

PARKS AND RECREATION

**Chapter 13**

**Parks and Recreation**

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*Editor's Note:* This chapter was repealed and recreated pursuant to Ordinance 5-14, adopted February 19, 2014, published February 24, 2014 and became effective February 25, 2014.



PARKS AND RECREATION

ARTICLE I. IN GENERAL

Sec. 13-1. Definitions and terms.

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

(a) *Committee* shall mean the City of Appleton Parks and Recreation Committee or the Utilities Committee, subject to each committee's respective jurisdictions.

(b) *Director* shall mean either the Director of the Parks, Recreation and Facilities Management Department or the Director of the Public Works Department, or their respective designee, as their respective jurisdictions apply to the subject matter of this chapter.

(c) *Excessive, loud or unusual noises* shall mean use of a radio or other similar amplification device so that sound emitting from said radio or amplification device is audible under normal conditions from a distance of seventy-five (75) or more feet.

(d) *Park* shall mean the grounds, trails, buildings, waters and any other property under the jurisdiction of the Parks and Recreation Committee, as well as stormwater management facilities, which are under the jurisdiction of the Utilities Committee.

(e) *Permit* shall mean written authorization from the Director for specific uses of parks and Special Use Areas as required.

(f) *Special Use Areas* shall include properties and facilities, or portions thereof, under the jurisdiction of the Parks, Recreation and Facilities Management Department or the Department of Public Works that are regulated by contracts or agreements approved by the committee of jurisdiction. Special Use Areas may be exempt from certain regulations set forth in this chapter subject to the terms of the contract or agreement and uses permitted therein as approved by the committee of jurisdiction. Special Use Areas include, but may not be limited to:

- (1) Appleton Family Ice Center-Appleton Memorial Park.
- (2) Gardens of the Fox Valley-Appleton Memorial Park.
- (3) Rowing Club-Telulah Park.
- (4) USA Youth, Inc.-USA Youth Sports Complex.

(5) Appleton Yacht Club-Lutz Park.

(6) Privately leased areas of Houdini Plaza.

(g) *Stormwater management facilities* shall mean the areas in the City or owned by the City used to carry, manage and/or store stormwater, and includes stormwater detention ponds, drainage corridors and the adjacent landscaping.

(h) *Trails* shall mean paved routes, and five (5) feet on either side of the paved routes, that are designated as trails by the Parks, Recreation and Facilities Management Department and designed and intended specifically for non-motorized public travel, except as provided for in sec. 13-10, through city-owned and/or managed areas, through property that is designated and operated as a public park for general recreational use, and/or through private property that is maintained by the property owner by agreement with the City.

(Ord 121-07, §1, 8-7-07; Ord 5-14, §1, 2-25-14)

Sec. 13-2. Committee rule making authority.

The Committee is authorized to adopt additional or revised rules for the conducting of activities within the parks and Special Use Areas. Any violation of the rules adopted by the Committee shall be incorporated herein and considered a violation of this chapter.

(Ord 121-07, §1, 8-7-07; Ord 5-14, §1, 2-25-14)

Sec. 13-3. Application to City of Appleton employees.

The prohibitions and limitations contained in this Chapter shall not apply to City employees or agents when performed as part of their duties.

Sec. 13-4. Activities prohibited without a permit.

The following activities are prohibited in parks and in Special Use Areas without a permit. The denial of a permit may be appealed to the Committee of jurisdiction. Other permits or permissions may also be required.

(a) Exclusive use or use beyond casual play.

(b) Public meetings, assemblies, entertainment, tournaments or speeches.

(c) Selling or offering for sale any tangible or intangible item, or offering services that require payment for participation, or soliciting for any trade, occupation, business or profession, except at stormwater management facilities where such activities are strictly prohibited.

(d) Taking off or landing of aircraft, including, but not limited to, hot air balloons, helicopters and the like, or dropping parachutists or any other object from the sky.

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(e) Camping overnight, except at stormwater management facilities where the activity is strictly prohibited.

(f) Use during times when the area is otherwise closed to the public.

(g) Use of any sound amplification device, sound truck, loudspeaker or other device that produces excessive, loud or unusual noises.

(h) Launching of any watercraft or motorized vehicle, or parking in any area designated for parking, in any area where the Committee has established a fee for such act.

(i) Fireworks displays, conditioned upon prior issuance of a permit pursuant to Sec. 10-5.

(j) Hunting, feeding, trapping or disturbing birds or any wildlife, training animals for hunting purposes, releasing any animals or fish. Proper licensing or approval by the Department of Natural Resources may also be required.

(k) Possession of any glass container.

(l) Removing any object of archeological interest including any man-made article or implement originating from earlier cultures.

(m) Operating any solid or liquid fuel powered model, toy, or device including, but not limited to, powered devices operated by remote control.

(n) Bring in any animal not otherwise permitted under this chapter.

(o) Fires, except:

(1) Cooking fires contained to City provided grills or commercially produced barbeque grills or kettles, and

(2) At stormwater management facilities where fires are strictly prohibited.

(p) Hanging, suspending or placing any object on a tree including rope, cord, webbing or other material, or engaging in an activity that requires hanging or suspending an object or a person from a tree, except at stormwater management facilities where such activities are strictly prohibited.

(q) Skateboarding, except:

(1) At Telulah Park skateboard park and on trails, where no permit is required, and

(2) At stormwater management facilities where the activity is strictly prohibited.

(r) Bathing or swimming, including in fountains, except:

(1) In City-operated swimming pools or other areas posted for such use, where no permit is required, and

(2) At stormwater management facilities where the activities are strictly prohibited.

(s) Planting any turf, trees, shrubs, flowers or other vegetation, and digging, mowing, trimming, removing or otherwise altering or destroying any turf, trees, shrubs, flowers or other vegetation.  
(Ord 121-07, §1, 8-7-07; Ord 5-14, §1, 2-25-14)

**Sec 13-5. Prohibited items and uses.**

In addition to otherwise illegal activities, the following shall be prohibited within the boundaries of any park and Special Use Area:

(a) Unless otherwise permitted by law, possession of any firearm, air gun, spring gun and the like or weapon of any kind except for archery as part of an authorized recreation program or at the archery range in Appleton Memorial Park.  
(Ord. 10-14, §1, 4-8-14)

(b) Operation of snowmobiles.

