

Chapter 15

PARKS AND RECREATION

Date Approved: 3/19/2024
Resolution: 60-23

1.1 Introduction

A. Authority

1. This ordinance is adopted pursuant to the authorization in Wis. Stats. § Chapters 26, 27, 29, 59, and 77, and as may be amended from time to time.
2. Conflict of Laws: In the event of litigation involving this chapter, the laws of Wisconsin shall govern.

B. Title

This ordinance shall be known as, referred to, and may be cited as “Lafayette County Parks and Recreation Ordinance” and is hereafter known as the Ordinance.

C. Purpose

The purpose of this chapter is to prescribe the rules and regulations for the establishment, protection, development and management of County parks, recreation areas and associated facilities to promote the health, safety, comfort, morals and general welfare of this community and to protect the County parks, recreation areas, and associated facilities from fire, abuse, vandalism, and other potential damage rendering activities, all in cooperation with the Department or agents thereof of Natural Resources and The State Historic Preservation Office at the Wisconsin Historical Society.

D. Scope

Except as provided otherwise herein, the provisions of this chapter shall apply to all lands, structures and property owned, leased or administered by the County now held or hereafter acquired for forest, park, water access sites and special use purpose under the management, supervision and control of the Lafayette County Planning & Zoning Committee, hereafter referred to as the Committee.

E. Abrogation and Greater Restrictions

This chapter is not intended to repeal, abrogate, or impair any existing chapters, rules, restrictions or regulations; however, where this chapter imposes greater restrictions, this chapter shall prevail.

F. Interpretation

Provisions of this chapter shall be liberally construed and shall not be deemed a limitation or repeal of any other powers granted by the Wis. Stats. Or Wis. Admin. Codes. As unforeseen circumstances arise that are not specifically covered under this chapter, the basic principles and purpose of this chapter shall guide its interpretations and application.

G. Severability

In the event a provision of this chapter is found invalid the remaining provisions shall be valid.

1.2 Definitions

- A. Adult group:** a group made up of adult members (18 years of age and older) of an established organization. Adult groups may include families.
- B. All-terrain vehicle or ATV:** has the meaning specified in Wis. Stat. § 340.01(2g).
- C. Bicycle:** has the meaning given in Wis. Stat. § 340.01(5). Note: Under Wis. Stat. §340.01(5), bicycle means every vehicle propelled by feet or hands acting upon pedals or cranks and having wheels any 2 of which are not less than 14 inches in diameter.
- D. Boat Landing:** any site adjacent to water that provides public access to navigable waters.
- E. Camp or camping:** the use of a shelter such as a tent, trailer, motor vehicle, tarpaulin, bedroll or sleeping bag for temporary residence or sleeping purposes.
- F. Camper day:** midnight to midnight (12 am to 12 am).
- G. Camping party:** any individual, family or non-family group occupying a campsite.
- H. Camping permit:** any permit for camping overnight that requires registration and payment of a daily fee.
- I. Camping unit:** any single shelter used for a camp by a camping party.
- J. Camping Season:** that period from April 15th – October 15th. The season may be extended under the decision of the Lafayette County Planning & Zoning Committee or their authorized agents.
- K. Campsite:** a segment of a campground which is designated for camping use by a camping unit or camping party.
- L. Committee:** The Lafayette County Planning & Zoning Committee.
- M. County Park, Recreation Area, or Associated Facilities:** the area within the property boundary for any county park, forest, beach, boat launch, trail, or other property operated and maintained by the Committee or agents thereof or agent(s) thereof.
- N. County trail:** a recreational trail designated by Lafayette County.
- O. Crops:** any vegetation planted as an agricultural commodity or for other use as part of a farming operation, or vegetation planted for personal consumption or aesthetics, such as a vegetable or flower garden.
- P. Department or agents thereof:** refers to the Lafayette County Planning & Zoning Department or agents thereof.
- Q. Domesticated Ungulates:** farm livestock including cattle, oxen, sheep, pigs, goats, llamas, alpacas, and camels.
- R. Edible fruits:** fleshy fruits from plants including apples, plums, pears, blueberries, raspberries, blackberries, juneberries, and strawberries that are harvested for human consumption. It does not include the seeds, roots or other parts of herbaceous plants such as wildflowers or grasses.
- S. Edible nuts:** walnuts, hickory nuts, acorns and other similar nuts from trees and shrubs.
- T. Equine:** any horse, pony, donkey, mule or hinny.
- U. Family:** a parent or parents with their un-emancipated children and not more than 2 guests.
- V. Family campground:** any tract of land designated for camping by families or groups of 6 persons or less.
- W. Firearm:** a weapon that acts by force of gunpowder to fire a projectile, regardless of

whether it is inoperable due to disassemble – definition given in *State v. Rardon*, 185 Wis. 2d 701 (Ct. App. 1994).

