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ORDINANCE: AMEND WINNEBAGO COUNTY GENERAL CODE SECTIONS 19.01 AND 19.24 A DEFINITION AND POLICY FOR SPECIAL EVENTS WITHIN THE WINNEBAGO COUNTY PARKS SYSTEM.

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Winnebago County Parks and Recreation Committee has reviewed and recommends approval of the following amendments to Section 19.01 and Section 19.24 of the General Code of Winnebago County containing the establishment of a special event policy for the Winnebago County Park System; and

WHEREAS, several large events that presently take place at the Community Park require a significant amount staff time, materials, and equipment in order to set-up and execute the event; and

WHEREAS, the Parks Department recommends charging event organizers for the additional staff time, materials, and equipment in order to properly execute the events; and

WHEREAS, Parks Department staff will be working with each event organizer to minimize the fee that will be charged for each event by encouraging the use of minimal Winnebago County resources.

NOW, THEREFORE, THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WINNEBAGO DOES ORDAIN AS FOLLOWS:

That Section 19.01 and Section 19.24 of the General Code of Winnebago County be expanded to include the definition for a special event as well as the corresponding policy for special events that occur within the Winnebago County Park System (see attached Exhibit A).

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that said amendment to the General Code of Winnebago County shall become effective on the date following the date of publication.

***Fiscal Note:** Additional revenue will depend on the event that is occurring and how much time, materials, and equipment is required.

Respectfully submitted by:
PARKS AND RECREATION COMMITTEE

Committee Vote: **5-0**

Respectfully submitted by:
PERSONNEL AND FINANCE COMMITTEE

Committee Vote: **3-0**

Vote Required for Passage: **Majority of Those Present**

Approved by the Winnebago County Executive this ____ day of _____, 2022.

Jonathan D. Doemel
Winnebago County Executive

Exhibit A

19.01 **DEFINITIONS:** Unless otherwise stated, the following terms shall have the meaning as defined in this section.

- (1) ARCHEOLOGICAL SITE.** Archeological site means any tract of land owned or acquired by Winnebago County due to the unusual or unique historical or archeological significance that the area possesses.
- (2) CAMPGROUND.** Campground includes those tracts of county park land specifically designed for camping purposes.
- (3) CAMPING UNIT.** Camping unit means any single shelter used for a camp by a camping party, except sleeping bags, hammocks and shelters used exclusively for dining purposes.
- (4) CAMPSITE.** Campsite refers to a section of a campground which is designated for camping use by a camping unit or camping party.
- (5) COMMITTEE.** Committee means the County Parks and Recreation Committee.
- (6) DIRECTOR.** Means the Director of County Parks.
- (7) NATURE AREA.** Nature area shall include all tracts of County Park land specifically set aside for environmental preservation, nature study and for environmental interpretation purposes.
- (8) PARK.** Park shall include the grounds, buildings thereon, waters therein, of the parks, river and lake access sites and other recreational areas which are now or may hereafter be under the control of the County Parks and Recreation Committee.
- (9) PERSON.** Person includes any individual, firm, partnership, corporation or association of persons and the singular number includes the plural.
- (10) PICNIC AREA.** Picnic area means any tract of land developed and maintained for picnicking including adjacent playground and playfield areas containing not less than five picnic tables.
- (11) RECREATION TRAIL.** Recreation trail designates any parcel of land owned or obtained by easement by the County which is used for snowmobiling, hiking or bicycling purposes.
- (12) SERVICE CENTER.** Building located adjacent to the Community Park Swimming Lake facilities providing outreach services that help support Parks Department program functions.

(13) SERVICE CENTER STAFF. Service Center Staff means the assigned individual(s) (or appointed substitute when needed) designated by the Director who facilitate the operation of the Service Center.

(14) SPECIAL EVENT. Special event means any planned occurrence on county owned park land including but not limited to parades, gatherings, festivals, and athletic events which is not within the normal and ordinary use of the public premises or place or which, by nature of the event, may have a greater impact on County services or resources than would have occurred had the event not taken place. Whether the event is considered within the normal, ordinary, or intended use of the park land shall be determined by the County. Special events are typically an event where the event organizers invite the general public to participate in the event whether or not the event charges a fee.

(15) SWIMMING LAKE. Refers to the water and beachfront area of the Community Park contained within a fenced enclosure and designated as a swim and leisure activity area by standard regulatory markers and posted notices.

(16) SUNNYVIEW EXPOSITION CENTER. Specifically means the County- owned land officially designated as the exposition center site and operated as such.

(17) VEHICLE. Vehicle means any device by which a person or property may be transported and which is self-propelled.

19.24 FEES AND CHARGES.

(1) No person shall use any facility, land, or area for which a fee has been established by the Committee without payment of such fee.