(c) Washing vehicles or pets.

(d) Removal of or harming any wildlife.

(e) Defacing, destroying or vandalizing any structure, sign, equipment or other City property.

(f) Operating or parking any motorized vehicle or device during closed hours.

(g) Littering.

(h) Bringing in trash to dispose of and disposing of trash not relating to normal use.

(i) Being abusive, boisterous or disorderly.

(j) Engaging in an activity for which a permit is required without first obtaining a permit.

(k) Failure to obtain and visibly display in or on the accompanying vehicle from which a watercraft is launched, in such locations on or in the vehicle as are directed by the Park and Recreation Committee, a

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required permit for the launching of any watercraft.

(l) Affixing or setting upon any sign, notice, solicitation, literature, exhibit, display, flyer or pamphlet of whatever nature or to any tree, shrub, post, barrel, building or any other plant or structure.

- (1) This subsection shall not be construed to prohibit distribution of literature by means of direct personal contact between distributor and recipient to the extent otherwise permitted by law, nor shall it prohibit the posting of signs and notices, in accordance with park rules, in connection with any permitted activity which is taking place in the location in which the sign or notice is erected or posted.

(m) Hitting any golf ball except as permitted at Reid Golf Course.

(n) Dogs, unless the dog is on a trail and restrained by a chain, rope or other type of leash no more than eight (8) feet in length and an individual competent to govern and physically control and restrain the dog is in physical control of the leash at all times.

(Ord 121-07, §1, 8-7-07; Ord 5-14, §1, 2-25-14; Ord 10-14, §1, 4-8-14)

### Sec. 13-6. Park hours.

(a) Unless otherwise specified, parks, with the exception of trails, and Special Use Areas shall be open to the public from 5:00 a.m. to 11:00 p.m.

(b) Unless otherwise specified, trails shall be open 24 hours a day, 7 days a week.

(c) Persons launching or transporting a watercraft from park property may do so only within the park hours.

(d) The Director shall have full authority to open and close any park, Special Use Area, or any part thereof, because of season, condition, construction, or when in the interest of public safety if it is deemed necessary by the Director.

(Ord 121-07, §1, 8-7-07; Ord 5-14, §1, 2-25-14)

### Sec. 13-7. Fees and charges.

(a) The Committee of jurisdiction shall have the authority to establish such fees as are deemed necessary for use of any park or Special Use Area or any portion thereof, and for the reservation of the park or Special Use Area or any portion thereof.

(b) Fee schedules shall be available upon request from the Parks, Recreation and Facilities Management

Department.

(c) It shall be unlawful to use an area of a park or Special Use Area where a fee is required without first paying the fee.

(Ord 121-07, §1, 8-7-07; Ord 5-14, §1m, 2-25-14)

### Sec. 13-8. Possession of alcoholic beverages.

(a) No alcoholic beverages, other than fermented malt beverages and wine, are allowed in any park.

(b) No person shall drink from or possess an open container of permitted alcoholic beverage in any park before 10:00 a.m. or after 10:00 p.m.

- (1) Time limitations in this section shall be extended in the posted areas of Appleton Memorial Park while organized league or tournament play is in progress.

- (2) Time limitations in this section shall be extended to 9:00 a.m. at Reid Golf Course.

(c) No person shall drink from or possess an open container of permitted alcoholic beverage in any park other than Reid Golf Course without having a permit issued by the Appleton Police Department unless otherwise allowable by City Code or Policy.

- (1) Permits shall be issued by the Appleton Police Department 24 hours a day, seven (7) days a week.

- (2) Permits shall be valid for up to one year, with all permits expiring on March 1<sup>st</sup> annually.

- (3) A person may use their permit for a group so long as the permit holder remains at the park with the permit the entire time there is any drinking from or possession of open containers of permitted alcoholic beverages.

- (4) Permits shall only be issued to adults, 21 years old or older, and a Terms and Conditions Agreement must be agreed to and signed by the applicant when the application is submitted.

- (5) A permit application may be denied if the applicant has a verifiable history of Code violations or criminal conduct relating to disorderly conduct, criminal damage to city property, or any other violation directly related to misuse of city parks or property. A decision to deny a permit may be appealed to the appropriate committee of jurisdiction.

(d) No alcoholic beverages of any kind may be carried into any area of Reid Golf Course at any time unless the alcoholic beverage was purchased at or provided by or on behalf of Reid Golf Course.

(e) A person violating this Section and/or a permit holder who violates the Terms and Responsibility Agreement of the permit application may be subject to a forfeiture pursuant to Sec. 1-16 and Sec. 13-11 et. seq., and future permit requests may be denied.

(Code 1965, 13-03(3); Ord 83-98, §1, 8-20-98; Ord 52-02, §1, 4-23-02; Ord 121-07, §1, 8-7-07 (renumbered from 13-78); Ord 154-10, §1, 10-26-10; Ord 5-14, §1, 2-25-14, Ord 11-15, §1, 3-10-15; Ord 99-15, §1, 11-24-15)

**Sec. 13-9. Fishing: catch and release.**

Fishing in Appleton Memorial Park Pond and stormwater detention ponds is permitted but subject to certain limitations.

(a) Appleton Memorial Park Pond. Fishing is permitted during regular park hours, except when such waters are being used for City-sponsored activities, and is subject to Wisconsin Department of Natural Resources regulations for urban fishing waters. The pond has a year round season with no length limits, except only juveniles 15 years of age or younger and disabled anglers pursuant to Wisconsin Stat. 29.193(3)(a), (b) or (c), may fish from the second Saturday in March to, but not including, the last Saturday in April. There is a bag limit of three (3) trout, one (1) gamefish (largemouth bass, smallmouth bass, walleye, sauger or northern pike), and ten (10) panfish (bluegill, crappie, pumpkinseed, yellow perch and bullhead).

