

**COUNTY OF FLORENCE
CODE OF ORDINANCES
CHAPTER 19 COUNTY FORESTS AND PARK SYSTEM**

**UPDATED
September 18, 2012**

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CHAPTER 19: COUNTY FORESTS AND PARK SYSTEM

SUBCHAPTER 1: FLORENCE COUNTY FORESTRY & PARKS ORDINANCE

PURPOSE

This chapter shall prescribe the rules and regulations for the establishment, protection, development and management of County forests and parks as provided in Chapters 26, 28, 29, 59, 75 and 77, Wis. Stats., so as to provide a sustained yield of forest products for commercial use and the associated benefits of soil and water conservation, scenic value, recreational benefit and fish and game resources, all in cooperation with the Department of Natural Resources.

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, wayside, water access sites and special use purpose under the management, supervision and control of the Forestry and Parks Committee, hereafter referred to as the Committee.

COMMITTEE APPOINTMENT

The County Board hereby assigns administration of the County Forestry & Parks Department, hereafter referred to as the Department, to the Forestry & Parks Committee of the County Board.

DEFINITIONS

For the purpose of the chapter.

Beach - Any water or adjacent land area designated as a swim area by standard regulatory markers.

Boat Landing - Any site adjacent to water that provides public access to navigable water.

Campground - Any tract of land designated by the County exclusively for camping purposes.

Camping - The use of any shelter, such as a tent, trailer, motor vehicle, bedroll or sleeping bag, for temporary residence or sleeping purposes.

Camping Party - Any individual, family, individual group or juvenile group occupying a campsite.

Camping Season - That period from May 1 to December 1.

Camping Unit - A single shelter defined as a trailer, pop-up, motor-home, truck camper or vehicle. In addition, there may be a tent or screen house on a site, but no more than six (6) people per site. Tarps are not considered a camping unit.

Closed Shelter - Any building or structure capable to public access and reserved for public or private group activities.

Committee - The County Forestry & Parks Committee.

County Forest - All lands owned or leased by the County that are managed under Chapter 28, Wis. Stats.

County Land - Includes all lands previously and subsequently acquired under supervision of the Forestry & Parks Committee and those lands under land use agreement with them, including federal, state, town and private lands that provide forest, wildlife or recreational benefit.

Department - The County Forestry & Parks Department.

DNR - Department of Natural Resources.

Emergency - A state for exigency, which requires that immediate action, be taken to protect life or property.

Family - A parent or parents with their unmarried children.

Group Campground - A campground that is designated for use by organizational groups.

Individual Group - A camping party composed of a family and guests not to exceed six (6) persons occupying one campsite.

Juvenile - Any person under the age of 18.

Juvenile Group - A group composed of juvenile members of an established organization and under the leadership of at least one competent mature adult for each (10) ten juveniles in the group.

Motorized Vehicle - Any motorized licensed or registered vehicle includes atv's, snowmobiles, automobiles, or similar four or two wheel drive vehicles.

Park - Includes the term "park", "County Park", and "Florence County Park" and is defined to mean all lands and water acquired by the County for park or recreational purposes or placed under the jurisdiction of the Committee and includes, without limitation, parks, whether on County forest cropland or not, and privately owned lands the use of which has been granted to the County for park, recreational or like public purposes. The following areas are designated as Florence County parks:

- (a) Fisher Lake Park
- (b) Keyes Lake Recreation Area
- (c) Lake Emily Park
- (d) West Bass Lake Park
- (e) Vagabond Park

Power Load- using force generated from a motorized propeller or other means to load and unload a boat or other watercraft onto and off a trailer.

Primitive Campground - A campground or area with minimal or no improvements where camping may be permitted, accessible by hiking or by watercraft.

Special Recreation Area - Includes the term's "special recreation area" and "special use area" and means all lands and water owned by the County for special recreational or other purpose and includes, without limitations, hunting areas, target ranges, intensive use areas, and ski areas.

Unorganized Group - A camping party composed of a group of 5 or less persons who are 7 years or older.

