

## Chapter 109

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### PARKS AND RECREATIONAL FACILITIES

[HISTORY: Adopted by the Town Board of the Town of Troy as indicated in article histories. Amendments noted where applicable.] [Adopted 6-8-1992 by Ord. No. 92-2, as amended through 5-8-2000] [HISTORY: Adopted by the Town Board of the Town of Troy 11-12-1979 as Ord. No. 79.1; amended in its entirety 7-13-1998, 5/12/2005, and 9/9/2010. Subsequent amendments noted where applicable.]

#### GENERAL REFERENCES

Park Board — See Ch. 21, Art. II.  
Outdoor burning — See Ch. 32.  
Littering — See Ch. 85.

#### ARTICLE I

##### § 109-1. Purpose, authority, and applicability.

This chapter, enacted to protect the health, safety and welfare of the residents of the Town of Troy, and others; and pursuant to §§ 346.55, 346.56, and 349.13, Wis. Stats., shall govern use, parking, conduct, and activities in the park and recreational facilities located in the Town of Troy. The provisions of this chapter are also intended to protect the parks and recreational facilities within the Town of Troy from improper use, injury, damage or desecration.

#### ARTICLE II Glover Park

##### § 109-2. Purpose, use and definition.

Glover Park is the Town facility located at 428 North Glover Road, referred to herein as the Park.

##### § 109-3. Specific regulations.

- A. Park hours. Glover Park shall be open from 8:00 a.m. to 1/2 hour after sunset daily. Gates will be locked from 1/2 hour after sunset to 8:00 a.m. Entrance to the Park is restricted by a gate which shall be opened and closed exclusively by an

agent or employee of the Town of Troy. No other person(s) shall open or close the gate. No person shall enter or remain in the Park at any time other than as herein provided, unless authorization is obtained in advance from the Park Board or its designee. The Park Board may determine to open and close the Park and/or the facilities within the Park as it deems necessary.

- B. Alcoholic Beverages and Illegal Drugs. In the Park no person shall consume, or possess any open containers of, intoxicating liquors or fermented malt beverages. No person shall use, consume, or possess any illegal drugs or other illegal substances.
- C. Refuse, Littering, Use of Glass. No person in the Park shall discard or leave any refuse, sewage or waste on the grounds of the Park. Only designated receptacles shall be used to hold and store waste or litter. No glass containers of any sort are allowed.
- D. Noise Restrictions. No person shall operate any sound device, loudspeaker, remote control airplane or other equipment, "race" engine motors or generate noise by any other means in a manner that tends to create a breach of peace or to disturb others.
- E. Pets. Pets are permitted in the Park, but shall be leashed at all times. Owners shall promptly clean up after pets.
- F. Bill posting. No person shall post, paste, fasten, paint or attach any placard, bill, notice, sign or advertising matter upon any structure, tree or other natural object in the Park, except park regulations and other signs authorized by the Park Board or its designee.
- G. Firearms, fireworks, bows and arrows. No person shall carry, shoot, fire or discharge any gun, pistol, rocket, bow and arrow, fireworks or paint ball guns in the Park.
- H. Golf. No person shall strike a golf ball in the Park.
- I. Moving of park equipment. No person shall remove benches, bleachers, seats, tables, trash containers or other park equipment from the Park..
- J. Camping. No camping shall be permitted in the Park, except where written prior approval of the Park Board or its designee is first obtained.
- K. Making of fires. No person shall start, tend or maintain a fire in the Park except in the grills provided at the Park or personal grills. The use of personal grills is permitted, provided that lawns and vegetation are not endangered, and personal grills shall be used only in open areas near the pavilion. Unburned fuel and ashes shall be disposed of in receptacles provided, so as to prevent fire or damage to any Park property.
- L. Interference with permittee. No person shall in any manner harass, disturb or interfere with persons holding written permits granted by the Town of Troy for the use of the Park, the pavilion or the other Park facilities.