(b) Stormwater Detention Ponds. These ponds are considered “catch and release” ponds; therefore, all caught fish must be immediately returned to the pond. Regular fishing line and barb-free hooks must be used at all times. Fishing is permitted in these ponds from 5:00 a.m. to 11:00 p.m., except when such waters are being used for City-sponsored activities, subject to Wisconsin Department of Natural Resources regulations and licensing requirements.

(Ord 83-02, §1, 6-1-02; Ord 121-07, §1, 8-7-07 (renumbered from §13-88); Ord 41-12, §1, 5-16-12; Ord 5-14, §1, 2-25-14)

**Sec. 13-10. General regulations.**

(a) Motor-driven vehicles and devices are restricted to designated roadways and parking areas in parks and Special Use Areas and are prohibited on trails and any other area, except for motor-driven vehicles and devices that are used by a physically disabled person as defined under s. 346.503(1), Wis. Stat., and in compliance with

Title II and III of the Americans with Disabilities Act, or with prior written permission from the Director.

(b) The speed of motor-driven vehicles and devices shall be limited to a maximum of fifteen (15) miles per hour unless otherwise posted. Operating speeds shall be speeds that are reasonable, safe and prudent so as not to interfere with the safety of park users.

(c) It shall be unlawful to park, stop or leave standing any motor-driven vehicles or devices within any park between the hours of 11:00 p.m. and 5:00 a.m., unless otherwise posted and unless such motor vehicle is registered for overnight parking with the Director.

(d) Except for a motor vehicle used by a physically disabled person as defined under s. 346.503(1), Wis. Stats., no persons may park, stop or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, upon any portion of any park or Special Use Area reserved by official traffic signs indication the restriction, for vehicles displaying special registration plates under s. 341.14(10), (1a), (1e), (1m), or (1r), Wis. Stat., or a special identification card issued under s. 343.51, Wis. Stats., or vehicles registered in another jurisdiction and displaying a registration plate, card or emblem issued by the other jurisdiction which designates the vehicle as a vehicle used by a physically disabled person.

(e) No person shall interfere in any manner with any City employee or agent in the performance of his or her assigned duties.

(Ord 121-07, §1, 8-7-07; Ord 5-14, §1, 2-25-14)

**Sec. 13-11. Penalty.**

A person who violates any section of this chapter may be penalized pursuant to Sec. 1-16, and may also be evicted from parks and Special Use Areas pursuant to Sec. 10-26.

(a) At the time of eviction, or as soon as reasonably practical thereafter, the person evicted shall be provided an eviction notice from the Director or the Appleton Police Department. The eviction notice shall specify the duration of the eviction and the area(s) of eviction.

(b) A person evicted may appeal the eviction by contacting the Director in writing within twenty-one (21) calendar days of the date of eviction and providing the Director with the reason for the appeal. The Director shall respond in writing to the appeal within twenty-one (21) calendar days with a decision. If the person is not satisfied with the Director’s decision, he or she may appeal to the Committee of jurisdiction by requesting to be heard at the next committee meeting where the members of the committee will have a reasonable amount of time to

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review the matter prior to the meeting date. The decision of the committee shall be final.

(c) Any person evicted for more than two (2) consecutive calendar years may appeal the eviction once each calendar year by following the procedure in Sec. 13-10(c).

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ARTICLE I. IN GENERAL

Sec. 13-1. Definitions and terms.

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

(a) ~~The term~~ *Committee* shall mean the City of Appleton Parks and Recreation Committee or the Utilities Committee, subject to each committee's respective jurisdictions.

~~(b) The term park shall include the grounds, buildings thereon, waters therein, designated trails and any other property which is under the jurisdiction of the Parks and Recreation Committee as well as stormwater management facilities under the jurisdiction of the Utilities Committee.~~

~~(c) The term~~ (b) *Director* shall mean either the Director of the Parks, Recreation and Facilities Management Department or the Director of the Public Works Department, or their respective ~~designees~~ designee, as their respective jurisdictions apply to the subject matter of this chapter.

~~(d) The term permit shall mean written authorization for specific uses of facilities or areas~~ (c) ~~as required.~~

~~(e) Excessive, loud or unusual noises~~ shall mean use of a radio or other similar amplification device so that sound emitting from said radio or amplification device is audible under normal conditions from a distance of seventy-five (75) or more feet.

(d) *Park* shall mean the grounds, trails, buildings, waters and any other property under the jurisdiction of the Parks and Recreation Committee, as well as stormwater management facilities, which are under the jurisdiction of the Utilities Committee.

(e) *Permit* shall mean written authorization from the Director for specific uses of parks and Special Use Areas as required.

~~(f) The term trail shall mean routes maintained by the Parks, Recreation and Facilities Management Department, and five (5) feet on either side, that are designed and intended specifically for non-motorized public travel through city owned and/or managed areas or through property that is designated and operated as a public park for general recreational use.~~

~~(g) f) Special Use Areas~~ shall include properties and/or facilities, or portions thereof, under the jurisdiction

of the Parks, Recreation and Facilities Management Department or the Department of Public Works that are regulated by contracts or agreements approved by the committee of jurisdiction. Special Use Areas may be exempt from certain regulations set forth in this ~~Chapter~~ chapter subject to the terms of the contract or agreement and uses permitted therein as approved by the committee of jurisdiction. Special Use Areas include, but may not be limited to:

- (1) Appleton Family Ice Center-Appleton Memorial Park.
- (2) Gardens of the Fox Valley-Appleton Memorial Park.
- (3) Rowing Club-Telulah Park.
- (4) USA Youth, Inc.-USA Youth Sports Complex.
- (5) Appleton Yacht Club-Lutz Park.
- (6) Privately leased areas of Houdini Plaza.