Wayside - Includes the terms "wayside", "public access" and "boat landing" and means all lands and water owned by the County for day-use programs and includes, without limitation, waysides, beaches, boat landings, and public access points.

5.0 DESIGNATION OF PARK, WAYSIDE, AND SPECIAL RECREATION AREA BOUNDARIES AND LAND SUBJECT TO THIS SECTION

- (1) The Boundaries or all parks, special recreation areas and waysides shall be designated by the County Board, which shall maintain a legal description of each such parcel in the Department office. Camping is not permitted in areas listed under section 5.
- (2) The parks subject to this section are:
 - (a) Keyes Lake Recreation Area.
 - (b) Fisher Lake Park
 - (c) Lake Emily Park

- (d) West Bass Lake Park
 - (e) Vagabond Park
- (3) The special recreation areas subject to this section are:
- (a) Florence County Forest Rifle Range
 - (b) Keyes Peak Recreation Area
 - (c) Hall's Creek Flowage
 - (d) Long Lake/Tipler Railroad grade and trail head
 - (e) Gated Hunter Walking Trails
 - (f) Burma Road Cross Country Ski Trail
 - (g) Snowmobile Trails
 - (h) ATV Trails
 - (i) LaSalle Falls Walking Trail
 - (j) Washburn Falls Walking Trail
- (4) The waysides subject to this section are:
- (a) Popple River Wayside
 - (b) Spread Eagle Chain of Lakes (North Lake) Public Access
 - (c) Twin Falls Flowage Public Access
 - (d) Lake of Dreams Public Access
 - (e) Seidel Lake Public Access
 - (f) Patten Lake Public Access
 - (g) Hall's Creek Flowage Public Access
 - (h) Sea Lion Lake Public Access
 - (i) Loon Lake Public Access

- (j) Bessie Babbett Public Access
- (k) Pine River Public Access
- (l) West Bass Public Access
- (m) Fisher Lake Public Access
- (n) Lake Emily Public Access
- (o) Keyes Lake Public Access
- (p) US 2 Brule River Public Access
- (q) Montgomery Lake Public Access

6.0 COUNTY FOREST & PARK REGULATIONS

(1) Hours

All parks and waysides shall be open to the public throughout the year between 7 A.M. and 10 P.M., each day, unless posted otherwise. No person may enter or be on such lands outside of those hours, except for campers in or those who are in route to designated campgrounds or person transporting watercraft to and from designated boat landings.

(2) Campers using tents, trailers, or other camping units of their own at County owned campgrounds must first obtain an envelope from the box at entrance to campground. They must then place funds to cover at least one night's stay and deposit the envelope in the lock box prior to setting up their camp at designated campsites.

(3) Florence County Forest Rifle Range

- (a) No organized events are allowed without a written permit from the Forestry and Parks Department of Florence County at the Florence County Forest Rifle Range. No competitive meets are allowed.
- (b) Overnight camping at the Florence County Rifle Range shall be by permit obtained from the Forestry and Parks Administrator of Florence County only.
- (c) The Florence County Board of Supervisors, Forestry Committee, and the Forestry and Parks Administrator shall develop a set of rules for the use and operation for the Florence County Rifle

Range, which once developed are to be posted at the site and enforced pursuant to the rules posted.

- (d) That these rules shall be enacted pursuant to this ordinance and a violation of those rules shall subject any violator to penalties as provided for in the penalty section of this chapter.

(4) Maintenance

The facilities in all parks, special recreation areas and waysides shall be maintained by the Department and organizations involved with the area.

(5) Fees

Camping fees for tent, trailer or other camping units shall be charged at Lake Emily and West Bass Lake Campgrounds. Park occupancy is limited to a maximum of 14 consecutive days. Campers staying 14 consecutive days must vacate the park for one day before returning to camp.

(6) Overnight Camping

No overnight camping is permitted at any other County Park facilities, waysides or special recreation areas.

(7) Refunds

No refunds shall be given for camping or shelter reservations, except in emergency situations as deemed appropriate by the County Forestry and Parks Administrator.

(8) Forest Camping

Overnight camping may be allowed in the County Forest without charge for a period not to exceed 14 days, unless posted "No Camping". This is not to include other County parks, waysides or special recreation areas where no camping is permitted, in accordance with sub.(5).

