

ORDINANCE NO: 3009

An Ordinance Amending Chapter 400 Parks and Recreation

At a regular meeting of the Village Board of the Village of Shorewood, Milwaukee County, Wisconsin held on this 21st day of June, 2021, a quorum being present and a majority of the Board voting therefore, said Board finds:

That Chapter 400: Parks and Recreation of the General Ordinances of the Village of Shorewood be retitled, repealed, and replaced as follows:

Chapter 400. Parks and Recreation.

§ 400-1 Private beaches.

It shall be unlawful for any person or persons, except the riparian owners or their permittees, picnic on, or frequent any privately owned beach property bordering on Lake Michigan within the confines of the Village of Shorewood.

§ 400-2 Park and Beach Permit.

A. Purpose.

- (1) It shall be unlawful for any groups, organizations or businesses to use any park, beach, its facilities, or improvements specified in Chapter 400 for vending, fundraising, or for-profit purposes, unless such groups, organizations or businesses have procured a valid permit for such usage from the Village of Shorewood approved by the Village Board and paid the required fee, as set forth in the Village Fee Schedule.[1] Fee schedule found on Village website.
[1] Editor's Note: The Village Fee Schedule is on file in the Village Clerk offices.
- (2) Such permit shall be presented upon request to any Village official and shall be valid only for the period of time for which the same has been issued and be used only by the group, organization or business therein named.
- (3) All parks and beaches are open to the general public. No groups, organizations, or businesses are able to reserve a park, beach, its facilities, or improvements unless a written agreement is agreed upon by the Village Manager and the Village Board.
- (4) Groups, organizations, and businesses will be prohibited to receive a Park and Beach permit at the Nature Preserve.

B. Qualification for permits.

- (1) Groups, organizations or businesses may obtain a permit from the Village by paying the fee charged as set forth in the Village Fee Schedule.[2]
[2] Editor's Note: The Village Fee Schedule is on file in the Village offices.
- (2) Village volunteer committees may obtain a group permit from the office of the Village Clerk without fee, valid for one day only.

(3) Groups must fill out a permit application providing the following information.

- a. Primary contact's name and contact information
- b. Organization's name
- c. Reason for requesting the permit
- d. Location(s) requested
- e. Village services requested
- f. Applicants must provide a list of items to be sold
- g. If the applicant wishes to sell food, the applicant must also enclose a copy of the food establishment license obtained from the North Shore Health Department
- h. If the applicant wishes to have amplified sound, a Short-Term Cabaret License must be submitted and paid
- i. Applicants must present proof of product and premises liability insurance in the amount specified on the permit application as well as a Certificate of Insurance listing the Village of Shorewood as an "additional insured"

(4) No sale of beer and wine shall be permitted in the Village parks or beach area unless approved for a Temporary Class "B" beer license or Temporary "Class B" wine license by the Village Board.

(5) Tents and other portable structures are not allowed if they are staked into the turf, damage the turf, and exceed 12 feet by 12 feet. Tents may exceed this size limit at River Park and Hubbard Park but must be approved by Village staff.

C. Permits revocable. All permits issued shall be revocable by the Village Manager or the Chief of Police, or a member of the Police Department in charge in the Chief's absence, for unbecoming conduct and for failure to observe any of the Village ordinances regulating or covering the usage thereof.

§ 400-3 Atwater Park, Hubbard Park, River Park, Triangle Park, the Village Nature Preserve, and Humble Park.

- A. The Village Board shall prescribe rules and regulations for the operation of Atwater Park, Hubbard Park, River Park, Triangle Park, the Village Nature Preserve, Humble Park, and any and all associated facilities therein. Such rules and regulations shall govern the hours of these parks and building operation, the charges to the public for the use of any facilities therein, the nature and types of activities which may be undertaken on the premises, and related matters. Such rules, upon approval by the Village Board, shall have the full force of law, and violation thereof shall be subject to the penalties hereinafter provided.
- B. The sports playing fields in River Park designated as Spector Field (the Little League baseball field) and SCIF Field (the soccer field) are designed and intended for the use of children 13 years and younger. As a result, restrictions are necessary to assure damage may be minimized. No person may engage in any scheduled sport, game, or sports activity on these designated playing fields except as may be allowed under rules and regulations as established by the Village Manager.

§ 400-4 Fermented malt beverages.