X. Motorboat: has the meaning given in Wis. Stat. § 30.50(6).

Y. Non-family group: any 6 or less individuals who do not meet the definition of family.

Z. Occupy, occupied or occupying: the camping unit, such as a tent, trailer or RV, is set up on a designated campsite in a useable condition.

AA. Pedestrian:

1. Any person afoot without the use of skis, skates or other similar devices.
2. Any physically disabled person in a wheelchair, either manually or mechanically propelled, or other low-powered mechanically propelled vehicle designed specifically for use by a physically disabled person, but does not include any person using an electric personal assistive mobility device.

BB. Permit: Written authorization for special activities or specific uses of facilities or areas for specific time periods.

CC. Physically disabled: person: a person who by reason of a physical impairment is a “qualified individual with a disability” as defined in 28 C.F.R. 35.104. Note: The procedures for DOT special identification cards are found in Wis. Stat. § 343.51, and Wisconsin Administrative Code Trans Chapter 130. Note: The Americans with Disabilities Act (Pub. Law 101-336, 104 Stat. 327, 42 U.S.C. 12101-12213 and 47 U.S.C. 225 and 611) is interpreted by 28 C.F.R. 35.104. Qualified individual with a disability means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity.

DD. Picnic area: any tract of land developed and maintained for picnicking and containing not less than 5 picnic tables. Included in the definition of picnic area are adjacent playground and play field areas.

EE. Primitive Campground: a campground or area designated for camping that has no modern facilities, such as showers or flush toilets located nearby, no electric hook-up, and with minimal or no improvements where camping may be permitted.

FF. Proper self-registration: depositing a completed envelope with accurate information and containing, at a minimum, the appropriate fees into a self-registration box upon entering a park, forest, or recreation area where admission fees are required.

GG. Registered camper: a person camping on a campsite whose name is included on the camping registration for that campsite.

HH. Shelter: park buildings or structures designated for individual or group picnics, meetings, or other gatherings.

II. Special event: a temporary use of Department or agents thereof property which permits an activity that is otherwise not specifically allowed under this chapter or which involves one or more of the following circumstances:

1. Requires exclusive use or closure of all or part of public facilities or areas within a property or effectively restricts or limits use of a property by non-participants.
2. Placement of temporary structures or event apparatus.
3. Sale or offering of beverages, food, or merchandise.

4. Requires non-routine services of any Department or agents thereof employee.
5. Will take place during hours beyond normal property open hours.
6. Requires use of equipment or facilities not otherwise authorized for the proposed public use.
7. Requires event participation fees.

JJ. Swimming beach: any water area or adjacent land area designated as a swim area by standard regulatory markers or posted notice.

KK. Utility-terrain vehicle or UTV: has the meaning specified in Wis. Stat. § 23.33(1)(ng) and for the purposes of this chapter will include any type of golf cart.

LL. Vehicle: any motor vehicle, trailer, semitrailer, or mobile home and is further defined in Wis. Stat. § 340.01(74). For purposes of this chapter, a snowmobile is considered to be a vehicle.

1.3 General Rules.

A. COUNTY PROPERTY.

1. No person may destroy, molest, deface, damage, carve, drive nails into, remove or attempt to remove any natural growth or natural or archaeological feature except as follows:

a) Edible fruits, edible nuts, wild mushrooms, wild asparagus, and watercress may be removed by hand without a permit for the purpose of personal consumption by the collector. Note: The collection of seeds from herbaceous plants such as grasses and wildflowers is not allowed without written authorization from the Department or agents thereof.

b) Herbaceous plant species that are listed as prohibited plant invasive species under § NR 40.04 (2) (b) or listed as restricted plant invasive species under § NR 40.05 (2) (b) may be removed without a permit issued under this chapter.

c) Rocks, minerals or fossil materials may be collected for noncommercial purposes, such as educational uses, by hand or using a hand held rock hammer or similar device in accordance with the terms of a written permit issued by the manager of the property on which the collecting is done. A collector may not remove more than 5 pounds of rock, mineral or fossil material per day from any property with a maximum total of 50 pounds per year. The permit may further limit the allowable methods and amounts of material collected.

d) Arthropods collected for purposes of study as part of participation in a Department or agents thereof sponsored naturalist or educational program. All collected animals shall be released on the property from which obtained and may not be removed from the property.

