

## CHAPTER 17

### PARKS AND RECREATIONAL ACTIVITIES

17.01 **PURPOSE.** The purpose of this Chapter is to establish rules and regulations for the control of activities in the City parks, playgrounds, and at any other recreational activities provided by the City of New Holstein.

17.02 **RESPONSIBILITY.**

(1) The use and maintenance of all parks and recreational activities shall be under the direction of the Park and Recreation Commission, which shall be responsible to the City Council. The Park and Recreation Commission shall adopt rules and regulations, which, when approved by the City Council, shall be deemed part of this Chapter.

(2) **FREE ADMISSION.** All parks owned and those under the jurisdiction of the City of New Holstein shall be free to all persons, subject to such necessary and reasonable rules and regulations that shall be adopted by the Park and Recreation Commission and approved by the City Council.

(3) **USE OF PARKS.** The public parks of the City of New Holstein shall be open for use for the general public during the hours provided herein. Should any person wish to have the exclusive use of any portion of the city parks, such person shall make a request to the City Clerk's office. Such request shall be granted upon the condition that all litter and trash be cleaned up and deposited in proper containers prior to leaving such premises. A Police officer may restrict the use of city parks for violations of this ordinance.

17.10 **PARK REGULATIONS.**

(1) **Consumption of Fermented Malt Beverages and Intoxicating Liquor in Public Parks.** It shall be unlawful for any person to consume any intoxicating liquor or fermented malt beverages in the public parks of the City of New Holstein between the hours of 11:00 P.M. and 6:00 A.M., except for the City of New Holstein Fire Departments annual "Firemen's Picnic."(Rep. & Recr. #402)

(2) **Peddling from Vehicles.** It shall be unlawful to sell or offer for sale any candy, ice cream, confection, or any food or beverage for human consumption, from any motor vehicle or cart of any kind, in any park.

(3) **Selling Goods.** No person shall sell or offer for sale any article or thing whatsoever in any park. This prohibition shall not apply to sales of refreshments and other articles by the Park and Recreation Commission or under its direction at stands authorized by

the Park and Recreation Commission or the Common Council of the City of New Holstein.

(a) **Fund raising for local youth activities.** The Park and Recreation Commission may grant permission to sell goods to organizations sponsoring, or raising money for, local youth activities. Said organizations must have members that reside in the City of New Holstein. Organizations wishing to sell goods must request and receive approval from the Park & Recreation Commission.

(b) **Market Square Park Fry-Outs.** The Park and Recreation Commission shall grant permission to hold fry-outs at Market Square Park. Permission shall only be granted to local area organizations. Said organizations must have members that reside in the City of New Holstein. Organizations shall be limited to two (2) frys, per organization, per calendar year. A fee of \$25.00 shall be deposited with the City, for each event, with said fee returned upon a satisfactory site inspection by the City.(Rep. & Recr. #349)

(4) **Operate Vehicles or Animals.** No person shall operate any vehicle or ride horses except on driveways and parking lots. Only service or authorized vehicles shall be allowed on blacktop paths.

(5) **Parking and Loitering.** No person shall park any vehicle or loiter or lounge between 11:00 P.M. and 6:00 A.M. except as allowed by permission issued by the City of New Holstein.

(6) **Firearms.** No person shall carry, keep, or use any firearms, bow and arrow, slingshot, trap, gun, or other shooting device, except as authorized and approved by the City of New Holstein.

(7) **Destruction.** No person shall disturb, molest, deface, remove, or destroy any trees, shrubs, plants, or other natural growth; carve or paint on any rocks, signs, walls or structures; drive nails in trees; or injure or deface in any manner, any park building, signs, fences, tables, or other property owned by the City of New Holstein.

(8) **Fires.** No person shall build any fires, except in fireplaces or approved grills, or dispose of live embers of any fire where they may start a grass or forest fire or endanger public health or safety.

(9) **Refuse Receptacles.** No person shall leave, throw, or break any bottle, box, can, garbage, or other objects except in clearly marked refuse receptacles.

(10) **Animals.** No person shall take, have, or keep any dog or cat or other animals in any city parks, **unless the dog is leashed and on walkpaths, parking lots or entrance roads.**(Ord. #391)

(11) **Disorderly Conduct.** No person shall be intoxicated, use profane language, practice rowdiness, or otherwise conduct himself in a disorderly manner.

(12) **Facility.** No person shall use any public facility in any manner which is destructive to that facility.

(13) **Bicycles.** No person shall ride any bicycles except on driveways, parking areas and blacktop paths.