(9) Violations

Any camper who violates the rules and regulations of this chapter, or engages in disorderly conduct including but not limited to including cutting or defacing timber, carelessness with fire, violations of game and littering shall be subject to ejection from the County forest or Parks and subject to the penalties provided by County and State laws.

7.0 FEES AND CHARGES

(1) Fee Administration

No person shall use any facility, shelter or area for which a fee or charge has been established without payment of the fee or charge.

(2) Fees

(a) Fees for camping shall be determined by the Committee and in accord with fees charged by private similar facilities, so as to not provide undue competition, and be subject to change periodically at the discretion of the Committee. An additional fee shall be charged for electrical service and water hookup.

(b) Fees for reserving use of the shelters in Keyes Lake and Lake Emily Parks shall be established by the Committee, and be assessed at the discretion of the Park Manager for use by groups. Fees must be deposited with the Parks Managers or the Forestry and Parks Office within ten days after making the reservation to guarantee the shelter.

(c) Fees for reserving use of the Keyes Peak Recreation Building shall be established by the Forestry and Parks Committee, and be assessed at the discretion of the Forest Administrator. Security Deposit must be deposited with the Forestry and Parks office with the signed agreement of rental. Fees for the event must be paid no later than ten days before the scheduled rental date, to guarantee the scheduled date of the Recreation Building.

(3) Special Fees

Any parks structure, facility area other than the above may be reserved or rented for special purposes, subject to the approval of the Committee. The Committee or its appointed agent, at its discretion, may set fees for this facility.

8.0 ADDITIONAL RULES

Rules and regulations may be made from time to time by the Committee governing the further use and enjoyment of property administered by the Committee. Any person who shall violate such rules or regulation or who refuses to subject himself thereto may be excluded from the use of such facility and be subject to the penalties provided in this chapter.

9.0 EXCEPTIONS

Nothing in this chapter shall prohibit or hinder the Committee, its Administrator, Forester, Park Manager, or other authorized agents or any peace officers from performing their official duties.

10.0 EMERGENCY RULE MAKING AUTHORITY

In the event of a natural or man-made disaster or emergency which necessitates, in the public interest that all or a part of any land subject to this chapter be restricted from public access, the Committee shall have the power to close such lands, restrict their use or provide for emergency timber sales. Any action under this section shall be subject to Board review and approval at its next scheduled meeting.

11.0 PERMIT ISSUANCE

All permits issued by the Forest Administrator or other authorized forest and park personnel shall be subject to review by the Committee.

12.0 LAND USE AGREEMENTS

(1) Public Utilities

The location of all public utilities, structures, lines and pipes within any property administered by the Committee shall be subject to the control of the Committee and their construction, erection, repair or relocation shall be undertaken only after written consent is received from the Committee.

13.0 PUBLIC MEETINGS AND SALES

- (1) Any person desiring to hold a public meeting of any kind whatsoever in any property administered by the Committee shall first obtain a permit from the Committee or its authorized agent. The permit must be applied for not less than 48 hours prior to the scheduled event.
- (2) Permits will be granted for the purpose of holding any lawful public assembly in accordance with published regulations governing the reasonable use of parks, waysides and special recreation areas.

14.0 PEDDLING AND SOLICITING

No person shall peddle or solicit business of any nature, distribute handbills or other advertising matter or post signs, posters or decorations on any lands or structures under the jurisdiction of the Committee for any purposes whatsoever, unless first authorized by the Committee or its authorized agent.

15.0 SIGNS

No person shall place unauthorized signs on any property administered by the Committee.

16.0 PERSONAL CONDUCT

Any person who engages in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance on any property administered by the Committee shall be issued a citation subject to the penalties stated in this Chapter, but that the Committee is not limited by the issuance of a citation and may seek other penalties depending on the conduct in which the individual engaged.

17.0 PROPERTY OF OTHERS

No person shall disturb, destroy, vandalize, damage or remove the property or personal effects of others on any property administered by the Committee.