2. No person may destroy, molest, deface, damage, remove or attempt to remove, carve or mark on, drive nails in, or injure in any manner any park or forest structure including, but not limited to, buildings, signs, tables, benches, fences, roads, parking lots, or other County property.

3. The Department or agents thereof may close, by posted notice, any land, structure, or property owned or administered by Lafayette County and under the management, supervision, and control of the Department or agents thereof. Closure may include

prohibiting access for one or more types of activities and shall be implemented for the purpose of protecting public health, safety and welfare, or for protection of natural resources or property as determined by the Committee. No person may enter or be in any building, installation or area that may be locked or closed to public use or contrary to posted notice without a written permit from the Committee.

4. Flying related activities, including but not limited to, hang gliding, parasailing, hot air ballooning, land sailing, flying model airplanes, operating a drone, or sky diving on county parks, forests, and recreation areas shall be prohibited unless authorized in writing by the Committee or agents thereof.

5. The Department or agents thereof may, by posted notice, restrict climbing activities on any lands subject to this chapter. Notice of climbing restrictions shall be posted at the administrative office of the property and at the site where the climbing restrictions apply.

6. No person may transplant, relocate, stock or release any plant or animal, domesticated or wild, without written permission from the Department or agents thereof.

7. Remote control cars, trucks, boats, helicopters, drones, and planes are prohibited in all county parks, recreation areas or associated facilities.

B. CLOSING HOURS.

1. No person may enter or be within the boundaries of any county park, recreation area, forest, campground, picnic area, beach, headquarters site, amphitheater, or posted parking areas between the hours of 10:00 p.m. and the following 7:00 a.m. except:

- a. *Registered campers in or in-route to their designated campsites.*
- b. *Paragraph (1) does not apply to any person who enters for the sole purpose of fishing.*
- c. *The closing hours of this subsection do not apply to individuals with written authorization from the Department or agents thereof or to those projects or parts of projects where the Department or agents thereof has posted other opening and closing hours or where the Department or agents thereof has waived these hours and established different hours for special events and programs. No person may enter or be within a Department or agents thereof property contrary to closing hours established pursuant to this subsection.*

C. PERSONAL CONDUCT.

1. **Disorderly conduct:** No person may engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct, or conduct which tends to cause or provoke a disturbance or create a breach of the peace.

2. **Evictions:** The Department or agents thereof may expel any person or persons from the lands under the management, supervision and control of the Department or agents thereof for violations of any state law, county ordinance, or posted rules or regulations. The period of time for which a person may be expelled is 10 days, or for the period of their camping permit, whichever is longer. The expelled person may not return to the property before the eviction period has elapsed or enter any other county park, forest, or recreation area for a period of 10 days after eviction. Persons expelled are not eligible for refunds for unused camping fees or vehicle admission fees. People charged with violent, assaultive or disorderly behavior may be expelled until after the case is

adjudicated in court.

3. Refuse and recyclable materials:

a) No person may dispose of any debris, waste or recyclable material except by placing the material in receptacles provided for those purposes.

b) No person may dispose of any waste or recyclable materials in any waste or recyclable receptacles or at any location if the waste or recyclable material is generated from a permanent or seasonal residence or a business or other commercial or industrial operation.

4. **Noise:** No person may operate any truck, loudspeaker, generator, chainsaw, air-conditioner or other device that produces excessive, loud or unusual noises without first obtaining a written permit from the Department or agents thereof.

5. Soliciting:

a) No person may solicit or collect funds or peddle or solicit business of any nature, post signs or distribute handbills or advertising matter unless first authorized by contractual agreement.

b) In addition to the requirements of par. a), in county parks, recreation areas and associated facilities, no person may engage in commercial filming or photography or provide services for a fee that involves the provider's physical presence in the county park, trail, recreation area or forest unless first authorized by contractual agreement or a Department or agents thereof commercial use permit.

c) No person may use in any manner the dock, pier, wharf, boat landing or mooring facilities in, or on, the waters in or immediately adjacent to any lands under the management, supervision or control of the Department or agents thereof for the purpose of soliciting rides of any kind, unless authorized by the Department or agents thereof.