- M. Motor vehicles
- (1) The term "motor vehicle" shall include any power-driven vehicle, such as motorcycles, mini-bikes, all-terrain vehicles (ATV's), snowmobiles, automobiles, trucks, etcetera.
  - (2) Motor vehicles, other than authorized maintenance vehicles, are not allowed on park grounds except on roadways and in parking areas as specified below.
  - (3) Parking for motor vehicles is allowed in designated paved areas. Subject to posted restrictions, additional parking when needed is allowed alongside and immediately adjacent to paved areas and roadways in the Park, and on other open areas designated for supplemental parking, provided that such parking does not block the movement of other vehicles or interfere with the usage of park facilities.
  - (4) Motor vehicles are not allowed on the trail system of the Park.
  - (5) ATVs and snowmobiles are not allowed in the Park.
- N. Traffic rules. No vehicle shall be driven at a speed of greater than 15 miles per hour on any park road.
- O. Natural Features and Wildlife. No person shall damage, destroy, or deface any natural growth, or archaeological feature, or harass wildlife in any manner in the Park.
- P. Defacing park property. No person shall intentionally cut, break any kind of glass, break, or in any way injure or deface any building, fence, lamp, equipment or facility or any feature of property, including natural objects, upon or within the Park.
- Q. Horses, llamas or other domesticated animals. Horses, llamas or other domesticated animals used for riding or pulling will not be allowed in the Park.
- R. Personal Conduct. In the Park no person shall be intoxicated or engage in violent, abusive, loud, boisterous, lewd, indecent, wanton, obscene or otherwise disorderly conduct tending to create a breach of the peace or to disturb others. No nudity is allowed.

**§ 109-4. Posted regulations.**

In addition to the regulations herein contained and provided, the Park Board may post from time to time, with Town Board approval, specific rules and regulations, or other informational signage and such specific rules and regulations when posted by the authority of the Park Board shall be incorporated by reference into this article as fully as if set forth herein.

**§ 109-5. Violations and penalties.**

In addition to any other applicable penalty provided by law, any person who shall violate any provision of this article shall, upon conviction of such violation, be subject to a forfeiture as provided in Chapter 39, Citations, of this Code, plus prosecution costs. Upon default, a party can be imprisoned in the county jail for not more than 30 days or until forfeitures are paid.

- A. In addition to any other penalty imposed for violation of this Article, any person causing physical damage to, removing, tampering with, defacing or destroying any public property shall pay for the cost of replacing or repairing such property, including labor. The parent or parents of unemancipated minor children also have responsibility under Wis. Stats. § 895.035 for any acts of such children that violate this ordinance.
- B. Parking violations will be assessed penalties as follows:
  - (1) For any vehicle parked in an area designated “no parking” on Park property, for a first offense within a twelve (12) month period, as provided in Chapter 39, Citations, of this Code.
  - (2) For subsequent parking violations within a twelve (12) month period; for parking in areas marked “Towing Zone;” or for parking which obstructs the passage of emergency vehicles or egress of previously parked vehicles or which otherwise is a threat to public safety, vehicles shall be towed at the owner's expense, including storage fees, in addition to the fine and costs.
  - (3) Town Constables shall not function under this ordinance as “traffic officers” as defined in Wis. Stats. § 340.01, and have no authority to have vehicle or trailer believed by them to be in violation of this ordinance towed or moved from any location. Towing of vehicles for violations of this ordinance shall be undertaken only when authorized by a law enforcement officer from the St. Croix County Sheriff’s Department.

**ARTICLE III  
Pembles Access**

**§ 109-6. Purpose, use and definition.**

Pemble’s Access is the Town facility located at 193 Glenmont Road, referred to herein as Pemble's Access (formerly known as Pemble's Beach).

Pemble’s Access is a Town of Troy seasonal recreational facility providing limited, “carry in access” for non-motorized watercraft to the St. Croix River, with activities on the site limited to day use for sun bathing, swimming, picnics and the launching of such non-motorized watercraft as can be carried over the beach to the water (canoes, kayaks, etc.).