18.0 ABANDONED VEHICLES

As used in this section, vehicle means any motor vehicle, trailer, semi-trailer or mobile home. No person shall leave any vehicle unattended on any property administered by the Committee without prior Committee authorization for more than 48 hours under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. An abandoned vehicle shall constitute a public nuisance.

19.0 UNNECESSARY NOISES

No person shall operate sound trucks, loudspeakers, motors, motorboats, motor vehicle or any other mechanical devices or engage in any activities, which produce sound levels which are objectionable due to volume intermittence, duration, beat frequency, impulse character or shrillness on any property administered by the Committee.

20.0 DESTRUCTION AND ENTRY

(1) Destruction, Defacement, or Removal

With respect to property administered by the Committee, no person shall disturb, vandalize, damage, deface, remove or destroy any trees, shrubs, plants, other natural growth or sand and gravel; carve on any rocks, archeological or geological features, signs, walls, or structures, including buildings, signs, fences, tables, or other County property, except with the approval of the Committee. This prohibition shall not include the picking of edible fruits, nuts and fungi.

(2) Trespass and Tampering

With respect to property administered by the Committee, no person shall enter any building, installation or area which may be under construction, locked or closed to public use tamper with, use or damage any water control structure, dam or culvert; or enter or be upon any building, installation or area after the posted closing time or before the posted opening time or contrary to other posted notices.

(3) Damage by Vehicles

No person shall operate a vehicle for recreational use or other purpose in or on any property administered by the Committee in such a manner as to cause soil erosion, excessive road damage, pollution or other damage.

(4) No person shall interfere, delay, or otherwise prevent a renter from exercising his or her rental agreement under these ordinances.

21.0 FOREST PRODUCTS HARVEST AND THEFT

(1) Timber Cutting

Commercial cutting, salvage cutting and cultural cutting on property administered by the Committee shall be by written permit or contract approved by the Committee.

(2) Firewood and Special Products

Commercial harvest of firewood and specialty products on land administered by the Committee shall be by contract or written permit by the Committee.

(3) Product Theft

No person shall remove any plant, tree, parts of a tree or other forest product from any property administered by the Committee, or its agents without a written permit or contract. Picking fruit, berries, nuts, moss, and mushroom is permitted.

(4) Treaty Rights participants- (This is from our County Forest ten year plan approved by the DNR and was part of the trial that we went through in the early 1990's. It was approved by Judge Crabe).

(a) Any treaty rights participant interested in gathering firewood, tree bark, maple sap, lodge poles, boughs, marsh hay or other miscellaneous forest products (except fruit, seeds or berries not enumerated in County ordinances), from County owned land, shall obtain a County gathering permit from the County Forestry Office prior to the exercise of such gathering rights.

(b) Application and Processing

The Forest Administrator shall prepare an appropriate application requesting pertinent information from all treaty rights participants who seek to gather miscellaneous forest products on County forestlands. Such application shall be available upon request. Those treaty rights participants who seek to gather miscellaneous forest products shall provide proper identification and present a valid tribal membership card upon submitting an application with the County. Upon receipt of an application, the County shall either grant or deny the permit request no later than 14 days after receipt. Should the request be denied, the reasons for denial shall be set forth in the response, including the basis for denial with specific reference to the limitation in par. (d). Any application, which is incompletely or incorrectly prepared shall be returned within 14 days to the days to the applicant with specific directions as to which portion or portions are defective.

(c) Conditions in Permit

The gathering permit shall indicate the location of the material to be gathered, volume of material to be gathered, and any additional conditions on the gathering necessary for conservation of timber or miscellaneous forest products on County land or for public health and safety. Treaty rights participants gathering miscellaneous forest products on County land may not be assisted in the gathering by any person other than another treaty rights participant. Treaty rights participants may not permit any person other than another treaty rights participant to tend or operate equipment involved in gathering.

(d) Denial of Gathering Permit

The County may not deny a request to gather miscellaneous forest products on County property under terms of this sub section unless:

- (1) The gathering is inconsistent with the forest management plan for such property.
- (2) The gathering will conflict with pre-existing rights of a permittee or other person possessing an approval to conduct an activity on the property, including a contractor of the County.
- (3) Is otherwise inconsistent with conservation or public health or safety.