6. **Destruction of property:** No person may destroy, molest, possess without permission, and attempt to remove or remove the property of others.

7. **Metal detectors:** The use of metal detectors is prohibited except by written permit issued by the Department or agents thereof.

8. **Fireworks:** No person may possess or discharge any fireworks regulated by Wis. Stat. § 167.10(3) without a permit. Permits are issued by the municipality.

9. **Structures:** Except as authorized by the Department or agents thereof, no person may construct, place, occupy or use structures or store personal property on lands subject to this chapter. This paragraph does not apply to tents or canopies that are less than 150 square feet in area or other temporary structures which are used for recreational purposes and removed by 10:00 p.m. of the day they are placed on the property.

10. **Crops:** Except when authorized by the Department or agents thereof, no person may plant, cultivate or harvest any crop on lands subject to this chapter.

11. **Climbing:** No person may engage in climbing activities, including the attachment of climbing anchors, on buildings, towers and boardwalks and other similar structures.

12. **Paintball and Air-soft:** Except when authorized by the Department or agents thereof, no person may engage in an activity involving the use of paintball guns, paint markers, air-soft guns, or discharge of similar devices on any lands subject to this

chapter.

13. Campfires:

- a) Campfires are allowed in designated fire-rings only unless authorized by the Department or agents thereof.*
- b) Campfires in elevated cooking grills are prohibited.*
- c) Dead and down wood may be gathered from upland areas of the property for campfire use on the property without the need for a forest product permit.*

D. SPECIAL EVENTS.

1. Except as provided in par. 3., no person or organization may advertise, promote or hold a special event without prior approval from the Department or agents thereof.
2. To apply for approval, a person or organization seeking to hold a special event shall submit to the Department or agents thereof all of the following at least 30 days prior to the event:
 - a) An application describing the special event on forms provided by the Department or agents thereof.*
 - b) Proof of adequate insurance as determined by the Department or agents thereof, with the policy naming the Department or agents thereof and its employees as additional insureds.*
 - c) A fee as determined by the Department or agents thereof.*
3. The Department or agents thereof may waive the requirement to obtain written approval under par. 1. if the special event is authorized in an existing agreement with the Department or agents thereof or if the special event will not result in any of the following:
 - a) Public safety risks.*
 - b) Negative impacts to a unique plant or animal community or geological or cultural features.*
 - c) Costs to the Department or agents thereof or additional Department or agents thereof staff resources costs incurred as a result of the event.*
 - d) Negative impact to the use and enjoyment of the property by others.*
4. The Department or agent's thereof written authorization for a special event may include conditions that it deems necessary to ensure the protection and orderly management of the property.
5. The Department or agents thereof may modify or terminate written authorization for any special event at any time if necessary to ensure public safety, protection of county facilities, or protection of the natural resources.
6. In addition to the fee, the Department or agents thereof may require the person or organization holding a special event to compensate the Department or agents thereof for, or to restore to the satisfaction of the Department or agents thereof, a natural resource or Department or agents thereof property that is damaged as a result of a special event.
7. No person may participate in a special event that is not authorized under this section.

1.4 Firewood.

- A.** In this section, “firewood” includes limbs, branches, roots, unprocessed logs, slabs with bark, cut firewood and chips.
- B.** No person may possess or transport firewood into any county parks, recreation areas, or associated facilities that originated from outside of that property.
- C.** This section does not apply to firewood from sources approved by the Department or agents thereof of Agriculture, Trade and Consumer Protection, or dimensional lumber that is debarked, kiln dried and smoothed, or artificial fireplace logs.
- D.** Treated wood, laminated wood containing glue, pallets, or other combustible items containing metal, plastics, or chemicals are not allowed to be burned in any county park, recreation area, or associated facility.
- E.** The Department or agents thereof may seize and dispose of firewood possessed in violation of this section.

