

STATE OF WISCONSIN
Town of Saint Germain, Vilas County

Code of Ordinances
Chapter 15: Town Parks Rules

15.01 TITLE AND PURPOSE: The title of this chapter is the Town of Saint Germain Town Park Rules. The purpose of this ordinance is to impose restrictions on the use of Town owned park facilities within the Town of Saint Germain, Vilas County, WI.

15.02 AUTHORITY: The Town of Saint Germain has the authority to enact this ordinance under its village powers under §60.22, Wis. Stats. and specific authority under §349.16 and §125, Wis. Stats.

15.03 DEFINITIONS: The following words and phrases shall have the designated meaning unless a different meaning is expressly provided, or the context clearly indicates a different meaning:

Alcoholic beverages: Fermented malt beverages and wine

Emergency Vehicle: Any vehicle designated and authorized to respond to a potentially life-threatening emergency situation.

Fireworks: Firecrackers, Roman candles, bottle rockets, mortars or any other device that explodes or leaves the ground as prescribed within §167.10, Wis. Stats.

Indirect charge: The cost of an alcoholic beverage is included in the ticket price, included in the cost of the meal, a donation is required, or any other consideration other than direct purchase.

Intoxicating liquor: Distilled liquor having an alcohol content equal to or greater than 0.05% by volume.

Motor Vehicle: A vehicle which, when in use, requires state registration; includes but not limited to any automobile, truck, bus, aircraft, motorcycle, moped, snowmobile, all terrain or utility terrain vehicles.

Parks: Any town property posted with "TOWN PARK" signs.

Town: Town of Saint Germain, Vilas County, Wisconsin

15.04 PARK HOURS: With the following exceptions, no person shall be permitted in any town park between the hours of 11:00pm and 5:00am.

(A) The use of Town maintained recreation trails for their intended purpose shall have no restriction of hours of use.

- (B) Duly authorized religious, charitable, fraternal, veterans, educational, municipal and civic organizations, or private groups, may, with the permission of the Town Board or its designated agent, be permitted to hold scheduled functions and events for its members, guests or the general public irrespective of the hours as outlined in this section.

15.05 MOTORIZED VEHICLES: Except as noted herein,

- (A) Occupied motor vehicles are prohibited in Town parks between the hours of 11:00pm and 5:00am.
- (B) No vehicles shall exceed the speed limit of fifteen (15) miles per hour within any Town park.
- (C) Exceptions to the above include:
 - (1) Emergency vehicles responding to incidents or while conducting training.
 - (2) Town Department of Public Works vehicles performing routine or special activities authorized by the Town Board.
 - (3) Persons associated with specific organizations having authorization of the Town Board, or its designated agent, to operate motor vehicles within a Town park when otherwise prohibited.
 - (4) Vendors at summer Flea Market events shall be permitted to arrive or remain in the park between 11:00pm and 5:00am, but must display on the interior of their windshields a parking pass issued by the St. Germain Firefighters Association, Inc. Said vendors shall also have access to park bathroom facilities as specified by the Firefighters Association. All other conditions of this chapter remain applicable to Flea Market vendors..
 - (5) Contractors, or agents of contractors, performing special work authorized by the Town Board.
 - (6) School buses while providing services under contract with Northland Pines School District.

15.06 CONSUMPTION OF ALCOHOL ON TOWN PROPERTY: As provided in §14.07, Town of St. Germain Code or Ordinances - Alcohol Control,

- (A) The Town is exempt from civil liability for any damage to any person or property caused by the consumption of alcoholic beverages by any person if the Town has issued a license or permit to sell, dispense, or give away alcoholic beverages on property owned or leased by the Town.
- (B) The Town cannot issue a Temporary/Picnic license to any group or individual for the sale of intoxicating liquor. The Town may issue Temporary/Picnic Class B licenses for the sale of fermented malt beverages and/or wine to certain groups, but not to individuals. Such a license is necessary for a group to charge, directly or indirectly, for alcohol. Qualifying groups under this chapter include bona fide clubs, churches and societies that have been in existence for at least six months prior to application, and posts of veterans' organizations. The Town Clerk shall require a list of the officers of the applying organization and a copy of the bylaws, to be included with the application.