(e) Penalty

Any person gathering miscellaneous forest products without first obtaining a permit shall be subject to all existing penalties in this

Code, including trespass and timber theft charges. Any person who possesses a permit and gathers beyond the authority granted in the permit or who causes damage to timber or miscellaneous forest products on County land, shall be subject to a forfeiture as provided in 39.0 of this Code or Ordinances.

22.0 EXPLORING OR PROSPECTING

No person or company shall explore or prospect for minerals, oil, gas, sand or gravel on property administered by the Committee without written permission from the Committee or its agent.

23.0 CLEANING AND REFUSE

- (1) The washing of cars, pets, cooking utensils or clothing, is prohibited in all of the lakes and streams; any picnic grounds, playgrounds, recreation areas, boat landing, parking lots or roadways; and within 50' of any pump, fountain or drinking water outlet on any property administered by the Committee.
- (2) Refuse
 - (a) No person shall dispose of any trash, garbage, debris or other waste material in or on any property administered by the Committee not directly generated within such property or dispose of the same.
 - (b) Charcoal residue shall not be discarded onto any grounds or into containers other than those designated for such purposes.

24.0 LITTERING

Dumping of rubbish, debris, sewage, stumps, branches, leaves, dirt, stones or any other material shall be prohibited on all property administered by the Committee.

Visitors, including berry pickers, hunters, fisherman, tourists and all others who visit property administered by the Committee shall not leave litter anywhere on such property or in adjoining lakes or streams.

25.0 VEHICULAR TRAFFIC ON COUNTY OWNED LAND

- (1) All roads are open for all licensed or registered vehicle travel unless gated, bermed, or posted.
- (2) No person shall operate any vehicle on any property administered by the Committee in a manner contrary to the provisions of 346.62, Wis. Stats, except on approved snowmobile and All Terrain Vehicles.

- (3) No person shall operate or park any vehicle on other than established roads and parking areas on any property administered by the Committee including, but not limited to, ski trails, hiking trails, snowmobile trails, behind any gate or berm, beach areas, playgrounds and picnic areas.
- (4) The operation of motorized vehicles on roads closed by sign, gate, or berm is prohibited. The operation of motorized vehicles is prohibited from traveling off the established roads on the County Forest.
- (5) No person shall operate any All terrain vehicle, snowmobile or other vehicle in any area or upon any property administered by the Committee, except in areas or upon trails which have been specifically posted by the Department for utilization of All terrain vehicles, snowmobile, or other vehicles.
- (6) No person shall operate any unlicensed motor bicycle or motor vehicle, as defined in 340.01, Wis Stats., in any park, wayside or special recreation area.
- (7) No person shall operate a motor vehicle on state approved groomed snow trails from December 1 through March 31, without permission from the County Forest Administrator or designee unless the trail is designated and marked with signs as allowing such as.
- (8) No person shall operate an unregistered or unlicensed All terrain vehicle, snowmobile, Outdoor Recreation vehicle or two wheeled motorized off-road vehicle.
- (9) No person shall operate a motor vehicle other than an All terrain vehicle or Snowmobile on State approved groomed Snowmobile and All terrain vehicle trails from December 1 through March 31 without permission from County Forest Administrator or designee.
- (10) No person shall operate an All terrain vehicle or other motorized off-road vehicle;
 - (a) On Florence county Forest Lands and state approved All terrain vehicle trails from April 1 until May 1st.
 - (b) On state approved snowmobile trails when trails have snow and are groomed and temperature is 28 degrees F or warmer.
 - (c) Away from designed snowmobile trails, fire lanes, and logging roads. Logging roads must meet the minimum width of eight feet.
 - (d) Without being equipped with a U.S. Forest Service tested, rated, and approved spark arrestor. This arrestor shall be properly maintained and in effective working order.

- (e) In a reckless manner, without regard to other persons or their property, and such that injury and property damage is likely to occur or to pursue any wild animal with the intent of harassing such animal.
- (f) In wetlands or within fifty feet of the ordinary high water mark of any surface water, unless on a designated trail.