1.5 Firewood Collection for Personal Use At Home.

- A.** In this section, “firewood” includes limbs, branches, roots, unprocessed logs, slabs with bark, cut firewood, and chips.
- B.** No person may cut, gather, buy, sell, use, transfer, or possess firewood, from any property for use off that property unless the person possesses a valid forest products permit issued by the Department or agents thereof authorizing the cutting or gathering. A person required to hold a forest products permit shall display the permit upon demand for inspection by the Department or agents thereof or its agents.
- C.** The Department or agents thereof may impose reasonable conditions including a fee on any forest products permit it issues, and may limit or deny a forest products permit if necessary to protect resources or avoid conflict with property management objectives.
- D.** The Department or agents thereof may revoke a forest products permit issued under this section for a violation of any condition of the permit, or for otherwise cutting or gathering without authorization. Revocations under this subsection shall apply countywide and be limited to a period not to exceed one year from the date on which the Department or agents thereof notifies the authorized person of the revocation. No person may possess or apply for a forest products permit for any property during a period of revocation.
- E.** Firewood collected or gathered under a forest products permit issued by the Department or agents thereof shall be for personal use only, and may not be sold or otherwise exchanged for anything of value. Exceeding the scope of this permit shall be considered a violation of Wis. Stat. § 26.05 and may result in a citation. Note: Under Wis. Stat. § 26.05, no person may cut, remove, or transport raw forest products or direct the cutting, removal, or transportation of raw forest products without the consent of the owner.

1.6 Vehicles.

A. TRAFFIC AND PARKING.

1. No person may operate any vehicle at a speed in excess of 10 miles per hour or contrary to state highway or Department or agents thereof traffic signs.
2. All vehicles shall stop at Department or agents thereof property entrance stations when such stop is ordered by Department or agents thereof signs.
3. No person may operate or park any vehicle as defined in Wis. Stat. § 340.01(74),

which is required to be registered by law on lands under the management, supervision and control of the Department or agents thereof except:

- a) On roads and highways as defined in Wis. Stat. § 340.01(22).*
- b) In posted parking areas and boat ramps.*
- c) As otherwise specifically authorized by law.*

4. No person may park, stop or leave standing, whether attended or unattended, any vehicle or watercraft:

- a) In any manner as to block, obstruct or limit the use of any road, trail, waterway or facility, or*
- b) Outside of any area provided for such purposes when it is practical to use such areas, or*
- c) Contrary to posted notice.*

5. Any vehicle or watercraft in violation of par. 4 may be towed off the property and stored at the owner's expense.

B. ABANDONED VEHICLES.

Without prior approval from the Department or agents thereof, no person may leave any vehicle unattended for more than 24 hours under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. An abandoned vehicle shall constitute a public nuisance and may be towed off the property and stored at the owner's expense.

C. VEHICLE OPERATION.

1. **Posted notices:** Except as provided, no vehicle may be operated on lands and waters under the supervision, management or control of the Department or agents thereof unless its use is specifically authorized by posted notice.

2. **Speed limits:** No person operating a vehicle may violate the posted speed limit.

3. **Persons with physical disabilities:**

a) The Department or agents thereof may authorize by permit persons with physical disabilities that affect the person's mobility to use a motorized vehicle as a mode of personal conveyance. The Department or agents thereof shall accept proof of disability as required by 28 C.F.R. 35.137 (c) (2). Up to two additional people may occupy the device if their primary purpose is to assist the permittee. Permits must be obtained from the Department or agents thereof. Note: Wheelchairs used by the physically disabled are not motorized vehicles and do not require a permit.

b) The Department or agents thereof may include reasonable permit conditions to protect safety and resources. No person may violate a condition of a permit issued under this paragraph.

4. **Bicycles:** Except where provided in this chapter, bicycles are permitted on all Department or agents thereof lands including public roads, parking lots and areas or trails posted for their use.

5. **Bicycle trails:** Bicyclists shall stop at any stop signs which are located on designated bicycle trails.

6. **Lighting requirements:** No person may operate a bicycle during hours of darkness as defined in Wis. Stat. § 340.01(23), on a designated bike trail unless the person or the

bicycle is equipped with a lamp emitting a white light visible from a distance of at least 500 feet to the front of the person or the bicycle and a lamp emitting a steady or flashing red light visible from a distance of 500 feet to the rear of the person or the bicycle.

7. **Prohibition:** No person may ride a bicycle in a careless, negligent, or reckless manner so as to endanger the life, property or persons of others on any lands under the management, supervision and control of the Department or agents thereof.