- (C) There is no limit to the number of Temporary/Picnic Class B fermented malt beverages licenses that may be issued to a qualified organization, but not more than two Temporary/Picnic Class B wine licenses may be issued to any group in any 12 month period. A group may apply for both licenses for the same fee.
- (D) No group holding a Town issued Temporary/Picnic Class B license may allow the consumption of intoxicating liquor on Town property.
- (E) A person with an operator's license, commonly known as a bartender's license, must immediately supervise those serving or selling the alcoholic beverages. The Town may issue a temporary operator's license to persons donating their services to nonprofit corporations.
- (F) Private gatherings by invitation which are held on Town property do not require a license if the event is closed to the public and there is no charge, direct or indirect, for the alcohol. The Town shall be exempt from liability for alcohol consumed at private gatherings.
- (G) A copy of this chapter shall be issued to any group or individual reserving the use of Town property, and the responsible party shall sign for receipt of the copy.
- (H) In addition to the provisions of §15.14 of this chapter, any group or individual violating this chapter shall forfeit its right to serve or sell alcoholic beverages, any existing permit will be null and void, and no further permits shall be issued to the group or individual for period of one year. Subsequent violations by that group or individual shall require Town Board review prior to granting any further licenses. Any deposit paid for the use of Town facilities shall be forfeited.

15.07 LITTERING: No person shall litter, dump, or deposit any rubbish, refuse, earth or other material in any park, other than park generated trash, in containers provided for such purpose.

15.08 BURNING: No person shall start, tend or maintain any fires except in personal grills or in designated fireplaces. Personal grills shall be allowed other than within pavilion structures, provided lawns and vegetation are not disturbed or destroyed. Unburned fuel and ashes shall be disposed of in such a manner as to prevent fire or damage to park property.

15.09 DOGS: All restrictions pertaining to dogs in the Town are contained in St. Germain Code of Ordinances, Chapter 11 - Licensing and Control of Dogs.

15.10 FIREARMS / HUNTING: Unless otherwise exempted by the Town Board, the discharge of firearms, bows or crossbows is prohibited in any Town park. Hunting and the use of any trapping device for the capture of wild animals is also prohibited. *(Note: The Town property known as AWASSA Trails at the time of this ordinance being adopted is waived from this section as required by terms of the Knowles-Nelson Stewardship Fund which provided partial funding for purchasing the property.)*

15.11 FIREWORKS: Use of fireworks as defined herein is prohibited without a permit issued by the Town in accordance with §167.10(3), Wis. Stats.

15.12 PROTECTION OF PARK PROPERTY: No person shall in any manner deface, write upon, or remove any building, structure, apparatus, bench, table, official sign, notice or other property within any park.

15.13 FEES: The Town Board shall have the authority to establish fees or deposits as deemed necessary for use of any Town park facility, shelter or public land area. It shall be unlawful for any group or organization to use such facilities without payment of said fees or charge when required. It shall also be the responsibility of said group or organization to reimburse the Town for labor and/or material expenses related to cleanup of facilities or repair of damages resulting from said use.

15.14 FORFEITURE: Any person, firm or corporation, including those doing work for others, who violates any provisions of this ordinance shall be subject to a forfeiture of \$100.00 plus court costs for the first violation, \$150.00 plus court costs for the second violation and \$200.00 plus court costs for all subsequent violations. Each instance of violation shall constitute a distinct and separate violation and forfeitures shall apply accordingly.

15.15 SEVERABILITY

The provision of this chapter shall be deemed severable and it is expressly declared that the Town Board would have passed the other provisions of this chapter irrespective of whether one or more provision may be declared invalid. If any provisions of this chapter is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this chapter which can be given effect without the invalid or unconstitutional provisions or applications.

15.16 EFFECTIVE DATE

This ordinance repeals and replaces Town of Saint Germain Ordinance SG-04-8-1 adopted August 9, 2004 and is effective on publication or posting as required under §60.80, Wis. Stats.

Adopted this 8th day of October 2018



Tom Christensen
Town Chairman

Attest:



Tom Martens
Town Clerk