~~(g) Stormwater management facilities shall mean the areas in the City or owned by the City used to carry, manage and/or store stormwater, and includes stormwater detention ponds, drainage corridors and the adjacent landscaping.~~

~~(h) Trails shall mean paved routes, and five (5) feet on either side of the paved routes, that are designated as trails by the Parks, Recreation and Facilities Management Department and designed and intended specifically for non-motorized public travel, except as provided for in sec. 13-10, through city-owned and/or managed areas, through property that is designated and operated as a public park for general recreational use, and/or through private property that is maintained by the property owner by agreement with the City.~~  
(Ord 121-07, §1, 8-7-07; Ord 5-14, §1, 2-25-14)

Sec. 13-2. Committee rule making authority.

The ~~committee of jurisdiction~~ Committee is authorized to adopt additional or revised rules ~~and regulations~~ for the conducting of activities within the parks ~~in the city of Appleton and Special Use Areas~~. Any violation of the rules adopted by the Committee shall be incorporated herein and considered a violation of this ~~section~~ chapter.  
(Ord 121-07, §1, 8-7-07; Ord 5-14, §1, 2-25-14)

Sec. 13-3. Permits Application to City of Appleton employees.

~~Written permits~~ The prohibitions and

~~limitations contained in this Chapter shall be required for the not apply to City employees or agents when performed as part of their duties.~~

**Sec. 13-4. Activities prohibited without a permit.**

~~The following from the department director or designee with jurisdiction over the subject area and a activities are prohibited in parks and in Special Use Areas without a permit. The denial of such a permit may be appealed to the appropriate committee~~ Committee of jurisdiction. Other permits or permissions may also be required.

(a) ~~Use~~ Exclusive use or use beyond casual play ~~or exclusive use of any trail, park, facility, play area, or special use area.~~

(b) ~~All public~~ Public meetings, assemblies, entertainment, tournaments or speeches ~~held on or in properties under the jurisdiction of the Parks and Recreation Department or stormwater management facilities under the jurisdiction of the Department of Public Works.~~

(c) Selling or offering for sale any tangible or intangible item, or offering services that require payment for participation, or soliciting for any trade, occupation, business or profession, except at stormwater management facilities where such activities are strictly prohibited.

(d) ~~The taking~~ Taking off or landing of aircraft, including, but not limited to, hot air balloons, helicopters and the like, or dropping parachutists or any other object from the sky.

(e) Camping overnight ~~in any park, except at stormwater management facilities where the activity is strictly prohibited.~~

(f) Use ~~of park facilities or grounds~~ during times when the park area is otherwise closed to the public.

(g) Use of any sound amplification device, sound truck, loudspeaker or other device that produces excessive, loud or unusual noises ~~as defined herein.~~

(h) Launching of any watercraft or motorized vehicle, or parking in any area designated for parking, in any ~~part of a park~~ area where the Committee has established a fee for such act.

(i) Fireworks displays, conditioned upon prior issuance of a permit pursuant to §Sec. 10-5.

(j) ~~Hunting, feeding, trapping or disturbing birds or any wildlife, training animals for hunting purposes, releasing any animals or fish~~ without written permission

~~from the Director and proper.~~ Proper licensing or approval by the Department of Natural Resources ~~as~~ also be required.

(k) Possession of any glass container.

(l) Removing any object of archeological interest including any man-made article or implement originating from earlier cultures.

(m) Operating any solid or liquid fuel powered model, toy, or device including, but not limited to, powered devices operated by remote control.

(n) ~~Animals~~ Bring in parks, ~~except dogs on trails when restrained by a chain, rope or other type of leash no more than eight (8) feet in length and an individual competent to govern and physically control and restrain the any animal is in physical control of the leash at all times.~~

~~(o) Any animal, not otherwise permitted under this chapter, that will be present as part of a special event or activity.~~

~~(p) Building of fires other than cooking~~ (o) Fires, except:

(1) Cooking fires contained to City provided grills or commercially produced barbeque grills or kettles, and

(2) At stormwater management facilities where fires are strictly prohibited.

(p) Hanging, suspending or placing any object on a tree including rope, cord, webbing or other material, or engaging in an activity that requires hanging or suspending an object or a person from a tree, except at stormwater management facilities where such activities are strictly prohibited.

(q) Skateboarding, except:

(1) At Telulah Park skateboard park and on trails, where no permit is required, and

(2) At stormwater management facilities where the activity is strictly prohibited.

(r) Bathing or swimming, including in fountains, except:

(1) In City-operated swimming pools or other areas posted for such use, where no permit is required, and

(2) At stormwater management facilities where the activities are strictly prohibited.

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~~(s) Planting any turf, trees, shrubs, flowers or other vegetation, and digging, mowing, trimming, removing or otherwise altering or destroying any turf, trees, shrubs, flowers or other vegetation.~~

~~(Ord 121-07, §1, 8-7-07; Ord 5-14, §1, 2-25-14)~~

~~(Ord 121-07, §1, 8-7-07; Ord 5-14, §1, 2-25-14)~~

**Sec 13-45. Prohibited items ~~or~~and uses.**

In addition to otherwise illegal activities, the following shall be prohibited within the boundaries of any park and Special Use Area:

~~(a) No fires of any kind shall be permitted on trails or on or adjacent to stormwater management facilities.~~

~~(b)~~ (a) Unless otherwise permitted by law, possession of any firearm, air gun, spring gun and the like or weapon of any kind except for archery as part of an authorized recreation program or at the archery range in Appleton Memorial Park.  
(Ord. 10-14, §1, 4-8-14)

~~(c)~~ (b) Operation of snowmobiles ~~except by city maintenance or law enforcement staff.~~

~~(d)~~ (c) Washing ~~of~~ vehicles or pets.

~~(e) Digging or removal~~ (d) Removal of or harming any turf, trees, shrubs, flowers or wildlife.

~~(f)~~ (e) Defacing, destroying or vandalizing any structure, sign, natural growth or equipment or other City property.

~~(g)~~ (f) Operating or parking any motorized vehicle or devices in a park during closed hours.

~~(h)~~ (g) Littering ~~in a park.~~

~~(i) Disposing~~ (h) Bringing in trash to dispose of and disposing of trash not relating to park normal use.

(j) Being abusive, boisterous or disorderly.

~~(k) Engage~~ (j) Engaging in an activity for which a permit is required without first obtaining a permit.