(14) **Snowmobiles.** No person shall ride any snowmobile except in designated areas.

(15) **Pavilion Rent.** The Civic Park Pavilion may be rented for a fee of \$25.00 payable in advance. Churches or civic organizations may use the pavilion free of charge.

(16) **Shelter Rent.** (Repealed and Created #437) The Kiwanis Community Park open shelter buildings, Heinrich "Heinie" Gaertner Shelter and Rich Rollins Shelter, Lions Park Carl Busse Shelter, and the open shelter in Civic Park may be rented for a fee of \$15.00 per shelter building payable in advance. Churches or civic organizations may use any of the above shelter buildings free of charge.

(17) **Langenfeld Pond Fishing Regulations.**

(a) There shall be a limit of two (2) fish, per individual, taken per day.

(b) Fish shall be caught by hook and line only, with one hook per line, one line per person.

(c) Nets are not allowed.

(d) Fishing may only take place from the shore and pier.

(e) Fish may not be cleaned in any city park.(Cr. #326)

17.20 **RECREATION RULES AND REGULATIONS. (ADULTS)**

(1) The number of teams participating in the New Holstein Park and Recreation programs shall be determined annually by the Park and Recreation Commission.

~~(2) Participants in New Holstein Recreation activities must reside within the New Holstein School District Number 5. Participants who leave the School District must appeal for eligibility on an annual basis is hereby deleted. Deleted 10/19/94~~

(3) Members of the league must be eighteen (18) years of age or older no later than thirty (30) days after his or her first scheduled game. People participating in individual activities must be eighteen (18) by the opening session.

(4) Captains' names must be reported to the Park and Recreation Commission before the first night of participation. Each captain in turn will be responsible for team rosters and fees as of the first night of participation. Additions to rosters must be reported by captains prior to individuals participation or penalty of forfeiture will apply. Fees for individual activities must be paid on the first night of the program.

(5) The cost of any program will be projected by the Park and Recreation Commission on a yearly basis, using known and estimated expenses, and divided by the number of teams or individuals participating in the program. Teams and individuals will then be billed equally.

(6) Failure to submit fees and roster by due date will result in forfeiture and no participation until the same has been submitted to the City Clerk's Office.

(7) The New Holstein Park and Recreation Commission will enforce the Recreation Department rules and will also deal with and make the final decision on all League protests, disputes, appeals, or any other conflict which should arise.

(8) Members of the New Holstein High School athletic teams are not allowed to participate in New Holstein Adult Recreation programs.

#### **17.21 COMMUNITY CENTER RULES & REGULATIONS**

1. The Community Center is a community facility and should be available to anyone that lives or works within the City. Therefore:

a. The Community Center may be used for municipal and civic purposes by patriotic, civic/service and educational organizations.

b. The Community Center may be used by any person, company, or corporation located within the City limits for entertainment, recreation, or any other project of community interest.

c. The Community Center may be used by any individual who resides within, or works within the City limits, for wedding receptions, family receptions, or any other gathering.

2. **Reservations:**

a. All reservations must be made with the City Clerk's office. Reservations must be made at least 10 days in advance and no earlier than 15 months in advance.

- b. Reservations will be on a first come first serve basis. Repeating reservations will be allowed on weekdays only. Reservations may be made for a ½ day, with a ½ day being 5 hours or less.
- c. The deposit and fee must be paid to reserve a date. The City Clerk’s office shall be notified of any reservation that is to be cancelled. Cancellations made 10 days prior to the rental period are allowed. No refunds of deposits shall be made for any cancellation after that time.
- d. (Repealed & Created #445) Keys for access to the building must be arranged for with the City Clerk’s Office.

**3. Rental & Deposit Fees:**

- a. All renters of the Center will be required to make a deposit. The deposit and fee will be required with each reservation application. A reservation shall only be secured after a rental agreement has been signed and the deposit and fee paid.
- b. Groups with repeating weekday reservations will be required to make a one time \$50.00 deposit for their activity year, refundable at the end of their activity year. **Non-resident workers shall be charged an additional fee of \$20.00 on the fees shown below.**(Ord. #395) Rental & Deposit Fees are as follows:

	<u>Deposit</u>	<u>Fee ½ Day</u>	<u>Fee Full Day</u>
Not-For-Profit Organizations <sup>1</sup>	\$50	\$0	\$0
Profit Organizations/ All Others: Entire Center	\$50	\$38	\$75
Large Meeting Rm	\$50	\$30	\$60
Small Meeting Rm	\$50	\$20	\$38

<sup>1</sup> Not-For-Profit Organization is a corporation or entity for which no part of the income is distributable to its members, directors or officers. The corporation or entity must be an organization or entity operated exclusively for one or more of the following purposes: Religious, Charitable, Scientific, Testing for Public Safety, Literary, Educational, Prevention of Cruelty to Children or Animals, Foster National or International Sports, Civic, Athletic, Agricultural, Horticultural, Professional/Commercial or Industrial Trade Associations.