26.0 PARKING VEHICLES AND WATERCRAFT

No person shall park, stop or leave standing, (whether attended or unattended), any vehicle, obstruction, or watercraft, in or on any property administered by the Committee in any manner, which is:

- (1) Blocking, obstructing or limiting the use of any road, trail, parking lot, boat landing, waterway, or winter sport facility.
- (2) Contrary to posted notice.
- (3) In any park area between 10 P.M. and the following 6 A.M. except that vehicles or watercraft owned by registered campers residing on adjacent campgrounds and vehicles at designated boat landing used to transport watercraft are permitted at any time.
- (4) it is prohibited under this ordinance for a person or persons on lands owned or managed by the Florence County Forestry and Parks committee to Power Load and boat or other watercraft. The fine for this violation is \$250.00

27.0 FIREARMS – GUNS

No person shall have a firearm in his possession or under his control in any park or other recreational facility, except the Florence County Forest Rifle Range as defined in 939.22 (2), Wis Stats., or any Bow, Crossbow, or Air Gun, unless it is unstrung and enclosed in a carrying case.

28.0 PETS

No person shall allow pet animals to enter public buildings, bathing beach area within any park or allow them to run at large at any time in parks or otherwise contrary to posting.

29.0 HUNTING STANDS

No person shall construct, occupy or use any elevated platform or other elevated device, except that portable tree stands may be used, provided they are completely removed each day at the close of hunting hours and provided such devices do no damage to the trees in which they are placed. Tree stands found in violation of this section may be removed or destroyed by an authorized person.

30.0 GATED ROADS AND TRAILS

No person shall operate any unauthorized motor vehicle, off road vehicle or All terrain vehicle on roads or trails which are gated, bermed, ditched, embanked, boulder barriers or post to prohibit travel.

31.0 DAMAGE

It shall be unlawful to put nails, spikes, screw, bolts, staples, or other similar items on or into trees or any natural growth on any County property, except as authorized by the Committee or its agents by written permit, contract or policy. No living trees or saplings may be cut to make shooting lands or paths.

32.0 BOUNDARY BUOYS

No person shall swim beyond, disturb, vandalize, molest or damage a bathing beach boundary buoy or other markers or buoys in any swimming area or in any other such marked area in any park or wayside.

33.0 SWIMMING

Designated sites shall be maintained at the parks at Lake Emily, Keyes Lake, West Bass lake, Fisher Lake, and Twin Falls Flowage for public swimming. No person shall:

- (1) Swim, wade, or bathe in the water fronting upon any designated swimming site during electrical storms or in any life threatening weather.
- (2) Use or possess any glass containers on designated beach sites.

34.0 BATHING ATTIRE

- (1) No swimmer or bather shall enter the water or any bathing beach, unless clothed in suitable bathing attire.
- (2) No person shall change clothes, except in beach houses or other enclosed places.

35.0 CAMPGROUND REGULATIONS

- (1) Permitted Camping

Camping in or on property administered by the Committee shall be allowed only at designated campsites in the campgrounds at Lake Emily and West Bass Lake unless special permission is granted by the Committee or its authorized agent. No overnight camping is permitted at any other property administered by the Committee, except that overnight camping is allowed in the County Forest without charge for a period of not more than 14 days, unless posted closed.

(2) Camping Limit

No person shall camp and no camping unit shall remain in a campground on any property administered by the Committee for a period in excess of 14 nights in succession. Thereafter, the camping unit must be removed from the property for at least one night before the camping party is eligible to return. If the campground is not full, the Park Manager may extend the camping period of the camping unit on a daily basis.

(3) Campsite Occupancy

No more than one camping party (total of six people) shall occupy a single campsite, except for organizational groups camping in an authorized group campsite area. Not more than one recreational trailer, motor home or pickup camper may occupy a campsite. A campsite is considered occupied when the required fees have been paid and a camping unit is physically on the site.