D. ALL TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES.

1. No person may operate or park any ATV or UTV in any County park, forest, trail, campground, picnic area, beach, recreation area, or on other lands under the management, supervision and control of the Department or agents thereof except:

a) Properly registered ATVs and UTVs may be operated on roadways within county property if the adjoining roadway is designated by the County or Township as an ATV/UTV route and their use is allowed. ATVs and UTVs are then considered a vehicle and must follow all applicable rules and laws pertaining to vehicles including vehicle admission.

b) The Department or agents thereof may authorize by permit persons with physical disabilities that affect the person's mobility to use an ATV/UTV as a mode of personal conveyance. The Department or agents thereof shall accept proof of disability as required by 28 C.F.R. 35.137 (c) (2). Up to two additional people may occupy the device if their primary purpose is to assist the permittee. Permits must be obtained from the property manager or designee.

c) The Department or agents thereof may include reasonable permit conditions and designate specific areas for their use to protect safety and resources. No person may violate a condition of a permit issued under this paragraph.

E. GOLF CARTS: Golf carts may be operated on park roads **and** campground **areas** and are then considered a vehicle and must follow all applicable rules and laws pertaining to vehicles.

F. AIRCRAFT: No person may land or launch any aircraft on the water or ice.

1.7 Animals

A. No person may allow a dog, cat or other pet in any building, on any swimming beach, playground, or any area posted prohibiting their presence. Dogs, cats and other pets shall be kept on a leash not more than 8 feet long and under control at all times in all other park, trail, forest, and recreation areas. No person may allow his or her dog, cat or other pet to interfere in any manner with the enjoyment of the area by others.

B. Persons bringing or allowing pets in designated use areas shall be responsible for proper removal and disposal in sanitary facilities of any waste produced by these animals.

C. No person may ride, lead or fail to prevent any equine animal or domesticated ungulate from being on any beach, posted or marked hiking trail, nature trail, picnic area, campsites, or playgrounds.

D. All equine-drawn carriages shall be equipped with manure-catching devices.

E. Any and all manure deposited on roadways or property is the responsibility of the operator to clean up and remove.

F. No person may ride a horse or other animal in a careless, negligent or reckless manner so as to endanger the life, property or persons of others on any lands under the management,

supervision and control of the Department or agents thereof.

G. EXCEPTION: Notwithstanding the provisions of this chapter, service animals as defined in Wis. Stat. § 106.52(1)(fm) and WAGS (Wisconsin Academy for Graduate Service) dogs in training, may accompany persons with disabilities or their trainer.

1.8 Fires

A. No person may start, tend or maintain any fire on the ground or burn any refuse except in designated fireplaces or fire rings.

B. No person may leave any fire unattended, or throw away any matches, cigarettes, cigars or pipe ashes or any embers without first extinguishing them, or start, tend or use in any manner any fire contrary to posted notice on any lands or property under the management, supervision and control of the Department or agents thereof.

C. The Department or agents thereof, in the event of threat to natural resources by the presence of forest fire hazards, may establish emergency use and burning regulations by posted notice.

1.9 Firearms.

A. No person shall discharge a firearm, bow, or cross bow in any county park, recreation area, associated facilities or areas designated "No Hunting."

1.10 Fireworks

A. No person shall possess, fire, discharge, explode or set off any squib, cracker or other explosive or pyrotechnic device containing powder or other combustible or explosive material within the boundaries of any park, recreation area or associated facilities, except by permit issued by the local municipality.

1.11 Refuse

A. No person shall discard or leave any refuse, sewage or other waste material on the ground, or in any building or installation, or in the water or upon the ice of any lake or stream or other body of water, or dispose of any such refuse or waste material in any manner except by placing it in receptacles or other authorized locations provided for such purposes. Charcoal residue shall be left in a grate or fireplace until cool, or placed in receptacles provided for such purposes.

B. It is unlawful for any person to deposit any garbage, sewage, bottles, tin cans, paper or other waste material in any waste receptacles in the county forest, county property, or any county park unless said waste material is created, accumulated or results from park/property usage.

1.12 Swimming Beaches/Areas

A. No person may possess or use any soap, detergent or shampoo on any swimming beach or in the water adjacent to any swimming beach in any county park, forest or recreation area.

B. No person may swim beyond or disturb or molest a swimming beach boundary buoy or marker in any beach in any county park, recreation area or forest.

