

Chapter 320

PARKS AND RECREATION AREAS

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[HISTORY: Adopted by the Village Board of the Village of Endeavor at time of adoption of Code (see Ch. 1, General Provisions, Art. II). Amendments noted where applicable.]

GENERAL REFERENCES

Animals — See Ch. 176.

Snowmobiles — See Ch. 373.

Bicycles and play vehicles — See Ch. 185.

§ 320-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

MOTOR VEHICLE — Any vehicle which is self-propelled.

PARK — Includes the grounds, buildings thereon, and waters therein of the parks, river access sites and other recreational areas which are now or may hereafter be under the control of the Village of Endeavor.

PERSON — Includes any individual, firm, partnership, corporation or person, and the singular number shall include the plural.

§ 320-2. Unnecessary noises.

It shall be unlawful for any person or persons to operate sound tracks, loudspeakers or any other mechanical devices or produce undue or unnecessary noises upon any Endeavor park or Village property.

§ 320-3. Pets.

No person shall suffer or permit his dog, cat or other pet to be in or upon said parks except on a leash or when entered in a contest approved by the Village Board. Any person owning or

having control of any such dog, cat or other pet shall clean up the feces of such animal immediately and dispose of it in a sanitary manner.

§ 320-4. Roads and parking areas.

No person shall operate a vehicle as defined in Ch. 340, Wis. Stats., in said parks except on established roadways and parking areas and in any park or on any other Village property at a speed in excess of five miles per hour, except vehicles operated or authorized by the Village. No vehicular traffic shall be permitted except for the purpose of ingress and egress to said park.

§ 320-5. Snowmobiling.¹

Snowmobiling shall be permitted only between November 1 and April 1 on officially marked trails. The Village of Endeavor shall have the authority to further limit snowmobiling during frost-free weather by posting appropriate signs at marked trails. The snowmobile shall be under the complete control of the operator at all times and operated in a safe manner, not to exceed 25 miles per hour within Village limits.

§ 320-6. Use of motorized vehicles or equipment.

No motorized vehicle of any kind, including nonlicensed vehicles or motorized play equipment, shall use any portion of any park, recreational and open area for the use of the public within the Village, other than:

- A. Maintenance vehicles, owned or engaged by the Village; and
- B. Licensed vehicles using established parking lots for parking purposes only, unless such parking area is being used for another authorized purpose.

§ 320-7. Park property.

- A. Disfiguration and removal. No person in a park shall willfully mark, deface, disfigure, injure, tamper with, or displace or remove any building, tables, benches, fireplaces, railings, pavings or paving materials, waterlines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.
- B. Sanitation. No person in a park shall:
 - (1) Throw, discharge or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such waters any

1. Editor's Note: See also Ch. 373, Snowmobiles.

substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.

- (2) Have brought in or shall dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse, or other trash. Such refuse or trash shall not be placed in any waters in or contiguous to any park, or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided. Where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.
- C. Penalty. Any person violating this section shall be subject to a penalty as provided in Chapter 1, § 1-4 of this Code.

§ 320-8. Picnic areas.

No person in a Village park shall leave a picnic area before a fire in said picnic area is completely extinguished and before all trash, garbage and other refuse in said picnic area is placed in the disposal receptacles provided for that purpose. No burning is allowed, except in fireplaces or grills.

§ 320-9. Alcoholic beverages; glass containers.

- A. Beer and wine only, in nonglass containers, may be consumed in the Village parks.
- B. No person shall bring into any Village park or have in his or her possession in any Village park any glass containers.
- C. No person shall bring any alcoholic beverages into a Village park during an approved public event.

§ 320-10. Park hours.

- A. Open hours. Village parks will be open from the hours of 7:00 a.m. to 11:00 p.m. and closed to the public from 11:00 p.m. to 7:00 a.m., except for approved scheduled events.
- B. Closed hours. During the closed hours, no member of the public shall be permitted to enter on the premises of said park.
- C. Penalty for violation. Any person violating this section by entering onto said premises shall be subject to a penalty as provided in Chapter 1, § 1-4 of this Code.

§ 320-11. Vending; signs.

No person in a Village park shall:

- A. Vending and peddling. Expose or offer for sale any article or thing, nor shall he station or place any stand, cart or vehicle for the transportation, sale or display of any such

article or thing, excepting the regularly authorized concessionaires acting by and under the authority and regulation of the Board, unless special permission is granted by the Village Board.

- B. Signs. Paste, glue, tack or otherwise post any sign, placard, advertisement or inscription whatever, nor shall any person erect or cause to be erected any sign whatever on any public lands adjacent to a Village park, without prior permission of the Village Board.

§ 320-12. Firearms; hunting.

