

ORDINANCE NO. 07-06

AN ORDINANCE ESTABLISHING RULES & REGULATIONS FOR TOWN PARK

The Town Board of Eagle adopts this ordinance as follows:

Section 1. Rules and Regulations Established.

The Town Board adopts the rules and regulations established in this ordinance for all persons using or entering the Town of Eagle park or pavilion.

Section 2. Hours of Operation.

- A. The park shall be open from 7 AM until dusk every day of the year.
- B. Groups renting the park may be authorized to use the park after dusk and up to 10 PM on week days or 11 PM on Friday or Saturday nights, unless extended hours are authorized by the Town Board.

Section 3. Rules for All Persons.

No person shall violate any of the following rules or regulations while in the Town park:

- A. No alcoholic beverages shall be consumed, sold, given away or delivered without prior approval of the Town Board;
- B. No tents may be erected and no camping allowed without the prior approval of the Town Board;
- C. No person shall damage or disfigure any part of the park, park equipment or structures;
- D. No person shall enter or remain in the park when the park is closed;
- E. No person over the age of 2 shall use a rest room designated for a person of the opposite gender;
- F. No littering in the park;
- G. No glass bottles or containers in the park;
- H. No dogs, horses or other domestic animals allowed in the park;
- I. No person shall advertise, hawk, sell or attempt to sell any items or services or place any signs, placards or advertisements in the park unless authorized by the Town Board;
- J. No golfing;
- K. No hunting;
- L. No fires except in grills located in designated areas;
- M. Operation of motor vehicles:

- i. No driving at a speed greater than 10 MPH
- ii. No parking beyond the main parking lot without permission of Town Board;
- iii. No operation of motor vehicles except on paved driveways and lots;
- iv. No parking in the park when the park is closed.

Section 4. Park or Pavilion Rental.

A. The Town may accept reservations for use of specific areas of the park or pavilion upon submission of a completed application form and required documentation, rental fee and security deposit to the Town Clerk. The Town Clerk may authorize the reservation or forward it to the Park Committee for its review and approval. No reservation shall be approved for the rental of a soccer field or baseball diamond until it is first approved by the Recreation Director.

B. The Park Committee reserves the right to accept, reject or cancel any rental at any time without prior notice.

C. Rentals shall be authorized on a first-come-first-serve basis.

D. Certificates of insurance shall be required for all groups with an attendance of 50 or more people and for smaller groups at the discretion of the Park Committee. Insurance certificates shall name the Town of Eagle as an additional insured and shall insure the following: property damage \$50,000; injury to persons \$250,000 per person and \$500,000 per incident.

E. The person signing the application shall be a person with authority to act on behalf of the applicant. The applicant agrees to be bound by the rules established in this ordinance for himself/herself and on behalf of the organization, if any.

F. The Town Board may establish rental fees and security deposit amounts by motion from time to time.

G. The applicant and organization, if any, shall indemnify and save harmless and agree to accept tender of defense, defend and pay all legal, accounting, consulting, engineering and other expenses related to any claim asserted against the Town or its agents, officers or employees growing out of the applicant's rental or use of the Town park.

H. The applicant and organization, if any, shall be responsible for all damage to the park, equipment or buildings and for bodily injury to people arising from the applicant's rental or use of the park.

I. The applicant shall supervise the applicant's use of the park as follows:

- i. The applicant shall name one or more persons responsible for supervision, one supervisor for every 20 people attending;
- ii. The supervisor(s) shall be personally present in the park from the time the rental begins until all of its attendees leave the park. If the rental includes the pavilion they must be present from the time the building is open and remain until it is closed and lock the building according to the Town Park Committee instructions.

iii. The applicant and supervisor(s) shall be responsible for the following: conduct and control of patrons and participants of the function; that people attending the function use only that portion of the park and equipment designated in the rental application; the facility is left in the same condition as when they arrived; all refuse from the event is removed from the park; all of those attending the event follow the rules and regulations established in this ordinance.

J. The Town Clerk shall refund the rental fee and security deposit for those applicants not accepted by the Town. The Town Clerk shall refund the security deposit, but not the rental fee, for applicants who change their mind and decide not to rent the park on the date and time requested within 20 days of the scheduled rental. The Town Clerk shall refund that part of the unused security deposit upon the Park Committee's statement of the amount of unused security deposit. The Town shall use the security deposit for clean up, repairs and fees to comply with the terms of this ordinance.

Section 4. Violations.

Any person violating any section of the ordinance shall forfeit not less than \$25 nor more than \$500 plus allowable statutory costs for each offense. Bond is set at one-half the maximum forfeiture. Violation of each provision of this ordinance is a separate offense. Each day a violation continues is a separate offense. Failure to pay the forfeiture shall subject the violator to a term in the Waukesha County Jail or the provisions of Chapter 48 Wis. Stats. for violators under the age of 18.

Section 5. Repeal and Conflict.

All ordinances in conflict with this ordinance are hereby repealed.

Adopted on motion of Supervisor Davis, seconded by Supervisor Rasmussen on the 15 day of August, 2007.

Attest:

Approved:

Eileen Houk Town Clerk

Robert Kwiatkowski Town Chairman

Ayes 5 Noes 0 Absent 0