

CHAPTER 14 WATER AND PARKS

14.01 NAVIGABLE WATERS:

(1) REGULATION OF WATER TRAFFIC, BOATING, AND WATER SPORTS:

(a) Intent: The intent of this Section is to provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public rights and the capability of the water resource.

(b) Applicability and Enforcement: The provisions of this Section shall apply to the waters of Lake Sherwood, Lake Camelot and Lake Arrowhead, all of which are within the jurisdiction of the Town of Rome. The officers of the police department of the Town of Rome shall enforce the provisions of this Section.

(c) State Boating and Safety Laws Adopted: State boating laws as found in State Stats. 30.50 to 30.71 are adopted by reference.

(d) Speed Restrictions:

1. No watercraft other than personal watercraft, shall be operated at a speed greater than slow-no-wake before sunrise or after 8:00 p.m. or at any time when entering, traveling in or leaving a posted section of water. The speed limitation contained in this section shall not apply to any patrol or rescue craft.

2. No personal watercraft shall be operated at a speed greater than slow-no-wake before 10:00 a.m. or after 8:00 p.m. or at any time when entering, traveling in or leaving a posted section of water. The speed limitation contained in this section shall not apply to any patrol or rescue craft.

3. Lake Sherwood controlled areas: no person shall operate a watercraft at a speed faster than slow-no-wake in the following areas of Lake Sherwood in the Town of Rome, Adams County.

a. The area located off the Kings Way Dam about two hundred fifty (250) feet west, between the Scarlet Beach Club and Lots 14 and 15 of the Robindale Addition.

b. The area of the large island located on the south side of Lake Sherwood between the Yeoman and Longbow Beach Clubs all the way to the east to the 10th Avenue Dam that separates Lake Sherwood from Lake Camelot.

c. The area within 100 ft. of the dam. Buoys marking this area shall be placed and maintained by Adams County.

4. Lake Camelot controlled area:

a. No person shall operate a watercraft at a speed faster than slow-no-wake in the portion of the lake commonly known as the Camelot Channel. Buoys marking this area shall be placed by the Town.

b. The area within 100 ft. of the dams. Buoys marking this area shall be placed and maintained by Adams County.

5. Lake Arrowhead controlled area: The area within 100 ft. of the dam. Buoys marking this area shall be placed and maintained by Adams County.

6. Paragraphs 1. to 5. do not apply to events permitted under section (f).

7. Pursuant to its authority under section 30.66 (3) (ag) 2., the Town of Rome hereby exempts Lakes Arrowhead, Camelot and Sherwood from the prohibition set forth in section 30.66 (2) (ag) 1. Wis. Stats.

(e) Water Skiing:

1. Water skiing, for the period of May 1st through August 15th, shall be limited to the daylight hours between 10:00 am and 8:00 pm or sunset, whichever comes first. Water-skiing during all other times of the year shall be restricted to the hours of 10:00 am to sunset.

2. No person may operate a motorboat towing water ski's, an aquaplane or a similar device carrying more persons than the towed device(s) was either designed to carry or is rated to carry, unless the motorboat operator provides a pickup boat to be in operation while the towing occurs. In the event that the provision of a pickup boat is not required, the motorboat towing the device(s) must have enough capacity-rated seating to accommodate the total number of individuals occupying the motorboat and the towed device(s).

3. Section 1 and 2 do not apply to events permitted under Section (f).

(f) Races, Regattas, Sporting Events and Exhibitions:

1. No person shall direct or participate in any boat race, regatta, water ski meet or other water-sporting event, or exhibition unless such event has been authorized by the Town Board.

a. Application for permits shall be made to the Police Chief. Approval for permits may be granted by the Town Board upon recommendation of the Police Chief.

- b. Permits shall be valid only for the days, hours and designated areas specified thereon.
- c. Pickup and drop off areas for water skiing will be designated on the permit and shall be marked with regulatory markers as per Wisconsin Stat. 30.69(3)(d).
- (g) No Motor Area:
 - 1. No person shall operate any motor on any motorized boat or similar device within any designated "No Motor Operation Area". All waters north of the County Road D bridge that compromise the Walden area of Lake Camelot are designated a "no motor operation area".
 - 2. The "no motor" limitation contained in this section shall not apply in case of patrol boat, rescue craft and aquatic weed control devices.

(2) EMERGENCY LAKE CLOSURES

(a) Background: The Town of Rome has within its boundaries three large, artificial lakes, to wit: Lake Arrowhead, Lake Camelot, and Lake Sherwood. Heavy rains, sometimes combined with snow melt, can cause the water of these lakes to rise to levels that present a danger to the shorelines and flow control structures. Wakes created by motorized watercraft aggravate the problems and danger presented by high water levels.

