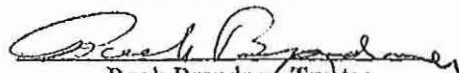
John Jeffords, President



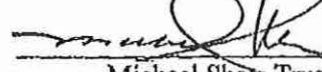
Bill Collins, Trustee



Daniel Neu, Trustee

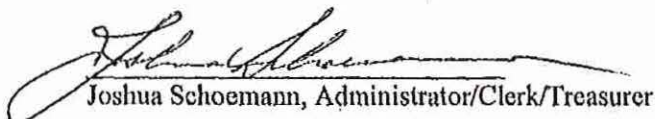


Rock Brandner, Trustee



Michael Shea, Trustee

ATTEST:



Joshua Schoemann, Administrator/Clerk/Treasurer