

# CHAPTER 12. PARKS AND NAVIGABLE WATERS

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# PARKS AND NAVIGABLE WATERS

## SEC. 12.01 PARK REGULATIONS.

- (a) **Purpose and Definition.** In order to protect the public parks, parkways, and recreational facilities within the City of Oak Creek from injury, damage or desecration, these regulations are enacted. The term “park” as hereinafter used in this Chapter shall include all grounds, structures and water-courses which are or may be located within any area dedicated to the public use as a park, parkway, recreation facility, play ground, or swimming pool in the City.
- (b) **Milwaukee County Parks and Parkway Regulations.** The provisions of the Milwaukee County Ordinances describing and defining rules and regulations with respect to Milwaukee County parks and parkways in Chapter 47, Milwaukee County Ordinances, exclusive of any provisions therein relating to the penalties to be imposed or the punishment for violations of said General Ordinances, are hereby adopted and by reference made a part of this Section. Any act required to be performed or prohibited by any Milwaukee County General Ordinance incorporated herein by reference is required or prohibited by this Section.
- (c) **Specific City Regulations.** Unless superceded by County regulations adopted by reference in Subsection (b) above, the following regulations shall be applicable in City parks:
- (1) **Littering Prohibited.** No person shall litter, dump or deposit any rubbish, refuse, earth or other material in any park.
  - (2) **Bill Posting.** No person shall post, paste, fasten, paint or attach any placard, bill, notice, sign or advertising matter upon any structure, tree or other natural object in any park, except park regulations and other signs authorized by the Parks and Recreation Commission, or its designee.
  - (3) **Throwing Stones and Missiles Prohibited.** No person shall throw stones or other missiles in or into any park.
  - (4) **Removal of Park Equipment Prohibited.** No person shall remove benches, bleachers, seats, tables or other park equipment from any park.
  - (5) **Trapping.** “Trapping” when used in this Section includes the taking, or the attempting to take, of any wild animal by means of setting or operating any device, mechanism or contraption that is designed, built or made to close upon, hold fast or otherwise capture a wild animal or animals; live traps on a person’s property are excluded. The trapping of wild animals is hereby prohibited in City parks, unless authorized by the Common Council.
  - (6) **Making of Fires.** No person shall start, tend or maintain a fire except in personal grills or designated fireplaces. Personal grills shall

be used only in designated picnic areas. The use of personal grills is permitted provided lawns and vegetation are not endangered. Unburned fuel and ashes shall be disposed of in such a manner as to prevent fire or damage to any park property.

- (7) **Protection of Park Property.**
  - a. No person shall kill, injure or disturb or attempt to injure or disturb waterfowl, birds or animals, wild or domestic, within any park, except as permitted by this Chapter. No person shall climb any tree or remove flowers or fruit, wild or cultivated, or break, cut down, trample upon, remove or in any manner injure, deface, write upon or ill use any tree, shrub, flower, flower bed, turf, soil, sand, fountain, ornament, building, structure, apparatus, bench, table, official notice, sign or other property within any park.
  - b. No person shall deface, by throwing stones, pebbles or other debris in any of the toilets, bubblers or other sanitary facilities located in any City park; or deface by drawing with crayon, chalk, paint, or anything else on any of the buildings or equipment at any City park; or deface the equipment by means of a sharp instrument.
- (8) **Motorized Vehicles.** Except for authorized maintenance vehicles, no person shall operate an unlicensed or licensed motorized vehicle outside of areas specifically designated as parking areas or areas where the operation of such vehicles is specifically permitted. Motor vehicles are restricted to the roads and drives and parking areas. No motor vehicles of any nature may be used on the seeded areas except vehicles which have Chief of Police or Director of Parks and Recreation authorization for shows, rides, tournaments, celebrations or exhibits and then only for the purpose of loading and unloading.
- (9) **Snowmobiles.** No person shall operate a snowmobile in a City park except in designated areas. Snowmobiles shall only be operated on designated trails.
- (10) **Speed Limit.** No person shall operate any vehicle in a City park in excess of ten (10) miles per hour unless otherwise posted.
- (11) **Glass Beverage Bottles in Parks Prohibited.** No individual shall possess or consume any beverage in a glass bottle or glass container in any City park.
- (12) **Reckless Driving in Parks Prohibited.** No person shall operate a motor vehicle in a reckless manner in any of the public parks of the City.
- (13) **Parking in Parks.** No person shall park any motor vehicle in any park in the City except in a designated parking area.