(4) All camping parties shall obtain a camping permit from the Committee or its agent and pay the established fee, by obtaining a camp fee envelope and placing the fee in the vault, before setting up the camping unit. Camping parties must, immediately after placing the envelope with the proper fee in the vault, set up their camping unit and display their camping envelope stub on the campsite post.

(5) Camping Permit Expiration

All camping permits expire at 1 P.M. on the last day of the permit period.

(6) Campsite Use

Campsite use shall be on a first come, first served basis.

(7) Campsite Violations

The violation of any law of the State of Wisconsin, or law of the United States Government, or any County Ordinance by any member of a camping party shall at a minimum constitute cause for revocation of a camping permit in addition to any other penalties that the Committee or other governing entity may seek to impose.

36.0 SURVEY REGULATIONS

(1) Survey Monuments

No person shall remove, cover, bury, destroy or deface any survey monument, corner post, monument accessory, witness tree, bearing tree or survey accessory on any lands within the County, except in compliance with 59.635, Wis Stats.

(2) Filing of Surveys

A correct and true copy of all surveys for individuals or corporations performed by any land surveyor of land in the County must be filed in the office of the (Register of Deeds) after completion of the survey.

37.0 LEGAL ACTION

(1) Civil Action

Whenever an arrest shall have been made or any violation shall occur, the District Attorney or Corporation Counsel shall prosecute or proceed as provided by law.

(2) Arrest Powers

Any law enforcement officer of the County may, without a warrant, arrest any offender whom he/she may detect in the violation of any of the provisions of this chapter and take the person arrested before a judge having competent jurisdiction, and he/she shall have at all times the right to enter the premises of any County building, structure or enclosure in any park, wayside or special recreation area, including such grounds, building structures, campsites or enclosure which may be leased or set aside for private or exclusive use of any individual or group of individuals for the purpose of determining that there is compliance with this chapter and the rules and regulations made by the Committee and may use all necessary means to attain that end.

(3) Authority

Any sworn officer of the Florence County Sheriff's office is allowed to issue citations under this Ordinance.

(4) Seizure

Whenever forest products are found know to have been unlawfully severed from County lands, the Sheriff shall, on satisfactory evidence, seize such material pursuant to 26.06, Wis. Stats, for use by the County or may sell as the Committee may determine.

(5) Damages

- (a) In addition to the penalties specified in Section 16.50, any person violating any of the provisions of the Chapter shall be liable for any damages including but not limited to the cost of the damages to the real and personal property owned by the Committee, together with other penalties that the Committee may seek to impose for causing the damages specified.

- (b) Whenever evidence of unlawful cutting on County lands shall be ledged with the District Attorney, he shall, on recommendations of the Committee, bring suit that shall be brought against parties responsible for forest fire damage under 26.21, Wis. Stats. Similarly, civil suit shall be brought against parties responsible for forest fire damage under 26.21, Wis. Stats.

38.0 SPECIAL EXCEPTION AND REPEALS

- (1) Special Exceptions

Special exceptions may be granted by prior approval of the Forestry and Parks Committee and Forest Administrator.

- (2) Repeals

All Ordinances and parts of ordinances in conflict herewith are hereby repealed.

39.0 PENALTY

Except as otherwise provided herein, any person found in violation of any provision of this chapter or any rule, order, or regulation made pursuant to the authority of the Florence County Board of Supervisors through its Forestry Committee and the Forestry and Parks Administrator shall be subject to a penalty of not less than \$25.00 per occurrence, nor more than \$300.00 per occurrence plus the court costs and assessments that may be ordered by the Circuit Court of Florence County. In addition to these penalties, the Court shall be empowered to order restitution or restoration of any environmental damage or other damage which the violator has been found to be responsible for. In addition, the Court may also have the authority as does the Florence County Forestry and Parks Administrator to revoke any and all permits should the violations of this chapter or any of the rules pertaining to the usage of Florence County Parks, Recreation, and Forestry Sites.

That the remainder of Chapter 19 as stated remains in full force and effect unless amended herein.

Dated this _____ day of _____, 2006.

Florence County

Florence County Board Chairman

Florence County Clerk

Date Adopted: _____
Date Published: _____
Date Effective: _____