C. There are no lifeguards at any swimming beach/areas in any county park, recreation area or forest. Swim, wade, boat, or launch water craft in the designated areas AT YOUR OWN

RISK.

- D.** The Department or agents thereof may prohibit swimming in areas adjacent to water access sites by posted notice. No person may swim within the area delineated by the posted notice.
- E.** No person may fish in any marked swimming beach in any county park, forest, or recreation area.
- F.** Glass is prohibited in any swimming beaches in all county parks, forests, or recreation areas.

1.13 Camping

A. GENERAL.

1. Camping is prohibited except within designated camping areas.
2. No person may camp in designated camping areas without a permit and the payment of prescribed daily fees where required.
3. A camping permit shall be obtained prior to setting up camp, unless otherwise posted.
4. No camping party may move from its assigned campsite to another campsite without prior approval from the Department or agents thereof.
5. All camping permits expire at midnight on the last day of the permit period.
6. No camping party may start setting up or taking down its camping unit between the hours of 10:00 p.m. and the following 7:00 a.m.
7. Violation of any state law, county ordinance or any rules of the Department or agents thereof by a member or guest of a member of a camping party is cause for revocation of the camping permit and eviction from the property.
8. Quiet hours are from 10:00 p.m. to 7:00 a.m. During quiet hours, no camping party shall set up or take down its camping unit. Further, during quiet hours all campers should be respectful of other campers and are prohibited from making excessive noise. Only registered campers are allowed on the campsite during quiet hours.

B. FAMILY CAMPING.

1. No more than one camping party may occupy a single campsite. No camping party consisting of a non-family group may exceed 6 persons.
 - a. No person may camp and no camping unit shall remain for a period greater than 21 days in any 28-day period in the property of registration. After 21 days, the camping unit and camping party shall be removed from the property for at least 7 days before being eligible to return. Exceptions can be made on a case-by-case basis with **prior** approval from the Department of agents thereof.
2. No person may park any motor vehicle outside the parking area designated at each campsite. No person may park more than 2 motor vehicles in the parking area of any campsite, except that as many as 4 motorcycles are permitted for members of a camping party defined as a non-family group.
3. No more than one recreation trailer, pickup truck camper or motor home may occupy a campsite. Pickup campers or motor homes pulling a trailer shall be treated as a single unit.

C. OUTDOOR GROUP CAMPING

1. No person may camp and no camping unit may remain in a campsite or in camping areas for a period exceeding that authorized by the camping permit and in no case for a period exceeding 21 days. After a site is occupied, in person or by a camping unit, for the maximum period authorized, the camping unit and camping party shall be removed from the property for at least 7 days before being eligible to return. Exceptions can be made on a case-by-case basis with **prior** approval from the Department or agents thereof.
2. Juvenile groups shall be accompanied by at least one responsible adult for each 10 members of the group.
3. No more than 10 persons may be permitted at each designated campsite.
4. No more than one camping party is permitted in any single designated site.
5. All backpack campers shall pack out refuse generated while camping.

D. RESERVATIONS: The Department or agents thereof may grant reservations for campsites, and day use facilities under the following conditions:

1. Reservation applications may be accepted up to 365 days before the date of occupancy.
2. The following minimum stays shall apply:
 - a) Campsites: 2 nights on any weekend, except a minimum of 3 nights for any of the following:*
3. On Labor Day and Memorial Day weekends, the stay shall include Friday, Saturday and Sunday nights.
4. When the Fourth of July is on a Friday. The stay shall include Thursday, Friday and Saturday nights of that weekend.
5. When the Fourth of July is on a Monday. The stay shall include Friday, Saturday and Sunday nights of that weekend.
6. Day Use Facilities: single day reservations at all times.

1.14 Boats.

- A.** No person may operate a boat within a water area marked by buoys or other approved regulatory devices as a swimming beach; or operate a boat in a restricted use area contrary to regulatory notice marked on buoys or other approved regulatory devices. This subsection does not apply in the case of emergency, or to patrol or rescue craft.
- B.** No person may moor, anchor or leave unattended any boat or aircraft in a county park, recreation area or associated facilities except in areas designated for that purpose.
- C.** No boat or aircraft may be left on shore, moored or anchored overnight in the waters of any county park, recreation area or associated facilities except in areas designated for that purpose.
- D.** No person may operate a motorboat of any kind in any manner except battery-powered electric motors at a slow-no-wake speed and in no case at a speed to exceed 5 miles per hour.