~~(l)~~ (k) Failure to obtain and visibly display in or on the accompanying vehicle from which ~~the~~ watercraft is launched, in such locations on or in the vehicle as are directed by the Park and Recreation Committee, a required permit for the launching of any watercraft ~~from a park.~~

(m) Affixing or setting upon any sign, notice,

solicitation, literature, exhibit, display, flyer or pamphlet of whatever nature ~~on park property~~ or to any tree, shrub, post, barrel, building or any other plant or structure ~~located within any city park.~~

(1) This subsection shall not be construed to prohibit distribution of literature by means of direct personal contact between distributor and recipient to the extent otherwise permitted by law, nor shall it prohibit the posting of signs and ~~notice~~ notices, in accordance with park rules, in connection with any permitted activity which is taking place in the city park location in which the sign or notice is erected or posted.

~~(n)~~ (m) Hitting ~~of~~ any golf ball ~~is prohibited in all parks/trails~~ except ~~for the property~~ as permitted at Reid Golf Course.

(n) Dogs, unless the dog is on a trail and restrained by a chain, rope or other type of leash no more than eight (8) feet in length and an individual competent to govern and physically control and restrain the dog is in physical control of the leash at all times.  
(Ord 121-07, §1, 8-7-07; Ord 5-14, §1, 2-25-14; Ord 10-14, §1, 4-8-14)

**Sec. 13-56. Park hours.**

(a) Unless otherwise specified, park hours parks, with the exception of trails, and Special Use Areas shall be open to the public from 5:00 a.m. to 11:00 p.m.

(b) Unless otherwise specified, trails shall be open 24 hours a day, 7 days a week.

(c) Persons launching or transporting a watercraft from park property may do so only within the park hours.

~~(a) Park closings and open dates.~~ (d) The Director shall have full authority to open and close any park, facility Special Use Area, or area any part thereof, because of season, condition, construction, or when in the interest of public safety, if it is deemed necessary by the Director.

~~(Ord 121-07, §1, 8-7-07; Ord 5-14, §1, 2-25-14)~~

~~(Ord 121-07, §1, 8-7-07; Ord 5-14, §1, 2-25-14)~~

**Sec. 13-67. Fees and charges.**

(a) The Committee of jurisdiction shall have the authority to establish such fees as are deemed necessary for use of any facility, trail, program, activity, facility, shelter, pavilion, special use areas, park or land area, Special Use Area or any portion thereof, and for the

reservation of ~~such activity~~ the park or area ~~Special Use Area or any portion thereof.~~

(b) Fee schedules shall be available upon request from the Parks, Recreation and Facilities Management Department.

(c) It shall be unlawful to use ~~such areas~~ an area of a park or Special Use Area where a fee is required without payment of such first paying the fee or charge.  
(Ord 121-07, §1, 8-7-07; Ord 5-14, §1m, 2-25-14)

**Sec. 13-78. Possession of alcoholic beverages.**

(a) No alcoholic beverages, other than fermented malt beverages and wine, are allowed in any park.

(b) No person shall drink from, or possess an open container of permitted alcoholic beverage in any park before 10:00 a.m. or after 10:00 p.m.

(1) Time limitations in this section shall be extended in the posted areas of Appleton Memorial Park while organized league or tournament play is in progress.

(2) Time limitations in this section shall be extended to 9:00 a.m. at Reid Golf Course.

(c) No person shall drink from or possess an open container of permitted alcoholic beverage in any park other than Reid Golf Course without having a permit issued by the Appleton Police Department unless otherwise allowable by City Code or Policy.

(1) Permits shall be issued by the Appleton Police Department 24 hours a day, seven (7) days a week.

(2) Permits shall be valid for up to one year, with all permits expiring on March 1<sup>st</sup> annually.

(3) A person may use their permit for a group so long as the permit holder remains at the park with the permit the entire time there is any drinking from or possession of open containers of permitted alcoholic beverages.

(4) Permits shall only be issued to adults, 21 years old or older, and a Terms and Conditions Agreement must be agreed to and signed by the applicant when the application is submitted.

(5) A permit application may be denied if the applicant has a verifiable history of Code violations or criminal conduct relating to

disorderly conduct, criminal damage to city property, or any other violation directly related to misuse of city parks or property. A decision to deny a permit may be appealed to the appropriate committee of jurisdiction.

(d) No alcoholic beverages of any kind may be carried into any area of Reid Golf Course at any time unless the alcoholic beverage was purchased at or provided by or on behalf of Reid Golf Course.

(e) A person violating this Section and/or a permit holder who violates the Terms and Responsibility Agreement of the permit application may be subject to a forfeiture pursuant to Sec. 1-16 and Sec. 13-11 et. seq., and future permit requests may be denied.

(Code 1965, 13-03(3); Ord 83-98, §1, 8-20-98; Ord 52-02, §1, 4-23-02; Ord 121-07, §1, 8-7-07 (renumbered from 13-78); Ord 154-10, §1, 10-26-10; Ord 5-14, §1, 2-25-14, Ord 11-15, §1, 3-10-15; Ord 99-15, §1, 11-24-15)

**Sec. 13-89. Fishing: catch and release.**

Fishing in Appleton Memorial Park Pond and stormwater detention ponds is permitted but subject to certain limitations.

(a) Appleton Memorial Park Pond. Fishing is permitted during regular park hours, except when such waters are being used for City-sponsored activities, and is subject to Wisconsin Department of Natural Resources regulations for urban fishing waters. The pond has a year round season with no length limits, except only juveniles 15 years of age or younger and disabled anglers pursuant to Wisconsin Stat. 29.193(3)(a), (b) or (c), may fish from the second Saturday in March to, but not including, the last Saturday in April. There is a bag limit of three (3) trout, one (1) gamefish (largemouth bass, smallmouth bass, walleye, sauger or northern pike), and ten (10) panfish (bluegill, crappie, pumpkinseed, yellow perch and bullhead).