**§ 109-7. Specific Regulations.**

- A. Season and Hours of Use. Pemble's Access shall be open to the public daily from Memorial Day through Labor Day, and on Saturdays and Sundays during May and September. Hours are from 10:00 am to one-half hour after sunset. Pemble's Access shall be closed from October 1st through April 30th.
- B. Persons swimming in the river off the Pemble's Access area do so at their own risk. There is no lifeguard on duty.
- C. Motorized watercraft of any type including personal watercraft (jet skis), shall not be beached on the Pemble's Access property. Launching boats from trailers is prohibited. Boat trailers are not allowed in the Pemble's Access area.
- D. Entrance to the Pemble's Access area is restricted by a gate which shall be opened and closed exclusively by an agent or employee of the Town of Troy.
- E. Parking.
  - (1) Parking in the immediate Pemble's Access area and on Town roads within one mile of Pemble's Access shall be subject to the regulations imposed by this ordinance.
  - (2) The 16 marked public parking spaces at Pemble's Access shall be available on a first come, first served basis. No public parking shall be allowed anywhere else on the Pemble's Access property.
  - (3) All vehicles shall be parked in such a manner that they do not obstruct access to the river by emergency vehicles.
  - (4) Two parking spaces in the Access area are reserved and shall be clearly identified as being for the exclusive use of the contiguous landowners. Such spaces are located near the gates that provide access to the respective adjacent properties and shall be posted as not being available for use by the general public.
  - (5) Campers, buses, and vehicles with trailers shall neither enter the Pemble's Access area nor park therein.
  - (6) No parking is allowed, and vehicles shall be subject to citation and towing in areas designated as follows:
    - a. The dead-end road to Pemble's Access, from the gated entrance at Glenmont Road down to the beach area, including all adjacent shoulder and ditch areas.

- b. The space directly in front of the access gates to the two adjacent landowners' property in the beach area of the Access.
  - c. Both sides of Glenmont Road, extending one mile in either direction from the location of the gate to the Pemble's Access area.
- F. Use Fees. Fees, if any, for use of Pemble's Access may be set by separate action of the Town Board. The fee amounts, if any, shall be posted on signs at the Access. Fees may be periodically adjusted by the Town Board.
  - G. Alcoholic Beverages and Illegal Drugs. In Pemble's Access no person shall consume, or possess any open containers of, intoxicating liquors or fermented malt beverages. No person shall use, consume, or possess any illegal drugs or other illegal substances.
  - H. Weapons/Firearms. In Pemble's Access no person shall have in his/her possession or control any dangerous weapons as defined in Wis. Stats. § 939.22.
  - I. Natural Features and Wildlife. In Pemble's Access no person shall damage, destroy, or deface any natural growth, or archaeological feature, or harass wildlife in any manner.
  - J. Personal Conduct. In Pemble's Access no person shall be intoxicated or engage in violent, abusive, loud, boisterous, lewd, indecent, wanton, obscene or otherwise disorderly conduct tending to create a breach of the peace or to disturb others. No nudity is allowed.
  - K. Noise Restrictions. In Pemble's Access no person shall operate any sound device, loudspeaker, remote control airplane or other equipment, "race" engine motors or generate noise by any other means in a manner that tends to create a breach of peace or to disturb others.
  - L. Use of Beach Area. In Pemble's Access no person shall possess or consume any food or beverage, or use any soap, detergent, or shampoo in the waters of the beach area.
  - M. Property of Others. In Pemble's Access no person shall damage, destroy, or steal the property of others.
  - N. Refuse, Littering, Use of Glass. No person shall discard or leave any refuse, sewage or waste on the grounds of the Pemble's Access area, including in the waters of the beach area. Only designated receptacles shall be used to hold and store waste or litter. No glass containers of any sort are allowed.
  - O. Pets. No person shall enter Pemble's Access with a pet of any kind. This includes but is not limited to dogs, cats or horses other than assistance service dogs.

- P. Vehicles. In Pemble's Access no person shall operate dirt bikes, ATVs, snowmobiles, or similar vehicles.
- Q. No Fires. In Pemble's Access no person shall start or maintain a fire or burn anything.
- R. No Overnight Camping. No person shall be allowed on the Pemples Access property for any reason except during the hours specified in this ordinance.
- S. Trespassing. No person shall go beyond the boundaries of the Pemble's Access area as marked by fences, "No Trespassing" signs, or other property markers without permission of the affected landowner(s).
- T. Fireworks. No person shall possess or use fireworks at Pemble's Access.

**§ 109-8. Posted regulations.**

In addition to the regulations herein contained and provided, the Park Board may post from time to time, with Town Board approval, specific rules and regulations, or other informational signage and such specific rules and regulations when posted by the authority of the Park Board shall be incorporated by reference into this article as fully as if set forth herein.