- A. Except for law enforcement personnel, no person shall carry, fire or discharge any loaded pistol or firearm, any rocket torpedo or other fireworks of any description within a Village park, nor shall any person hunt within a Village park. The destruction of wildlife or their habitat within a Village park is prohibited.
- B. The penalty for violating this section shall be as provided in Chapter 1, § 1-4 of this Code.

§ 320-13. Use of ball diamonds and picnic tables.

The Village Board retains at all times sole control of any park and recreation area, including ball diamonds and picnic tables. The use of said ball diamonds and tables shall be under the control of the Village Board, and the Village shall promulgate rules from time to time as to their use. These rules shall be on file at all times with the Village Clerk-Treasurer. Village residents and members of the Endeavor Lions Club only may borrow picnic tables for up to 72 hours.

§ 320-14. Use of park shelters.

- A. Schedule of fees. Reservations by groups to use the various park shelters at Endeavor Lions Park are required and are made upon payment of the appropriate fee as set by the Village Board.
- B. Fees exemption. The Endeavor Lions Club and the Endeavor Moundville Joint Fire District are exempt from payment of any usage fees and deposits.
- C. Reservations. All park shelter reservations and confirmations must be made with the Clerk-Treasurer Monday through Friday during operating hours. In-person or mail reservations must be accompanied by payment of the appropriate fee or deposit and are considered confirmed at that time. Telephone reservations must be confirmed in person or by mail accompanied by the appropriate fee or deposit within five days after the telephone reservation is made. Noncompliance with this provision will result in cancellation of the reservation.
- D. Concession key. The key to the concession in the main shelter for those who reserve the main shelter and concession may be picked up from the Clerk-Treasurer not sooner than five days prior to the reserved date and must be returned to the Clerk-Treasurer within three days after the reserved date. The key must be returned in person at the Village Hall.

- E. Cancellations. A reservation may be cancelled at any time by the group which made the reservation. Fees or deposits will be refunded only if the Clerk-Treasurer is notified of the cancellation at least 30 days prior to the reserved date.
- F. Cleanup. A group using a shelter must leave the shelter in an undamaged and sanitary condition, and the shelter must be available for use by others not later than 10:00 a.m. the day following the reserved date. Violation of this provision will result in a citation being issued to the person who made the reservation. The penalty for violation shall be as provided in Chapter 1, § 1-4 of this Code.
- G. Reasons for denial. Applications may be denied for any of the following reasons:
- (1) If the application is for a use which would involve a violation of federal or state law or any provisions of this Code.
 - (2) If the granting of the reservation would conflict with another reservation already granted or for which application is already pending.
 - (3) If the application does not contain the information required above.
 - (4) If the application is made less than the required days in advance of the scheduled exclusive use.
 - (5) If the application is for a use of the park shelter at a date and time when, in addition to the proposed use, anticipated nonexclusive use by others of the park shelter is expected and would be seriously adversely affected.
 - (6) If the law enforcement requirements of the exclusive use will require so large a number of persons as to prevent adequate law enforcement in the shelter area involved or in the rest of the Village.
 - (7) If the exclusive use will reasonably create a substantial risk of injury to persons or damage of property.
 - (8) If the exclusive use is so poorly organized that participants are likely to engage in aggressive or destructive activity.
 - (9) If proof of insurance has not been provided.
 - (10) For any other reason deemed appropriate by the Village Clerk-Treasurer.
- H. Indemnification. Prior to granting any reservation for exclusive use of the park shelter, the Village may require the applicant to file evidence of good and sufficient sureties, insurance in force or other evidence of adequate financial responsibility, running to the Village and such other third parties as may be injured or damaged, in such amount as Village officials deem appropriate, taking into account the likelihood of injury or damage as a direct and proximate result of the exclusive use, and sufficient to indemnify the Village and such third parties as may be injured or damaged thereby for injuries or damages caused by the applicant, its agents or participants.

- I. Village activity exempt. A reservation is not required for exclusive use of the park shelter for events sponsored by the Village. However, the date must be scheduled by the Village Clerk-Treasurer and posted on the respective shelter bulletin board.
- J. Revocation of registration. The Village Clerk-Treasurer, after granting a reservation, may revoke a reservation already issued if it is deemed that such action is justified by an actual or potential emergency due to weather, fire, riot, other catastrophe or likelihood of a breach of the peace or by a major change in the conditions forming the basis of the issuance of the reservation.
- K. Form of reservation. Each reservation shall be in a form prescribed by the Village Clerk-Treasurer and shall designate the shelter area involved, date, hours of the exclusive use, purpose of the exclusive use and the name of the person, group, firm, organization, partnership or corporation to which the reservation is issued.
- L. Class "B" fermented malt beverage licenses. When fermented malt beverages are sold at any event authorized by this section, a valid fermented malt beverage license shall be obtained and the provisions of Chapter 273, Intoxicating Liquor and Fermented Malt Beverages, of this Code shall be fully complied with. Said license must be held by the person who filed the original license and shall be presented to any law enforcement officer upon request.