(b) Purposes: In an effort to minimize the adverse effects of high water levels, the Town of Rome has determined that it is necessary to close the lakes to watercraft when the lakes reach pre-determined elevations that have been established as presenting an emergency condition. Said lake elevations have been identified in conjunction with the Tri-Lakes Management District, the Adams County Land and Water Conservation Department and the Wisconsin Department of Natural Resources. Further, the Town has taken into consideration historical evidence associated with past periods of heavy rain and snow melt. The Town has endeavored to balance the rights of the public to use public waterways and the safety concerns associated with high water conditions.

(c) Authority: The Town of Rome adopts this subsection pursuant to the authority granted to Towns in Sec.166.23 of the Wisconsin Statutes.

(d) Closure of Lakes: Each of the above lakes shall be closed to all motorized watercraft, unless specifically permitted under Paragraph (d) herein, when one of the lakes reaches the following applicable elevation:

Lake Arrowhead:	964.50
Lake Camelot	1012.50
Lake Sherwood:	993.40

Upon a lake reaching the applicable elevation for closure, the police chief, or his designee, shall take all measures necessary to reasonably notify the public of the closure and to secure the public access points to the lakes. Reasonable notification shall include, without limitation, posting notices in various public places in the Town and notifying the media via a press release.

(e) Designated Operation During Lake Closure: During the period of lake closure, the Police Chief, with approval from the Town Chairperson, may allow for limited operation of motorized watercraft for the purpose of safely securing watercraft. In the event that the Police Chief determines that limited operation of motorized watercraft during a period of lake closure is permitted, motorized watercraft shall travel no faster than the slowest possible speed necessary to maintain steerage.

(e) Reopening of Lakes: During the period of lake closure, the lake levels shall be monitored regularly. The closure of the lakes shall terminate upon the lake levels falling below the applicable levels set forth in Paragraph (d) herein for a continuous period of eighteen (18) hours. The Police Chief or his designee shall then remove all notices pertaining to the closure of the lakes and shall provide a press release to the media regarding the reopening of the lakes.

(f) Penalty: Any person convicted of using a motorized watercraft in violation of a lake closure pursuant to this Subsection shall forfeit a fine of no more than one hundred (100) dollars, plus costs, for each violation.

(3) SWIMMING AREA/BEACHES:

(a) Purpose: The purpose of this Section is to establish a swimming area and provide safe and enjoyable aquatic recreation consistent with public rights and interest and the capability of the water resource pursuant to Sec. 30.77(2) of the Wisconsin Statutes.

(b) State Boating and Water Safety Laws Adopted: The statutory provisions describing and defining regulations with respect to water traffic, boats, boating, and related water activities and safety found in the following-enumerated Section of the Wisconsin Statutes are hereby adopted and by reference made a part of this Section: Sec. 30.68(7), Wis. Stats.

(c) Area Designated: The area designated, as a swimming area shall be as prescribed by Town Board resolution and on file with the Town Clerk. Persons shall swim at their own risk in such areas.

(d) Beach Markers: It shall be unlawful to swim beyond or disturb or molest a bathing beach boundary buoy or marker in any swimming beach in any park.

(e) Storms and Swimming Area Limits: It shall be unlawful for any person to swim or bathe in the water fronting any bathing beach during electrical storms or in dangerous weather or more than fifty (50) yards from the shoreline of any bathing beach, or beyond the limits of the beach marker buoys where such buoys are provided.

(f) Beach Athletics: Except in locations designated for such purposes, it shall be unlawful for any person to engage in any athletic game or other activity upon a bathing beach or in the water, when injury or inconvenience to others might result from the activity.

14.02 REGULATION OF PARKS:

(1) PARK REGULATIONS:

(a) Purpose:

1. Rules and regulations may be adopted by the Town Board governing the further use of and enjoyment of Town parks, parkways, playgrounds, beaches, boat landings, campgrounds, lakes, streams, and the facilities thereof. Any person who shall violate such rules or regulations may be excluded from the use of such facility.

(b) Use Regulations:

1. Littering Prohibited: No person shall litter, dump or deposit any rubbish, refuse, earth or other material, including animal waste, in any park, except by placing such material in receptacles provided for such purpose.

2. Pets: No dog, cat or other pet shall be permitted in any public park, beach or playground, other than a park designated as a Dog Park. Dogs specially trained to lead blind persons shall be exempt from this regulation.

3. Bill Posting: No person shall post, paste, fasten, paint or attach any placard, bill, notice, sign or advertising matter upon any structure, tree or other natural object in any park, except park regulations and other signs authorized by the Town Board.

4. Trapping: No person shall trap in any park unless specific written authority is first obtained from the Town Board.

5. Making of Fires: No person shall start, tend or maintain a fire except in personal grills or designated fireplaces. Personal grills shall be used only in designated picnic areas or areas approved on a limited basis by the Town Board. (e.g., fund raisers). The use of personal grills is permitted provided lawns and vegetation are not endangered. Unburned fuel and ashes shall be disposed of in such a manner as to prevent fire or damage to any park property, person or animal.