**4. Activities & Supervision:**

- a. Any fund raising activity must receive permission to do so from the Park and Recreation Commission.

- b. Music is permitted inside the Center only. Decorations are permitted, however, no decorations shall be hung from fixtures, and masking tape is the only acceptable fastener to be used on walls. No tape is permitted on the ceiling acoustical panels, however, decorations may be hung from the ceiling grid work on hooks provided by the City. Decorating and removal of decorations must be accomplished within the time period reserved and shown on the rental agreement.
- c. Smoking is prohibited.
- d. Animals (**except Seeing Eye dogs**) are not allowed in the Center. (Rep. & Recr. #445)
- e. The facility must be cleaned, vacated and locked by 11:00 p.m.
- f. The person in charge must be 18 years of age or older for non-alcoholic activities. For activities that include alcohol, the person in charge must have attained the age of 21.
- g. No sale, admission fee, donation, contribution or other charge shall be collected when intoxicating liquor or fermented malt beverages are consumed without permission from the Park & Recreation Commission. At any event considered a youth activity, intoxicating liquor or fermented malt beverages **are not allowed.** ~~may not be sold~~ Rep. & Recr. #445)
- h. It shall be the responsibility of the renter to obtain any necessary permits or licenses required, and to abide by all state laws, as well as all city ordinances, resolutions and policies.
- i. It shall be the responsibility of the renter to ensure that the size of the group assembling does not exceed the maximum capacity of 320, or 200 if both chairs and tables are being used for the large meeting room and 45/32 for the small meeting room. A City of New Holstein Police Officer or any other employee of the city shall have the right to enter the premises at any time. The City of New Holstein is not responsible for any articles left, lost or stolen on the rented premises.
- j. Chaperones shall be provided as follows: Civic Activity: 50 minors or less – 2 chaperones; 51-100 minors – 3; 101-150 minors – 4; 151-200 – 5. Social Activity: 25 minors or less – 2; 26-75 minors – 3; 76-100 minors – 4; 100 or more – 6. Alternative Option: 2 Chaperones and 1 Police Officer, that would satisfy total requirements. Co-ed groups must have sufficient male and female chaperones. (Rep. & Recr. #445)

- k. The City of New Holstein shall not be liable for any injuries, death or property damages arising out of the use by the renter of the Center and the renter agrees to hold the City harmless.
5. Clean-up & Lock-up: Activities must be over and the facility cleaned, vacated and locked within the time period reserved. It shall be the responsibility of the Renter to clean the facility as follows:
    - a. Wipe, clean & dry all tables, chairs, counters and appliances so they are clean.
    - b. Put all garbage in the containers provided.
    - c. Clean all floors.
    - d. All food must be removed.
    - e. All decorations are to be removed.
    - f. All lights are to be turned off.
    - g. All doors and windows should be closed and properly locked.

When you are finished, the building should look clean for the next group that has it reserved. The renter agrees to pay for additional damages from misuse or failure to properly lock the building and/or additional time required to clean and/or restore the facility. Charges will first be deducted from the deposit.(Ord. #392)

#### 17.22 **OPTIMIST PARK RULES AND REGULATIONS** (Cr. #444)

1. The Optimist Chalet is a community facility and should be available to anyone that lives or works within the City of New Holstein. Therefore:
  - a. The Optimist Chalet may be used for municipal and civic purposes by patriotic, civic/service and educational organizations.
  - b. The Optimist Chalet may be used by any person, company, or corporation located within the City limits for entertainment, recreation, or any other project of community interest.
  - c. The Optimist Chalet may be used by any individual who resides within, or works within the City limits, for wedding receptions, family receptions, or any other gathering.