(b) Stormwater Detention Ponds. These ponds are considered "catch and release" ponds; therefore, all caught fish must be immediately returned to the pond. Regular fishing line and barb-free hooks must be used at all times. Fishing is permitted in these ponds from 5:00 a.m. to 11:00 p.m., except when such waters are being used for City-sponsored activities, subject to Wisconsin Department of Natural Resources regulations and licensing requirements.

(Ord 83-02, §1, 6-1-02; Ord 121-07, §1, 8-7-07 (renumbered from §13-88); Ord 41-12, §1, 5-16-12; Ord 5-14, §1, 2-25-14)

**Sec. 13-9-10. General regulations.**

(a) Motor-driven vehicles ~~or~~ and devices are

PARKS AND RECREATION

restricted to designated roadways and parking areas in parks and Special Use Areas and are prohibited on trails and any other area, except for motor-driven vehicles and devices that are used by a physically disabled person as defined under s. 346.503(1), Wis. Stat., and in compliance with Title II and III of the Americans with Disabilities Act, or with prior written permission from the Director.

(b) The speed of motor-driven vehicles ~~or~~ and devices shall be limited to a maximum of fifteen (15) miles per hour unless otherwise posted. Operating speeds shall be speeds that are reasonable, safe and prudent so as not to interfere with the safety of park users.

(c) It shall be unlawful ~~and a violation of this ordinance~~ to park, stop or leave standing any motor-driven vehicles or devices within any park between the hours of 11:00 p.m. and 5:00 a.m., unless otherwise posted, and unless such motor vehicle is registered for overnight parking with the Director.

(d) Except for a motor vehicle used by a physically disabled person as defined under s. 346.503(1), Wis. Stats., no persons may park, stop or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, upon any portion of any park or Special Use Area reserved by official traffic signs indication the restriction, for vehicles displaying special registration plates under s. 341.14(10-), (1a), (1e), (1m), or (1r), Wis. Stat., or a special identification card issued under s. 343.51, Wis. Stats., or vehicles registered in another jurisdiction and displaying a registration plate, card or emblem issued by the other jurisdiction which designates the vehicle as a vehicle used by a physically disabled person.

~~—(e) Bathing or swimming within a park, including fountains and stormwater ponds, is prohibited except in city operated swimming pools or other areas posted for such use.~~

~~—(f)~~ (e) No person shall interfere in any manner with any City employee or agent in the performance of his or her assigned duties.  
(Ord 121-07, §1, 8-7-07; Ord 5-14, §1, 2-25-14)

**Sec. 13-11. Penalty.**

A person who violates any section of this chapter may be penalized pursuant to Sec. 1-16, and may also be evicted from parks and Special Use Areas pursuant to Sec. 10-26.

(a) At the time of eviction, or as soon as reasonably practical thereafter, the person evicted shall be provided an eviction notice from the Director or the Appleton Police Department. The eviction notice shall specify the duration of the eviction and the area(s) of eviction.

(b) A person evicted may appeal the eviction by contacting the Director in writing within twenty-one (21) calendar days of the date of eviction and providing the Director with the reason for the appeal. The Director shall respond in writing to the appeal within twenty-one (21) calendar days with a decision. If the person is not satisfied with the Director’s decision, he or she may appeal to the Committee of jurisdiction by requesting to be heard at the next committee meeting where the members of the committee will have a reasonable amount of time to review the matter prior to the meeting date. The decision of the committee shall be final.

(c) Any person evicted for more than two (2) consecutive calendar years may appeal the eviction once each calendar year by following the procedure in Sec. 13-10(c).

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*(The next page is 991.)*



## PARKS, RECREATION & FACILITIES MANAGEMENT DEPARTMENT

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Customer Service Center: 100 N. Appleton Street, Appleton, WI 54911

Mail: P.O. Box 1976, Appleton, WI 54911

Phone: (920) 832-5905 Fax: (920) 993-3103

Website: [www.appletonparkandrec.org](http://www.appletonparkandrec.org)

### **CITY OF APPLETON PARK RULES**

**Park Hours:** Daily from 5:00 a.m. to 11:00 p.m.

**Trail Hours:** Open 24 hours a day, 7 days a week

**Park Restrooms:** Open May 1 - October 1

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**THESE PARK RULES APPLY TO ALL CITY OF APPLETON PARKS, WHICH INCLUDES TRAILS AND STORMWATER DETENTION FACILITIES, AND ARE IN ADDITION TO ALL OTHER PROHIBITED AND/OR ILLEGAL ACTIVITIES**

**Alcoholic Beverages.** Possessing and consuming fermented malt beverages and wine (“alcohol”) is prohibited without a permit from the Appleton Police Department or in conjunction with the reservation of a park pavilion or special area. Alcohol may be consumed at Reid Golf Course without a permit. Other types of alcohol are prohibited at all times. Alcohol may be consumed between 10:00 a.m. and 10:00 p.m., except at the Appleton Memorial Park Softball Complex when organized softball league play is still in progress after 10:00 p.m., and at Reid Golf Course where it is allowed starting at 9:00 a.m.

**Amplification of Sound.** The use of amplified sound systems requires the written permission from the Department Director or designee. Live bands are limited to one (1) four-hour time period. All systems must be shut down by 9:00 p.m. Amplified sound systems must not produce excessive, loud, or unusual noises. A variance to the noise levels may be granted by the Board of Health.

**Archery.** Archery is prohibited except as part of an authorized recreation program or at the archery range in Appleton Memorial Park. Bows must be rated at or below 350 f.p.s. Crossbows are prohibited.

**Camping.** Camping is prohibited except with a permit.

**Damaging Property.** Damaging, defacing or destroying City property including, but not limited to, fences, guide posts, signs, tables, benches, buildings, or any other thing of value, is prohibited.

**Dogs.** Dogs are prohibited except: (1) ADA-service dogs, and (2) dogs on trails and restrained by a chain, rope or other type of leash that is not more than eight (8) feet in length and an individual competent to physically control and restrain the dog is in physical control of the leash at all times.

**Fires.** Fires in grills and in designated cooking devices are permitted. Coals must be thoroughly extinguished and placed in a trash receptacle. Any other fire requires a permit.