**§ 109-9. Violations and penalties.**

In addition to any other applicable penalty provided by law, any person who shall violate any provision of this article shall, upon conviction of such violation, be subject to a forfeiture as provided in Chapter 39, Citations, of this Code, plus prosecution costs. Upon default, a party can be imprisoned in the county jail for not more than 30 days or until forfeitures are paid.

- A. In addition to any other penalty imposed for violation of this Article, any person causing physical damage to, removing, tampering with, defacing or destroying any public property shall pay for the cost of replacing or repairing such property, including labor. The parent or parents of unemancipated minor children also have responsibility under Wis. Stats. § 895.035 for any acts of such children that violate this ordinance.
- B. Parking violations will be assessed penalties as follows:
  - (1) Vehicle owners will be assessed the penalty specified in the Town's Citation Ordinance for a parking violation that is the first offense in the preceding twelve months when their vehicle is parked in an area or manner that violates this ordinance.
  - (2) Vehicle owners shall be assessed the penalty specified in the Town's Citation Ordinance, and their vehicle may be towed at the owner's expense, including

storage fees, for the following parking violations on the Pemble's Access river access property or on Glenmont Road within one mile of Pemble's Access:

- a. For parking in an area or manner that violates this ordinance for a second or subsequent offense during the same twelve months;
- b. For parking in any area posted as a "towing zone";
- c. For parking that clearly blocks the passage of emergency vehicles, egress of previously parked vehicles or access of adjacent landowners to their property;
- d. For unauthorized parking in any parking space reserved for adjacent landowners pursuant to §109 B (2) c; and
- e. For parking which creates an otherwise reasonable and articulable threat to public safety.

(3) Town Constables shall not function under this ordinance as “traffic officers” as defined in Wis. Stats. § 340.01, and have no authority to have vehicle or trailer believed by them to be in violation of this ordinance towed or moved from any location. Towing of vehicles for violations of this ordinance shall be undertaken only when authorized by a law enforcement officer from the St. Croix County Sheriff’s Department.

#### **ARTICLE IV Cove Boat Ramp**

##### **§ 109-10. Purpose, use and definition.**

The Cove Boat Ramp is a Town of Troy recreational facility located at 306A Cove Road, referred to herein as Cove Boat Ramp. The Cove Boat Ramp provides St. Croix River access primarily for the launching and retrieving of trailered and untrailered watercraft to those who pay the required fee. It is also available to those wishing to gain access to the St. Croix River during winter months for ice fishing and who pay the required fee.

##### **§ 109-11. Specific regulations.**

###### **A. Hours of Use**

Cove Boat Ramp shall be open to the public daily from 6:00 am to 9:30 pm, year-round. Use of the Cove Boat Ramp from 9:30 pm to 6:00 am is prohibited.

B. Parking

(1) Parking in the immediate Cove Boat Ramp area and on Town roads within one mile of the Cove Boat Ramp shall be subject to the regulations imposed by this ordinance.

(2) There are 12 marked public parking spaces (referred to herein as "Designated Parking Spaces") exclusively for boat ramp users that are located along the access road to the Cove Boat Ramp and along South Cove Road adjacent to the Boat Ramp access road.

a. One of the twelve Designated Parking Spaces shall be restricted for use by handicapped persons and marked accordingly.

b. All Designated Parking Spaces shall be available on a first come, first served basis.

c. All vehicles, with or without trailers, that park in any of the Designated Parking Spaces shall display proper proof as defined herein of having paid the appropriate daily or annual fee for use of the Cove Boat Ramp.

(3) There shall be no parking of vehicles, with or without boat trailers, on any Town road within one mile of the Cove Boat Ramp except in the Designated Parking Spaces or unless otherwise indicated as being permitted by posted signs to that effect.

(4) There shall be no overnight parking of vehicles in any Designated Parking Space, with or without trailers.

(5) The Town of Troy may post signs regulating parking on Town roads within one mile of the Cove Boat Ramp to notify the public of the applicable parking regulations.

C. Cove Boat Ramp Permit Fees

(1) Persons using the Cove Boat Ramp river access in any manner shall pay a fee on an annual or daily basis, regardless of whether they also use a Designated Parking Space. It is in violation of this ordinance to use the Cove Boat Ramp for any purpose without first having paid the required fee.