The possession or consumption of fermented malt beverages at Atwater Park, Hubbard Park, Estabrook Park, River Park, Triangle Park, the Village Nature Preserve, Humble Park and Shorewood public school buildings and grounds is strictly prohibited without the written

authority of the jurisdictional governing body or its delegated agent.

§ 400-5 Intoxicating liquor.

The possession and consumption of intoxicating liquor at Atwater Park, Hubbard Park, Estabrook Park, River Park, Triangle Park, the Village Nature Preserve, Humble Park, and Shorewood public school buildings and grounds is strictly prohibited without the written authority of the jurisdictional governing body or its delegated agent.

§ 400-6 Boat launching.

- A. The launching of any motor-driven or powered float, boat, raft or other motorized watercraft from Hubbard Park, Atwater Park, or the Village Nature Preserve is strictly prohibited.
- B. The launching of nonmotorized, nontrailed boats, canoes or kayaks is permitted from Hubbard Park or Atwater Beach without permit only during regular park hours.

§ 400-7 County park rules and regulations.

- A. The rules and regulations governing parks and parkways under the jurisdiction of the Milwaukee County Park Commission as provided for under Chapter 47 of the Milwaukee County Ordinances and the amendments thereto are hereby adopted and incorporated by reference and made a part of the Village Code as if fully set forth therein.
- B. Such rules and regulations shall only be applicable in the Village of Shorewood to parks and parkways under the jurisdiction of the Milwaukee County Park Commission.

§ 400-8 Park closing hours.

Unless otherwise provided herein or by rule or regulation of the Village, all Village parks and park areas shall be closed to the public between the hours of 10:00 p.m. and 5:00 a.m.

§ 400-9 Dogs prohibited in certain park areas.

- A. Dogs are only allowed in Atwater Park, Hubbard Park, and River Park on paved walkways in these parks, with the exception that no dog shall be allowed past the gate for the paved walkway leading down to Atwater Beach. No owner or keeper of a dog shall allow or permit such dog to enter or remain in any other areas of either Atwater Park or Hubbard Park, including, but not limited to, park buildings, shelters, playground areas, and Atwater Beach.
- B. Dogs present in either Atwater Park, Hubbard Park, or River Park pursuant to the preceding section shall be on a maximum six-foot-long visible leash. Owners shall be in control of their dogs at all times.
- C. The provisions of this section shall not apply to:
 - (1) An individual with a disability who is utilizing a service dog that has been individually trained to do work or perform tasks for the individual with a disability. The task or tasks performed by the dog must be directly related to the person's disability. The service dog must be under the control of the handler at all times.
 - (2) Dogs used by or under the authority of law enforcement personnel in the course of official police business.

- D. Any owner, person or party who violates the provisions of this section shall be subject to the penalties authorized under the provisions of § 400-10 of this chapter.

§ 400-10 Use of Atwater Beach

Use of beach area at Atwater Park. It shall be unlawful for any person or persons to use the beach area of Atwater Park or any of its facilities or improvements or enter upon the premises thereof for any purpose without the written approval of the Village Manager except during the hours established by the Village Board and posted at the top of the bluff entrance. The "beach area" is defined as that area below the top of the bluff of Atwater Park. The hours when the beach area is open to the public, and the fees (if any) to be charged for the use of said area, shall be determined by the Village Board.

§ 400-11 Injury to, destruction or removal of public property

- A. No person shall plant, remove, injury, destroy, damage, cut, trample, top or prune any tree, shrub, plant, turf, fruit or flower in any Village of Shorewood park unless the activity is specifically allowed under the terms of a volunteer program approved by the Village Manager or another activity approved by the Village Manager. The above restrictions apply to both wild and cultivated plants.
- B. No person shall remove, injury, deface, write upon, defile or ill use any building, sign, table, bench, official notice, sign, ornament, fountain, statue, fence, trail, pathway, apparatus or other property in any Village of Shorewood park unless the activity is specifically approved by the Village Manager.

§ 400-12 Violations and penalties.

Except where a penalty is otherwise prescribed, the penalty for violation of any provision of this chapter shall be as set forth in § 115-1 of the Village Code.

PASSED AND ADOPTED by the Village Board of the Village of Shorewood, Milwaukee County, Wisconsin, this 21st day of June, 2021


Ann McKaig, Village President

Countersigned:


Sara Bruckman, CMC/WCMC, Village Clerk