- (14) Horse and Carriages. No person shall ride a horse or drive a horse-driven vehicle in any park, except on roads or designated bridle paths, except when approval of the Chief of Police is first obtained. It shall be unlawful for any person to ride a horse or drive a horse-driven vehicle in a careless, negligent or reckless manner which may endanger the safety and well-being of others. Horseback riding shall be allowed only during the daylight hours. No person shall ride a horse which cannot be held under such control that it may be easily turned or stopped.
- (15) Removing Tree Protectors. No person shall remove any device for the protection of trees or shrubs.
- (16) Golfing and Sporting Activities. No golfing or practicing golf in City parks or recreation areas shall be allowed, except in designated areas. All sporting activities must be held in areas so designated for that purpose.
- (17) Arrows. No person shall use or shoot any bow and arrow in any City park, except in authorized areas.
- (18) Fees and Charges. The Common Council, upon the recommendation of the Parks and Recreation Commission, shall have the authority to establish such fees as deemed necessary for use of any park facility, shelter or land area. It shall be unlawful to use such areas without payment of such fee or charge when required.
- (19) Firearms; Hunting. Possessing or discharging of any air gun, sling shot, explosive, firearm or weapon of any kind is prohibited in all City parks.
- (20) Fish Cleaning. Cleaning of fish in shelters, toilet facilities or picnic areas is prohibited in all City parks.
- (21) Controlled Substances. Possessing, using or dispensing of a controlled substance in violation of the Uniform Controlled Substances Act is prohibited in all City parks.
- (22) Vendors Restricted. No person shall sell, vend or give away in any City park any article of merchandise whatever, without a written permit from the Director of Parks and Recreation. This provision does not supercede City licensing requirements for transient merchants.
- (23) Alcoholic Beverages. Alcoholic beverage possession/consumption shall be prohibited in City parks, except under a permit issued by the Director of Parks and Recreation provided there is compliance with Chapter 7 of this Code.
- (24) Prohibited Activities. The Director of Parks and Recreation shall have the authority to post notices of prohibited activities in City parks.
- (25) Park Hours. Parks shall be closed daily between 10:00 p.m. and 6:00 a.m. except when the Director of Parks and Recreation, or his/her designee, publishes or posts different closing hours. No person shall remain in the parks during the hours they are closed.
- (26) Permit for Public Meetings and Assemblies.
- a. Public meetings, religious services, assemblies and like events, and sporting or athletic events are allowed in parks only by written permit issued by the Director of Parks and Recreation, or his or her designee.
  - b. Interference with the permittee is prohibited. No person shall, in any manner, disturb, harass or interfere with any person or party holding a written permit, nor with any of their equipment or property.
  - c. No permittee shall, in any manner, disturb, harass or interfere with any member of the public in the park or parkway, nor with any of their equipment or property.
- (27) Permits; Obligation of Permittees. All permits shall be issued by a duly authorized employee of the Department of Parks and Recreation, in writing, and subject to park rules and regulations. The persons to whom such permits have been granted shall be bound by said rules and regulations as fully as though the same were inserted in said permits, and any person(s) to whom such permits have been granted shall be liable for any loss, damage or injury sustained by the Department, or by any person by reason of the negligence of the person(s) to whom such permits have been granted, their servants or agents.
- (28) Fish. Fishing is permitted unless prohibited by posted signs, and provided state law and Wisconsin Department of Natural Resources rules and regulations are observed, except that:
- a. No person shall throw any object into the waters of the parks so as to injure or unnecessarily disturb the fish in said water.
  - b. No person shall take, capture or kill fish of any variety, or fish by means other than hook or line.
  - c. No person may fish with or leave any fish line(s) unattended in any waters, or take any fish by snagging or fouling, or fish with the aid or use of any firearm or pellet gun, or by any means other than angling.
  - d. Boating Regulations. No person shall, without written permission of the Department of Parks and Recreation, place upon any of the waters under the control of the Department, any boat or other watercraft.
- Cross-Reference: Section 11.60.
- (29) Unreasonably Loud Noise Prohibited. A noise shall be presumed unreasonably loud

and raucous if it is plainly audible from a distance of 50 feet. The provisions of Section 11.26 shall apply.

- (30) No Smoking. Smoking is prohibited in all park buildings.
- (31) Regulation of bicycle riders. Riders of bicycles shall comply with the general bicycle regulations stated in Section 10.106 of the code.
- (32) Interference with Park Employees Unlawful.  
No person shall interfere with, or in any manner hinder any employee of the Department of Parks and Recreation, while engaging in consulting, repairing or caring for any portion of the parks or while in the discharge of the duties conferred by Chapter 12 of the code.
- (33) Disorderly Conduct.
  - a. No person shall engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise conduct under circumstances in which such conduct tends to cause or provoke a disturbance.
  - b. Any person violating any of the prohibitions enumerated in subsection (a) may be removed from the park by a police officer.

**SEC. 12.02 OPERATION OF REMOTE OR RADIO-CONTROLLED TOYS OR DEVICES PROHIBITED.**

It shall be unlawful for any person to fly, operate or make use of any remote or radio-controlled model airplane, helicopter, rocket, vehicle or any other such device in, over or upon any street, park or other public or private property except in areas specifically designated and posted for such purpose and with the consent of the property owner or lessee of the property.

**SEC. 12.03 TURF PROTECTION ON PUBLIC PROPERTY.**

Except as authorized by the Parks and Recreation Commission, or its designee, no person shall dig into the turf of any City-owned park or recreational property for any purposes whatsoever or remove any trees or flowers. Absent authorization by the Parks and Recreation Commission, or its designee, the use of metal detectors and digging for buried objects on City parks or recreational property is prohibited.