**Fireworks.** Fireworks are prohibited without a permit.

**Fishing.** Fishing is permitted only at the Memorial Park pond and in stormwater detention ponds.

**Glass Containers.** Glass containers are prohibited except with a permit.

**Golf.** Playing golf or hitting golf balls is permitted only at Reid Golf Course.

**Hours.** Use during non-park hours is prohibited without a permit.

**Hunting.** Hunting, feeding, trapping or disturbing wildlife, training animals for hunting purposes, or releasing animals or fish is prohibited except with a permit and proper licensing or approval by the DNR as required.

**Littering.** Littering is prohibited. Garbage must not be brought into a park.

**Models/Toys.** Operating solid or liquid fuel powered models, toys or devices, including by remote control, requires a permit.

**Normal Use.** Use beyond normal use or casual play is prohibited except with a permit.

**Postings.** Posting, affixing or laying signs, notices, solicitations, literature, exhibit, displays, fliers or pamphlet on City property or to any tree, shrub, post, barrel, building, or any other plant is prohibited except as permitted by law.

**Reservations.** Some park pavilions and special areas are available for reservation. A Facility Reservation Agreement is required to obtain a reservation, and the reservation fee must be paid in advance of the reservation date.

**Sales.** The sale of goods and/or services, including providing paid lesson and classes, is prohibited except with a permit.

**Slacklining.** Slacklining, hanging or suspending anything from trees, is prohibited without a permit.

**Snowmobiles.** The use of snowmobiles is prohibited.

**Special Events.** Special events require a Special Event License, available at the City Clerk's Office. Please call (920) 832-6443 for additional information.

**Swimming.** Swimming is allowed only at Erb Pool and Mead Pool.

**Vegetation.** Planting vegetation and removing, altering or destroying vegetation is prohibited without a permit.

**Vehicles.** Vehicles are allowed on park roads and in designated parking areas only. Operation in other areas, including trails, is prohibited except with a permit. The speed limit on park roads is 15 miles per hour unless otherwise posted. The operation of snowmobiles, ATVs, UTVs, etc., in parks and trails is prohibited. This rule does not apply to motor-driven vehicles and devices used by physically disabled persons in compliance with the ADA.

**Weapons.** Unless otherwise permitted by law, the possession of any firearm or other weapon is prohibited.

**Wildlife.** Removing or harming wildlife is prohibited.

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**FOR ADDITIONAL INFORMATION OR INSTRUCTIONS ON HOW TO OBTAIN A PERMIT**  
**PLEASE CALL US AT 920-832-5905**

**THE VIOLATION OF A RULE OR ORDINANCE MAY BE PUNISHABLE BY A CITATION AND FORFEITURE.**  
**VIOLATIONS MAY ALSO RESULT IN EVICTION.**



*The City of Appleton Parks, Recreation and Facilities Management Department is committed to building communities and enriching lives where we live, work and play.*





## PARKS, RECREATION & FACILITIES MANAGEMENT DEPARTMENT

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### CITY OF APPLETON PARK AND TRAILS RULES AND REGULATIONS

**Park Hours:** Daily from 5:00 a.m. to 11:00 p.m.

**Trail Hours:** Open 24 hours ~~per~~ day, 7 days a week

**Park Restrooms:** Open May 1 - October 1

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#### THESE PARK RULES APPLY TO ALL CITY OF APPLETON PARKS, WHICH INCLUDES TRAILS AND STORMWATER DETENTION FACILITIES, AND ARE IN ADDITION TO ALL OTHER PROHIBITED AND/OR ILLEGAL ACTIVITIES

**Alcoholic Beverages.** ~~The possession~~Possessing and ~~consumption of~~consuming fermented malt beverages and wine ("alcohol") is prohibited ~~except: (1) without~~ a permit ~~that has been issued by~~from the Appleton Police Department, ~~(2) or~~ in conjunction with the reservation of a park pavilion or special area ~~reservation, or (3). Alcohol may be consumed~~ at Reid Golf Course. ~~No other alcoholic beverages without a permit. Other types of alcohol are allowed~~prohibited at any time. ~~Persons shall not drink from, open a container of, or have in his/her possession a fermented malt beverage or wine before all times. Alcohol may be consumed between~~ 10:00 a.m. ~~or after~~and 10:00 p.m., except at the Appleton Memorial Park Softball Complex when organized softball league play is still in progress, ~~or after 10:00 p.m., and~~ at Reid Golf Course where ~~the possession and consumption of a fermented malt beverage or wine~~it is allowed starting at 9:00 a.m.

**Amplification of Sound.** The use of amplified sound systems requires the written permission from the Department Director or designee. Live bands are limited to one (1) four-hour time period. All systems must be shut down by 9:00 p.m. Amplified sound systems must not produce excessive, loud, or unusual noises. A variance to the noise levels may be granted by the Board of Health.

**Archery.** Archery is prohibited except as part of an authorized recreation program or at the archery range in Appleton Memorial Park. Bows must be rated at or below 350 f.p.s. Crossbows are ~~not permitted~~prohibited.

**Camping.** Camping is prohibited except with ~~written permission from the Department Director or designee~~a permit.

**Damage to Property.** ~~Persons shall not in any manner mar, injure, deface or destroy any tree, shrub, or plant standing or growing in any city park or trail, nor any fence, guide post, sign, table, bench, building, or any other thing of value in any city park, grounds, or place, nor shall they disturb or interfere with any wildlife within the parks, nor shall they affix or set upon any signs, notices, solicitations, literature, exhibit, display, flyer or pamphlet on park property or to any tree, shrub, post, barrel, building, or any other plant except as permitted by law.~~

**Exchange of Money.** ~~No person may sell goods or services, including providing paid lessons or classes, without the proper permissions and permits.~~

**Fires.** ~~Fires are prohibited except when contained within grills or designated cooking devices. Coals must be thoroughly extinguished and placed in a trash receptacle.~~

~~**Fireworks.** Fireworks are prohibited except for programs that have obtained the necessary permissions and permits.~~