1.15 Fees & Charges.

A. CAMPING FEES.

1. No person may use any facility, land or area for which a fee or charge has been established by the Department or agents thereof without payment of the fee or charge as posted.
2. Camping fees may be waived for a nonprofit organization participating in an authorized volunteer activity.
3. Prior authorization is required by submitting a waiver request to the Department or agents thereof.

B. OTHER FEES.

1. No person may use any facility, shelter, or area for which a fee or charge has been established by the Department or agents thereof without payment of such fee or charge.
2. The Department or agents thereof may grant building, shelter and picnic area reservations. Reservations must be made with Department or agents thereof staff.
3. Visitors using areas posted subject to self-registration requirements for either camping or other fees shall pay an **additional \$5.00** registration fee if they fail to properly self-register or pay as instructed.
4. The Department or agents thereof may charge participants of Department or agents thereof sponsored special events or programs a fee sufficient to cover the cost of providing the program.
5. The Department or agents thereof may determine and charge a fee for special events that includes a base fee plus the actual costs to the Department or agents thereof that are anticipated as a result of the event. In determining the base fee and costs, the Department or agents thereof may consider impacts including but not limited to all of the following:
 - a) The number of participants or spectators anticipated for the special event.*
 - b) Additional Department or agents thereof staff time required as a result of the special event.*
 - c) Additional maintenance of the property required as a result of the special event.*
 - d) Additional services provided by the Department or agents thereof.*
 - e) Impacts affecting the use of the property by other park users.*
6. This section does not apply to Department or agents thereof lands under lease or agreement which provides otherwise. No person may use any facilities without proper payment of appropriate fees established by a lessee or contractor.

1.16 Exceptions

- A.** Nothing in this chapter shall prohibit or hinder the Department or agents thereof, its administrators, property managers, park staff, or other duly authorized agents, or any peace officer from performing their official duties.
- B.** The Department or agents thereof may waive in writing any provision of this chapter for commercial filming on county lands.

1.17 Penalty

Any person who shall violate any of the provisions of this Ordinance or any rule promulgated hereunder shall upon conviction thereof forfeit not less than Twenty-five Dollars (\$25.00) nor more

than Two Hundred Dollars (\$200.00) for each violation in addition to the costs of prosecution, and in the case of default in payment of such forfeiture and costs, by imprisonment in the Lafayette County Jail for a term not exceeding five (5) days.

1.18 Effective Date

This ordinance shall be effective the day after its publication.

1.19 Administration and Enforcement

A. Implementation: The Department or agents thereof shall develop procedures, to be approved by the Committee, for the implementation of the fees provided for in this Chapter.

B. Citation Enforcement of Ordinances: In addition to the Department or agents thereof personnel authorized by Lafayette County to issue citations for violations of this Chapter committed in their presence or for which they have reasonable cause to believe have been committed, the Land Conservation and Planning & Zoning Department Manager may authorize the Sheriff's Office to issue citations or the Sheriff's Office may issue citations based on the Office investigation and self-initiated activities. Department or agents thereof personnel authorized to issue citations shall, at all times, have the right to enter upon all facilities, inclusive of such portion of the grounds, buildings, structures, or enclosures thereof which may be leased or set aside for private or exclusive use of any individual or group use thereof under the provisions of this Chapter and any rules and regulations enacted hereunder. In so entering upon the premises above described, Department or agents thereof personnel may use reasonable and necessary force to protect and promote the County's land and resources and the public peace. Department or agents thereof personnel authorized to issue citations under this Chapter may issue a violation notice and administrative fee to defray the cost of enforcement of all fees or forfeitures in accordance with an administrative notice fee schedule as approved by the Committee. Nothing shall preclude the Department or agents thereof from allowing persons to purchase permits in lieu of receiving citations or for failing to have or display a sticker if otherwise required.

C. Corporation Counsel Duties: It shall be the responsibility of the Corporation Counsel to prosecute all civil violations, which arise under this Chapter.

D. Law Enforcement: Any law enforcement officer may arrest any offender whom the officer may detect in violation of any of the provisions of this Chapter. The officer shall have at all times the right to enter the premises of any building, structure or enclosure in any park for the purpose of inspection or investigating disturbances. This Chapter provides special authority to any municipality, County or State officer to act as the agent of Lafayette County in inspection or investigating disturbances.