

12 Parks and Navigable Waters

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12.1 Park Regulations

12.1.1 RULES AND REGULATIONS GOVERNING PARKS AND PARKWAYS UNDER THE JURISDICTION OF THE MILWAUKEE COUNTY PARK COMMISSION.

- (a) **Adoption.** Chapter 47, as amended, of the Ordinances of the County of Milwaukee governing parks and parkways, exclusive of any provisions therein relating to the penalties to be imposed or the punishment for violations of said ordinance, is herewith adopted and by reference made a part of this Chapter. The sections and subsections of said Chapter 47 of the Ordinances of Milwaukee County, and amendments thereto, are herewith adopted as sections and subsections of this Chapter of the Glendale Code of Ordinances as though fully set forth therein. Any act required to be performed or prohibited by any section of the said Chapter 47 of the Ordinances of Milwaukee County incorporated herein by reference is required or prohibited by this Chapter of the Glendale Code of Ordinances.
- (b) **Copy on File.** The City Clerk shall keep a copy of said rules and regulations governing parks and parkways on file for public inspection in his office.

12.1.2 WINGATE PARK.

- (a) **Purpose.** The Common Council of the City of Glendale finds that it is in the interest of public health, welfare and safety to protect Wingate Park and appurtenances thereto from fire, abuse and desecration; to provide for the recreational use of the area; to control and regulate traffic and maintain general order therein; and to further the safety, health, comfort, morals and welfare of all persons while within the limits of the park.
- (b) **Wingate Park Rules and Regulations.**
- (1) **Hours of Operation.** Wingate Park shall be open from sunrise to sunset, unless alternate hours are from time-to-time set by the Common Council for specific purposes or events.
 - (2) **Play Equipment.** The play equipment in Wingate Park is designed for children between 5 and 12 years of age, and its use is limited to children of those ages, except that children under 5 may use such equipment under the direct supervision of their parent, sitter, guardian, or custodian.
 - (3) **Beverage in the Park.**

- a. No person shall bring into, possess, or drink any intoxicating liquor or fermented malt beverage in Wingate Park.
- b. No person shall possess any beverage in a glass container in Wingate Park at any time.
- (4) **Animals in the Park.** No animals are allowed in Wingate Park, except such small wild species as may naturally inhabit the City of Glendale. This section shall not apply to animals assisting persons under disability.
- (5) **Disorderly Conduct.**
 - a. No person shall use threatening, abusive, insulting, obscene, or indecent language, or conduct themselves in a manner that constitutes a breach of the peace.
 - b. No person violating any of these provisions shall be allowed to remain in Wingate Park.
- (6) **Smoking Prohibited.** No person shall smoke or hold a lighted cigarette, cigar, or pipe in Wingate Park.
- (7) **Care of Waste.** No person shall deposit any dirt, sand, building materials, refuse, litter, garbage, dead flowers, or other rubbish in any portion of Wingate Park. The City will provide receptacles for park users.
- (8) **Radios, Televisions; Loudness Prohibited.** Automobiles, portable radios, television sets, or any other video or audio device must be turned low at all times so as not to be heard from a distance beyond 20 feet from the instrument.
- (9) **Interference with City Employees.** No person shall interfere with any employee of the City of Glendale or any employee of a contractor while engaged in constructing, repairing, or caring for any portion of the park.
- (c) **Penalties.** The provisions of this ordinance shall be enforced under Section 1-1-7 of this Code.

12.2 Navigable Waters

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12.2.1 INTENT; APPLICABILITY AND ENFORCEMENT.

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

- (b) **Applicability and Enforcement.** The provisions of this Chapter shall apply to the waters of the Milwaukee River within the jurisdiction of the City of Glendale. The provisions of this Chapter shall be enforced by the officers of the Glendale Police Department.

12.2.2 STATE BOATING LAWS AND SAFETY LAWS ADOPTED.

State boating and safety laws as found in Sections 30.50 to 30.71, Wis. Stats., are hereby adopted and by reference made a part of this Chapter as if fully set forth herein. Any act required to be performed or prohibited by the provisions of any Statute incorporated by reference herein, is required or prohibited by this Chapter. Any future amendments, revisions or modifications of any Statute incorporated by reference herein are intended to be made a part of this Chapter.

12.2.3 SPEED RESTRICTED AREAS.

- (a) "Slow-no-wake" means, that speed at which a boat moves as slowly as possible while still maintaining steering control.
- (b) Conditions creating an extreme threat to public health, safety and welfare (as described in "Addendum A" incorporated herein by reference), exist in that part of the Milwaukee River within the City of Glendale, and between:

Buoy No. 1: 20 feet east of the west shoreland at 400 West Riverview Drive (Tax Key No. 162-0113) SE 1/4 & W 1/2 Sec. 29-8-22 Part Lot 39 Blk. 1.