6. Protection of Park Property: No person shall kill, injure or disturb or attempt to injure or disturb waterfowl, birds or animals, wild or domestic, within any park. No person shall climb any tree or remove flowers or fruit, wild or cultivated, or break, cut down, trample upon, remove or in any manner injure, deface, write upon or ill use any tree, shrub, flower, flower bed, turf, soil, sand, fountain, ornament, building, structure, apparatus, bench, table, official notice, sign or other property within any park.
7. Motorized Vehicles: No person shall operate an unlicensed or licensed motorized vehicle outside of areas specifically designated as parking areas, except areas where the operation of such vehicles is specifically permitted.
8. Soliciting Boat Rides: It shall be unlawful to use the dock, boat landing or the waters in or immediately adjacent to any park for the purpose of soliciting rides of any kind unless authorized by the Town Board.
9. Illegal Entry: It shall be unlawful for any person to enter in any way any park building, installation or area after the posted closing time or before the posted opening time, or contrary to posted notices.
10. Throwing Stones and Missiles Prohibited: No person shall throw stones or other missiles in or into any park.
11. Removal of Park Equipment Prohibited: No person shall remove benches, seats, tables, or other park equipment from any park.
12. Closing Hours: All Town parks shall be closed between 11:00 p.m. and 6:00 a.m., except at a boat launch.
13. Speed Limit: No person shall operate any vehicle in a Town park in excess of fifteen (15) miles per hour unless otherwise posted.
14. Washing: The washing of cars, persons, pets, cooking utensils, or clothing is prohibited in any of the rivers or streams, or on any picnic grounds, playgrounds, recreation areas, boat landings, parking lots or roadways, or within fifty (50) feet of any pump, fountain, or drinking water outlet in any Town park. The washing of persons, cooking utensils and clothing shall be permitted at designated facilities.
15. Firearms: Within a Town park it shall be unlawful for any person to have in his possession or under his control:
 - a. Any firearm or air gun as defined in the Wisconsin Statutes, unless the same is unloaded and enclosed in a carrying case.

b. Any bow, unless the same is unstrung or enclosed in a carrying case or unless written permission has first been granted by the Town Board to use a bow in a specific, supervised sport or activity, and then only within a designated area, provided, however, that it shall be unlawful to engage in any sport or activity involving a strung bow that constitutes a safety hazard in the judgment of any law officer or Town Board personnel. Hunting is prohibited in all Town parks and recreational areas.

16. Vending: Vending is prohibited in Town parks unless authorized by the Town Board.

(2) FEES:

(a) It shall be unlawful for any person to use any Town park facility, shelter, land, or recreational area for which a fee or charge has been approved without payment of such fee or charge.

(b) Any park structure, facility, or area other than the above may be reserved or rented for special purposes subject to the approval of the Town Board. Fees may be established for recreational programs where costs warrant them. The Town Board shall establish a fee schedule for each facility or recreational program.

(c) Permits: Any person or agent thereof to whom the Town Board has issued a permit shall be bound by the provisions of all ordinances and rules of the Town of Rome as fully as though the laws were inserted in each permit.

(3) PUBLIC UTILITIES AND PRIVATE CONSTRUCTION:

(a) Public Utilities-Location: The location of all sewers and receivers, gas pipes, water pipes, stopcock boxes, hydrants, lamp posts, telephone and electric power posts and lines, manholes, conduits, and pumps within any Town park or parkway shall be subject to the jurisdiction and control of the Town Board, and their construction, repair or relocation shall be undertaken only after written permission is received from the Town Board.

(b) Private Construction:

1. No curb, whether stone or concrete shall be cut for the purpose of constructing a private driveway across any parkway border, nor for any other purpose, without the written permission of the Town Board.

2. The location, width, grade, and construction of all paths, driveways, and roadways across any sidewalk bordering along any parkway shall be subject to the approval of the Town Board and constructed only after written permission is obtained from the Town Board.

(4) RESERVATIONS:

(a) Policy. The Town-owned parks and park facilities and shelter areas are primarily for the nonexclusive use of the residents and visitors of the Town. However, under proper circumstances, exclusive use of the same or parts thereof may be permitted. This Section is intended to regulate exclusive use of Town-owned parks, park facilities, shelters, or parts thereof in the Town to the end that the general welfare of the Town is protected.

(b) A person or group, firm, organization, partnership, or corporation may reserve the use of a park facility or shelter by written application filed with the Town Clerk for a permit for exclusive use of the same. The Clerk shall issue permits for exclusive use of a shelter, while the Town Board shall issue permits for the exclusive use of Town parks.

(c) Applications shall be filed with the Clerk at least fourteen (14) days prior to the date on which the exclusive use of the entire park is requested, or at least three (3) days prior to the date on which a shelter is to be used.

(d) Permit Revocation: The Town Board, after granting a permit, may revoke a permit 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 major change in the conditions forming the basis of the issuance of the permit.

Declaration/Ordinance/Amendment Number

Amendment

Dated

2016-10

December 22, 2016