(2) Fees for annual and daily use of the Cove Boat Ramp shall be set by the Town Board and approved by the Wisconsin Department of Natural Resources. Current annual and daily fee amounts shall be posted at the Cove Boat Ramp. Fees may be adjusted by the Town Board with the approval of the DNR. Different fees may be charged to Town residents than to non-residents. For this purpose, a Town resident is a person who either has their primary residence in the Town of Troy or who owns real estate property in the Town of Troy.

(3) Annual use permits shall be available for purchase at the Town Hall, the Troy Recycling Center, by mail or at the Cove Boat Ramp. Annual permits shall be issued as stickers that must be displayed in the following manner:

a. If the permit is for a boat trailer, the permit sticker shall be permanently affixed to the left side of the trailer tongue so as to be clearly visible when standing at the left front of the trailer.

b. If the permit is for a vehicle that does not use a boat trailer to launch watercraft into the river, such as by transporting boats with roof top carriers, or by any means other than by trailer, the permit sticker shall be permanently affixed to the left side of the rear bumper of the vehicle so as to be clearly visible when standing at the left rear of the vehicle. The owner of any such vehicle shall obtain a separate permit for any boat trailer the vehicle tows to the Cove Boat Ramp.

c. Annual permits are for a single vehicle and/or trailer. Annual permit stickers shall not be switched from one vehicle to another, from a vehicle to a trailer, or from a trailer to a vehicle.

(4) Daily use permits shall be available for purchase at the Cove Boat Ramp by using a “drop box” and envelopes.

a. Daily permit envelopes function as the permit application and shall be fully completed. Permit purchasers shall provide the date, time, name, address, vehicle license number, and make of vehicle on the permit envelope.

b. After removing the pre-numbered stub, the completed daily permit fee envelope with fee enclosed shall be deposited in the drop box by the permit applicant.

c. The pre-numbered tear off stub from the daily permit envelope shall be displayed inside and on the left side of the vehicle's dashboard in a position clearly visible from outside of the vehicle while it is parked in a Designated Parking Space.

d. Daily use permits are for single vehicle and trailer, or for a single vehicle.

D. Permitted Uses and Activities at the Cove Boat Ramp River Access Area.

The use of the Cove Boat Ramp facility, including the ramp, dock, gangway and surrounding area is limited to those persons possessing a valid permit for the purpose of launching or retrieving watercraft or for equivalent access in winter months for ice fishing.

**§ 109-12. Regulations and Prohibited Activities.**

The following activities and/or behaviors are regulated or prohibited anywhere in the Cove Boat Ramp facility area including the ramp, dock, gangway, surrounding area and access road:

- A. Pets are permitted, but shall be leashed at all times. Owners shall promptly clean up after pets.
- B. There shall be no power launching or retrieving of watercraft. No person shall operate a watercraft engine at speeds in excess of “slow-no wake” while a watercraft is being launched from or retrieved onto a trailer.
- C. The dock and gangway shall be used only for activities directly related to authorized short-term loading and unloading of watercraft. All other activity is prohibited. In particular:
  - 1. Use of the dock and Cove Boat Ramp area from the water by river traffic/watercraft without a Cove Boat Ramp permit is prohibited.
  - 2. Mooring of any watercraft to the dock for more than 30 minutes is prohibited.
  - 3. Use of the dock for sunbathing, loitering, fishing, as a base for water skiing, or any activity not associated with launching or retrieving a boat is prohibited.
- D. Trailers and vehicles shall be kept on the concrete boat ramp at all times while launching or retrieving watercraft.
- E. No person shall drive any vehicles, including ATVs, motorcycles, and dirt bikes, in any area off of the access road or off the concrete boat ramp.
- F. No person shall operate a snowmobile on any part of the Cove Boat Ramp river access property.
- G. No person shall consume, or possess any open containers of, intoxicating liquors or fermented malt beverages. No person shall use, consume, or possess any illegal drugs or other illegal substances.
- H. No fires, camping, or picnics are permitted.
- I. No swimming or sunbathing is allowed.
- J. No fishing is allowed from the dock, gangway or launch areas. River access at the Cove Boat Ramp for ice fishing in the winter is allowed.