Buoy No. 2: 20 feet northwest of the east shoreland at 5919 North Jean Nicolet Road (Tax Key No. 166-1006) SE 1/4 Sec. 29-8-22 Lot 7 Blk. 1.

Such that within the above described designated area no person shall operate a motorboat at a speed exceeding "slow-no-wake."

12.2.4 RESTRICTIONS OF WATER SKIING, AQUAPLANING OR SIMILAR ACTIVITIES.

Conditions creating an extreme threat to public health, safety and welfare (as described in "Addendum B" incorporated herein by reference), exist on that part of the Milwaukee River within the City of Glendale north of the West Silver Spring Drive bridge such that no person shall operate a motorboat towing a person on water skis, aquaplane or similar device, nor shall any person engage in water skiing, aquaplaning or similar activity, nor shall any person provide a motorboat for these purposes, on that part of the Milwaukee River within the City of Glendale north of the railroad bridge at the north end of Lincoln Park.

12.2.5 LAUNCHING OR LANDING OF WATERCRAFT ON CITY LANDS.

- (a) **Prohibition; Exceptions.** The launching or landing of any watercraft on any City-owned lands, except lands designated by the City as a City launching site, is prohibited.
- (b) **Designation of City Launching Site.** The lands owned by the City fronting on the Milwaukee River, located at the south end of Apple Blossom Lane, are herewith designated a City launching site.
- (c) **Regulations for Launching and Landing of Watercraft.** Any owner or renter of any watercraft may use a City launching site to launch or land watercraft, subject to the following. rules and regulations:
 - (1) Before commencing a launching or landing operation on said City property, a permit shall be applied for and secured from the Police Department. Applications for such permits shall contain the name, address and telephone number of the applicant, the registration number and description of the watercraft and the date and time of the commencement and completion of such launching or landing. The Police Department shall keep a record of all applications made and permits issued. The Police Department may require proof of ownership or rental of the watercraft from any applicant for a permit.
 - (2) Permits shall not be issued more than once per twenty-four (24) hour period per permittee. Nothing herein contained shall be deemed to prohibit the landing at other times of watercraft in distress.
 - (3) There shall be provided and maintained by the City a removable barrier which, when the launching site is not being used by a permittee, shall be securely locked to prevent use of the site for launching or landing. The key to such lock shall be kept at the Police Department, which will arrange for the opening and closing of the barrier for the permittee.
 - (4) The parking of vehicles and launching equipment on the launching site shall be permitted only during the time a watercraft is being launched or landed by the permittee.

12.2.6 EMERGENCY HAZARD CONTROL AREA.

- (a) **Purpose.** Conditions, creating extreme peril to life and property, occur from time to time at and in the vicinity of that certain dam in the Milwaukee River located in Kletzsch Park in the City of Glendale when the water elevation of said River reaches such elevation that excessive water flowage over said dam causes turbulence of great destructive force immediately below said dam, rendering the area extremely hazardous to swimmers, bathers, occupants of watercraft and persons who may attempt to rescue imperiled persons. Such conditions, in the interest of public safety, require the temporary prohibition of swimming, bathing or the operation or use of watercraft in said area.
- (b) **Area Designated.** The area of the Milwaukee River between a point one thousand (1,000) feet southerly of the dam in Kletzsch Park and a point one

- thousand (1,000) feet northerly thereof is declared to be an "Emergency Hazard Control Area" and subject to the provisions of Subsection (c) hereof.
- (c) **Declaration of Emergencies.** When the water elevation results in excessive water flowage over said dam and causes turbulence of great destructive force immediately below said dam, rendering the area extremely hazardous to swimmers, bathers, occupants of watercraft, and persons who may attempt to rescue imperiled persons, the Chief of Police or, in his absence, the Chief of the Fire Department, the Mayor, or the City Administrator, may publicly declare an emergency existing in the aforesaid emergency hazard control area, giving notice thereof to the public through radio, television, or newspaper announcements.
 - (d) **Prohibitions After Declaration of Emergency.** After the declaration of emergency and upon the erection of signs as provided in Subsection (c) hereof, no person shall swim, bathe in or operate or use any watercraft within such emergency hazard control area.
 - (e) **Additional Regulations.**
 - (1) A permanent sign shall be erected at a point two thousand (2,000) feet upstream of said dam or as near thereto as practicable, informing operators of watercraft of the existence of the said dam and attendant waterfall, and advising caution in proceeding.
 - (2) No person shall walk or be upon said dam at any time.
 - (3) No person shall remove, move, deface or tamper with any sign, which is erected pursuant to this Section.
 - (f) **Exceptions.** The provisions of Subsection (d) or (e)(3) of Subsection (e) hereof shall not apply to any person who is engaged in rescue operations or the recovery of bodies in said area.

12.2.7 PENALTIES.

State boating penalties as found in Sec. 30.80, Wis. Stats., including any future amendments, revisions or modifications, are hereby adopted and by reference made a part of this Chapter as if fully set forth herein.