
CHAPTER 13 PARKS & TRAILS ORDINANCE

Section 13.01 Introduction

(1) Authority

Whereas the Town Board of Union, Rock County, Wisconsin, has proceeded under authority granted Towns under §60.10, 60.11, 60.66 Wis. Stats. Therefore, the Town Board of Union, Wisconsin, does ordain as follows:

(2) Purpose

The purpose of this ordinance is to plan for the orderly planning and development of Town parks and trail system.

(3) Intent

It is the general intent of this ordinance to allow Town of Union residents input as to how parks and trails are developed. It is further intended to provide for the administration and enforcement of this ordinance and to provide penalties for its violation. The development of future parks and trails shall be made when sufficient Parks & Trails Funds are available and in a manner to minimize the tax burden on Town Residents.

(4) Jurisdiction.

The jurisdiction of this ordinance shall include the parks in the Francis, Stoneridge and Golf Air subdivisions, the Wayne Disch Memorial Park, all future parks established by the Town of Union, and any trail system established by the Town of Union.

(5) Abrogation and Greater Restrictions

Upon adoption, this Ordinance shall immediately have the effect to replace and repeal the Park Advisory Committee Ordinance adopted July 1, 1985. This ordinance is not intended to repeal, abrogate, annul, impair, or interfere with any other existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations, or permits previously adopted or issued pursuant to laws. However, wherever this ordinance imposes greater restrictions, the provisions of this ordinance shall govern.

(6) Interpretation

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the Town and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

(7) Severability

If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

(8) Title

This ordinance shall be known as, referred to, or cited as the Parks and Trails Ordinance.

(9) Effective Date

This ordinance shall be effective after a Public Hearing and adoption by the Town Board.

Section 13.02 Administration

(1) Parks & Trails Committee

There is hereby established a Parks and Trails Committee.

(8) Quorum

Four members shall constitute a quorum to transact any business and formulate its proper action thereon.

(9) Organization

The committee may also formulate and recommend to the Town Board additional rules for operation and procedures.

(10) Funding for Park and Trail Development

- A. Funding for Parks and Trails in Union Township shall come from:
 - i. Funding from payments in-lieu-of parkland dedications. Monies received in lieu of dedicated land shall be held in a separate account entitled "Parks & Trails Fund". They may be expended for purchases of recreational land, recreational facilities or physical improvements which are consistent with adopted plans and for the maintenance of parks and trails from time to time.
 - ii. Existing Park & Recreation Fund Balance
 - iii. Grants, donations, and other contributions.
 - iv. Any fees or forfeitures generated by the use of town parks and trails.
- B. These monies shall be expended for park and trail development and improvement for parks and trails in the Township as prioritized by the Parks and Trails Committee and outlined in the Parks and Outdoor Recreation Plan as recommended to and adopted by the Town Board from time to time.
- C. Minimum requirements for Town Park and outdoor recreation plans are that; A township map indicate the size and location of existing and proposed geographic areas for Town Park and Recreation areas,
 - i. Capital improvements for each respective park be prioritized,
 - ii. The Town Board takes official action adopting the Park Plan.

Section 13.03 Parks & Trails

(1) Park Hours

- A. All parks shall be closed at 10:00 p.m. each day except as herein provided
- B. No person shall enter, frequent, or locate in any park between 10:00 p.m. and 6:00 a.m. except when public functions are being held in such park. Public functions shall include public meetings, picnics, or gatherings held pursuant to Section 13.03(1)C of this section. After all such occasions, no person shall remain in such park after the termination of such functions or occasions.
- C. Persons or organizations desiring to hold public meetings, picnics, or other public gatherings in any park which shall necessitate remaining in the park later than 10:00 p.m. shall apply for a permit for such function to the chairman of the Parks & Trails Committee or such other person as the Parks & Trails Committee may designate. Such application shall state the hour at which such function shall terminate and such other details as may be requested or required.

(2) Park User Fees

No individual, group of individuals, or organizations or corporations shall conduct, promote or sponsor any celebrations, exhibitions or event in any public park or part thereof in the Town, attendance to which is open to the public and which may be attended by 100 or more persons until such individual, group of individuals, organizations or corporation obtains a permit therefore from the Town. Application shall be made at least 30 days prior to the date proposed for such celebration, exhibition, or event on an application blank furnished by the Town and containing the information specified therein. The applicant shall simultaneously with the filing of such application deposit with the Town Clerk, the sum of \$150.00. If the area in which the celebration, exhibition or event is held is cleaned up without expense to the Town within 3 days after such celebration, exhibition or event has ended. Such \$125.00 of the fee shall be returned to said applicant. If such area is not cleaned up within such time, the \$125.00 shall be forfeited to the Town. Notwithstanding such forfeiture said applicant shall also be liable to the Town for any expense incurred by the Town in excess of such forfeiture in cleaning up such area in such park. The decision of the Town Board as to compliance by such applicant with this section shall be final. The \$25

Nothing in this Code shall preclude the Town from maintaining any appropriate action to prevent or remove a violation of any provision of this Code.

iii. Execution Against Defendants Property

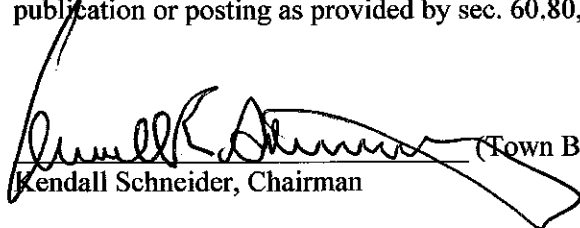
Whenever any person fails to pay any forfeiture and costs of prosecution upon the order of any court for violation of any ordinance of the Town, the court may, in lieu of ordering imprisonment of the defendant, or after the defendant has been released from custody, issue an execution against the property of the defendant for said forfeiture and costs.

Section 13.04 Trails

{This section left blank for later definition}

Section 13.05 Effective Date

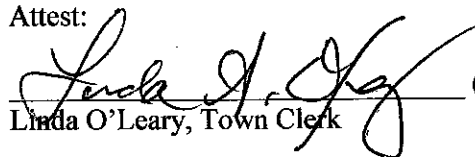
Following passage by the Town Board, this ordinance shall take effect the day after the date of publication or posting as provided by sec. 60.80, Wis. Stats. ADOPTED this 11th day of April, 2006.


Kendall Schneider, Chairman (Town Board Chairperson)

4/11/06
Date

[Published Posted] this 13 day of April, 20 06

Attest:


Linda O'Leary, Town Clerk (Town Clerk)

4/13/06
Date