- K. Personal Conduct: No person shall be intoxicated or engage in violent, abusive, loud, boisterous, lewd, indecent, wanton, obscene or otherwise disorderly conduct tending to create a breach of the peace or to disturb others. No nudity is allowed.
- L. Noise Restrictions: No person shall operate any sound device, loudspeaker, remote control airplane or other equipment, race engine motors of vehicles or watercraft, or otherwise generate noise by any other means that would tend to create a breach of peace or disturb others.
- M. Refuse, Littering, Use of Glass. No person shall discard any trash, refuse, sewage or waste on the ground or in the water in the Cove Boat Ramp area. No glass containers of any sort are allowed in the Cove Boat Ramp area.
- N. Trespassing: No person or their pet shall go beyond the bounds of the Cove Boat Ramp area as marked by fences and “No Trespassing” signs without the permission of the adjacent landowner.
- O. Weapons or Firearms: No person shall have in his/her possession or control any dangerous weapons as defined in Wis. Stats. § 939.22.
- P. Removal Rip Rap/Property Damage. No person shall remove rip rap, rocks, trees, vegetation, or any other components from the Cove Boat Ramp property and facilities, or otherwise damage or deface any portion of the Cove Boat Ramp property and facilities.
- Q. Persons operating watercraft of any type shall comply with all Wisconsin Boating Regulations in their use of the Cove Boat Ramp and facilities.

**§ 109-13. Posted regulations.**

In addition to the regulations herein contained and provided, the Park Board, with Town Board approval, may post from time to time, specific rules and regulations, or other informational signage and such specific rules and regulations when posted by the authority of the Park Board shall be incorporated by reference into this article as fully as if set forth herein.

**§ 109-14. Violations and penalties.**

In addition to any other applicable penalty provided by law, any person who shall violate any provision of this article shall, upon conviction of such violation, be subject to a forfeiture as provided in Chapter 39, Citations, of this Code, plus prosecution costs. Upon default, a party can be imprisoned in the county jail for not more than 30 days or until forfeitures are paid.

- A. In addition to any other penalty imposed for violation of this Article, any person causing physical damage to, removing, tampering with, defacing or destroying any public property shall pay for the cost of replacing or repairing such property, including labor. The parent or parents of unemancipated minor children also have responsibility under Wis. Stats. § 895.035 for any acts of such children that violate this ordinance.
- B. Parking violations will be assessed penalties as follows:
- (1) Vehicle owners will be assessed the penalty specified in the Town's Citation Ordinance for a parking violation that is the first offense in the preceding twelve months for parking violations that occur on the Cove Boat Ramp river access property, on the dead-end access road or on any Town road within one mile of the Cove Boat Ramp:
- a. For any vehicle or trailer parked in a Designated Parking Space without displaying the required proof of having paid the appropriate annual or daily fee.
  - b. For any vehicle or trailer improperly parked in a Designated Parking Space; and
  - c. For parking in an area designated as "no parking" on the Cove Boat Ramp river access property, the dead-end access road or any Town road within one mile of the Boat Ramp.
- (2) Vehicle owners shall be assessed the penalty specified in the Town's Citation Ordinance, and their vehicles may be towed at the owner's expense, including storage fees, for the following parking violations that occur on the Cove Boat Ramp river access property, on the dead-end access road or on any Town road within one mile of Cove Boat Ramp:
- a. For parking violations in an area or manner that violates this ordinance for a second or subsequent offense during the same twelve months;
  - b. For parking in any area posted as "towing zones";
  - c. For parking in a manner that clearly blocks the passage of emergency vehicles, egress of previously parked vehicles, access of adjacent property owners to their property, access to the dry hydrant at the boat ramp area, or the use of the Cove Boat Ramp facilities; and
  - d. For parking which creates an otherwise reasonable and articulable threat to public safety.

(3) Town Constables shall not function under this ordinance as “traffic officers” as defined in Wis. Stats. § 340.01, and have no authority to have vehicle or trailer believed by them to be in violation of this ordinance towed or moved from any location. Towing of vehicles for violations of this ordinance shall be undertaken only when authorized by a law enforcement officer from the St. Croix County Sheriff’s Department.

**§ 109-15. Severability.**

A judicial determination that any portion of this article is invalid shall not invalidate the entire article but only the portion identified by the court. Any such determination of invalidity shall not operate retroactively.