**2. Reservations:**

- a. All reservations must be made with the City Clerk’s office. Reservations must be made at least 10 days in advance and no earlier than 15 months in advance.
- b. Reservations will be on a first come- first serve basis. Repeating reservations will be allowed on weekdays only. Reservations may be made for a ½ day, with a ½ day being 5 hours or less.
- c. The deposit and fee must be paid to reserve a date. The City Clerk’s office shall be notified of any reservation that is to be cancelled. Cancellations made 10 days prior to the rental period are allowed. No refunds of deposits shall be made for any cancellation after that time.
- d. Keys for access to the building must be arranged for with the City Clerk’s Office.

**3.Rental & Deposit Fees:**

- a. All renters of the Chalet will be required to make a deposit. The deposit and fee will be required with each reservation application. A reservation shall only be secured after a rental agreement has been signed and the deposit and fee paid.
- b. Groups with repeating weekday reservations will be required to make a one time \$50.00 deposit for their activity year, refundable at the end of their activity year. Non-resident workers shall be charged an additional fee of \$20.00 on the fees shown below. Rental & Deposit Fees are as follow:

	<u>Deposit</u>	<u>Fee</u> <u>½ Day</u>	<u>Fee</u> <u>Full Day</u>
Not-For-Profit Organizations	\$50	\$0	\$0
Profit Organizations/All Others: Entire Chalet	\$50	\$25	\$50

<sup>1</sup> Not-For-Profit Organization is a corporation or entity for which no part of the income is distributable to its members, directors or officers. The corporation or entity must be an organization or entity operated exclusively for one or more of the following purposes: Religious, Charitable, Scientific, Testing for Public Safety, Literacy, Educational, Prevention of Cruelty to Children or Animals, Foster National or International Sports, Civic, Athletic, Agricultural, Horticultural, Professional/Commercial or Industrial Trade Associations.

**4. Activities & Supervision:**

- a. Any fund raising activity must receive permission to do so from the Park and Recreation Commission.
- b. Music is permitted inside the Chalet only. Decorations are permitted, however,

no decorations shall be hung from fixtures, and masking tape is the only acceptable fastener to be used on walls. Decorating and removal of decorations must be accomplished within the time period reserved and shown on the rental agreement.

- c. Smoking is prohibited.
  - d. Animals (except Seeing Eye dogs) are not allowed in the Chalet.
  - e. The facility must be cleaned, vacated and locked by 11:00 PM.
  - f. The person in charge must be 18 years of age or older for non-alcoholic activities. For activities that include alcohol, the person in charge must have attained the age of 21.
  - g. No sale, admission fee, donation, contribution or other charge shall be collected when intoxicating liquor or fermented malt beverages are consumed without permission from the Park & Recreation Commission. At any event considered a youth activity, intoxicating liquor or fermented malt beverages are not allowed.
  - h. It shall be the responsibility of the renter to obtain any necessary permits or licenses required, and to abide by all state laws, as well as all city ordinances, resolutions and policies.
  - i. It shall be the responsibility of the renter to ensure that the size of the group assembling does not exceed the maximum capacity of 162, or 54 if both chairs and tables are being used. A City of New Holstein Police Officer or any other employee of the city shall have the right to enter the premises at any time. The City of New Holstein is not responsible for any articles left, lost or stolen on the rented premises.
  - j. Chaperones shall be provided as follows:Civic Activity: 50 minors or less – 2 chaperones; 51-100 minors – 3; 101-150 minors – 4; 151-200 – 5. Social Activity: 25 minors or less – 2; 26-75 minors – 3; 76-100 minors – 4; 100 or more – 6; Alternative Option: 2 chaperones and 1 Police Officer would satisfy total requirements. Co-ed groups must have sufficient male and female chaperones.
  - k. The City of New Holstein shall not be liable for any injuries, death or property damage arising out of the use by the renter of the Chalet and the renter agrees to hold the City harmless.
5. **Clean-up & Lock-up:** Activities must be over and the facility cleaned, vacated and locked within the time period reserved. It shall be the responsibility of the Renter to clean the facility as follows:

- a. Wipe, clean & dry all tables, chairs, counters and appliances so they are clean.
- b. Put all garbage in the containers provided.
- c. Clean all floors.
- d. All food must be removed.
- e. All decorations are to be removed.
- f. All lights are to be turned off.
- g. All doors and windows should be closed and properly locked.

When you are finished, the building should be clean for the next group that has it reserved. The renter agrees to pay for additional damages from misuse or failure to properly lock the building and/or additional time required to clean and/or restore the facility. Charges will first be deducted from the deposit.

17.30 **PENALTY.** Any person who shall violate any provision of this Chapter shall be subject to a penalty as provided in Section 20.04 of the Municipal Code of the City of New Holstein.