~~**Fishing.** Fishing is permitted during regular park hours at the Memorial Park pond and in stormwater detention ponds, subject to the limitations provided in Sec. 13-8 of the Municipal Code.~~

~~**Glass Beverage Containers.** Glass beverage containers are prohibited except with written permission from the Department Director or designee.~~

~~**Golf.** Playing golf or hitting golf balls is prohibited except at Reid Golf Course.~~

~~**Hours.** The use of a park during non-park hours is prohibited except with written permission from the Department Director or designee.~~

~~**Hunting.** Hunting, feeding, trapping or disturbing birds or any wildlife, training animals for hunting purposes, or releasing animals or fish is prohibited except with written permission from the Department Director or designee and proper licensing or approval by the DNR as may be required.~~

~~**Littering.** Littering is prohibited and any garbage, paper or refuse must be placed in the appropriate park container or receptacle provided. No person shall bring garbage, paper or refuse from outside a park and deposit it in a park receptacle or container.~~

~~**Mechanical Rides/Dunk Tanks.** The use of mechanical rides and/or dunk tanks requires the user provide an acceptable Certificate of Insurance to the City Risk Manager at least fourteen (14) days prior to the event and a special event permit or written permission from the Department Director or designee has been issued.~~

~~**Model Toys.** The operation of solid or liquid fuel-powered models, toys or devices, including devices operated by remote control, is prohibited except with written permission from the Department Director or designee.~~

~~**Motorized Vehicles.** Licensed motorized vehicles are allowed on park roads and in designated parking areas only. Operation of a motorized vehicle in an area other than a park road or designated parking area, including trails, is prohibited except with written permission from the Department Director or designee. The speed of motor-driven vehicles or devices shall be limited to fifteen (15) miles per hour unless otherwise posted. The operation of snowmobiles, ATVs, UTVs, etc., in parks and trails is prohibited.~~

~~**Damaging Property.** Damaging, defacing or destroying City property including, but not limited to, fences, guide posts, signs, tables, benches, buildings, or any other thing of value, is prohibited.~~

~~**Dogs.** Dogs~~

~~**Normal Use.** Use of a park or trail beyond normal use or casual play is prohibited except with the proper permissions and permits.~~

~~**Pets/Animals.** Pets and other non-wildlife animals are prohibited except: (1) animals that are ADA-qualified and trained service animals dogs, and (2) dogs that are on designated trails or walkways and restrained by a chain, rope or other type of leash that is not more than eight (8) feet in length and an individual competent to physically control and restrain the dog is in physical control of the leash at all times. Exceptions are granted only when the pet/animal is part of a special event or activity and written permission has been obtained from the Department Director or designee.~~

~~**Fires.** Fires in grills and in designated cooking devices are permitted. Coals must be thoroughly extinguished and placed in a trash receptacle. Any other fire requires a permit.~~

~~**Fireworks.** Fireworks are prohibited without a permit.~~

~~**Fishing.** Fishing is permitted only at the Memorial Park pond and in stormwater detention ponds.~~

~~**Glass Containers.** Glass containers are prohibited except with a permit.~~

**Golf.** Playing golf or hitting golf balls is permitted only at Reid Golf Course.

**Hours.** Use during non-park hours is prohibited without a permit.

**Hunting.** Hunting, feeding, trapping or disturbing wildlife, training animals for hunting purposes, or releasing animals or fish is prohibited except with a permit and proper licensing or approval by the DNR as required.

**Littering.** Littering is prohibited. Garbage must not be brought into a park.

**Models/Toys.** Operating solid or liquid fuel powered models, toys or devices, including by remote control, requires a permit.

**Normal Use.** Use beyond normal use or casual play is prohibited except with a permit.

**Postings.** Posting, affixing or laying signs, notices, solicitations, literature, exhibit, displays, fliers or pamphlet on City property or to any tree, shrub, post, barrel, building, or any other plant is prohibited except as permitted by law.

**Reservations.** ~~Certain~~**Some** park pavilions and special areas are available for reservation. ~~Reservations are available on a first-come, first served basis, and reservations may be made up to one year in advance.~~ A Facility Reservation Agreement is required ~~for~~to obtain a reservation, and the reservation fee must be paid in advance of the reservation date.

**Sales.** The sale of goods and/or services, including providing paid lesson and classes, is prohibited except with a permit.

**Slacklining.** Slacklining, hanging or suspending anything from trees, is prohibited without a permit.

**Snowmobiles.** The use of snowmobiles is prohibited.

**Special Events.** Special events require a Special Event License, available at the City Clerk's Office. Please call 920/832-6443 for additional information.

**Swimming.** Swimming is allowed only at Erb Pool and Mead Pool.

**Vegetation.** Planting vegetation and removing, altering or destroying vegetation is prohibited without a permit.

**Vehicles.** Vehicles are allowed on park roads and in designated parking areas only. Operation in other areas, including trails, is prohibited except with a permit. The speed limit on park roads is 15 miles per hour unless otherwise posted. The operation of snowmobiles, ATVs, UTVs, etc., in parks and trails is prohibited. This rule does not apply to motor-driven vehicles and devices used by physically disabled persons in compliance with the ADA.

**Weapons.** Unless otherwise permitted by law, the possession of any firearm, ~~air gun, spring gun and the like or weapons of any kind except for archery (see above)~~ are prohibited in city parks and trails or other weapon is prohibited.

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**Wildlife.** Removing or harming wildlife is prohibited.

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**FOR ADDITIONAL INFORMATION SEE CHAPTER 13 OF THE CITY OF APPLETON MUNICIPAL CODE OR INSTRUCTIONS ON HOW TO OBTAIN A PERMIT PLEASE CALL THE PARKS, RECREATION AND FACILITIES MANAGEMENT DEPARTMENTUS AT 920-832-5905**

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**Violation of ~~any of the above~~ rule or ordinance may be punishable by a citation and forfeiture of up to \$200 for the first offense and up to \$500 for the second offense and expulsion from all city parks for up to one year.**



**Violations may also result in eviction.**



*The City of Appleton Parks, Recreation and Facilities Management Department is committed to building communities and enriching lives where we live, work and play.*