(2) The following fees shall apply for the reserved use of picnic shelter buildings at the Community Park:

(a) COMMUNITY PARK SHELTER RENTAL FEE SCHEDULE

Facility	Group Size	Weekday Charge Mon-Thurs	Weekend Charge Fri-Sun
Shelters 1 & 2	Up to 150	\$50.00	\$60.00
	151-300	\$80.00	\$80.00
	301-1000	\$140.00	\$140.00
	Over 1000	Negotiable Minimum \$220.00)	Negotiable (Minimum \$220.00)
Shelters 3 & 4	Up to 50	\$35.00	\$40.00
	51-300	\$80.00	\$80.00
	301-1000	\$140.00	\$140.00
	Over 1000	Negotiable Minimum \$220.00)	Negotiable (Minimum \$220.00)

Pavilion	Up to 150	\$120.00	\$145.00
	151-300	\$180.00	\$180.00
	301-1000	\$220.00	\$220.00
	Over 1000	\$265.00	\$265.00
Soccer Shelter	Up to 150	\$200.00	\$225.00
	151-300	\$300.00	\$325.00
	301-1000	\$400.00	\$425.00
	Over 1000	Negotiable minimum \$500.00	Negotiable minimum \$550.00

(b) A security deposit of not less than \$100.00 may be required at the discretion of the Parks Director.

- (3)** The availability for partial rental of the Community Park Pavilion shall be at the discretion of the Director and shall be a negotiated price with a minimum charge starting at \$30.00 for the initial hour of use.
- (4)** As defined in Sec. 19.10(5)(b), a \$3.00 fee shall be required for Keg Beer Permits.
- (5)** As defined in Sec. 19.10(5)(h), a minimum \$25.00 security deposit may be required with the Keg Beer Permit.
- (6)** As defined in Sec. 19.11(4), a use fee of \$25.00 per day shall be required for baseball diamonds reserved for weekend tournaments, etc.
- (7)** The following fees shall apply for building, equipment, and grounds rental: (All fees are daily fees unless otherwise indicated).

SEE EXHIBIT "A"

- (8)** The Winnebago County Parks Director is hereby authorized to establish procedures for the administration of the marquee message board at the Winnebago County Sunnyview Exposition Center and Fairgrounds. Included within said procedures shall be a fee schedule for the rental of advertisement space upon the marquee message board. Such procedures and fee schedule shall be effective upon approval of the Parks Committee of the Winnebago County Board of Supervisors.

The following fees shall apply for rental of advertising space on the marquee message board at the Winnebago County Sunnyview Exposition Center and Fairgrounds:

 (a) 1st Tier Message. Free advertisement of up to 70-characters for 14-days (advertisements subject to editing or elimination at County's discretion).

 (b) 2nd Tier Message. Base fee of \$25.00 per advertisement of up to 70-

characters for 14-days. In addition, \$1.00 charge per character over first 70-
characters.

(c) 3rd Tier Message. \$1.00 charge per character for a 14-day block in excess of
initial 14-day period.

(d) 4th Tier Message. Per character charge for each 28-day block in excess of
initial 14-day period.

1. \$1.75 per character for a 28-day block
2. \$2.50 per character for a 56-day block
3. \$3.25 per character for a 84-day block
4. \$4.00 per character for a 112-day block
5. \$4.75 per character for a 140-day block
6. \$5.50 per character for a 168-day block

(e) Change Fee - \$25.00

(9) Wisconsin sales tax shall be added to all fees.

(10) A key and access card deposit of not less than \$25.00 per item may be required
at the discretion of the Parks Director.

(11) BOAT LANDING TRAILER PARKING PERMIT FEES.

(a) No person shall park a boat trailer, whether attached or detached to a vehicle,
in any Winnebago County Park or at any Winnebago County boat launch
facility without first paying the applicable daily, annual or multi-year parking
fee. Such fees may be waived upon the written approval of the Winnebago
County Parks Director.

(b) Annual Permits: Annual permits shall be valid from the date of issuance
through December 31 of the same calendar year. Multi-year permits shall be
valid for three (3) years from the date of issuance through December 31 of the
third calendar year after issuance. Annual and multi-year permits shall be sold
through the Parks Department and/or other outlets as are designated by the
Director of Finance for Winnebago County.

(c) Daily Permits. Daily permits may be purchased through the self-registration
facilities available at each boat launch site. Such permits may be reused at any
boat launch site in Winnebago County and shall only be valid during the same
purchase day.

(d) Fees. The annual boat trailer parking permit shall be \$35.00 for residents and
\$45.00 for non-residents. The annual boat trailer permit fee for senior
residents' citizens age 55 years or older shall be \$30.00 for residents. A multi-
year boat trailer parking permit shall be \$75.00 for residents and \$100.00 for

non-residents. The multi- year (3-year) boat trailer parking permit fee for senior citizens age 55 or older shall be \$60.00 for residents. For purposes of this ordinance, "resident" status shall be considered as either one of the following:

1. An individual currently residing in Winnebago County as is indicated by that person's driver's license.
2. An individual currently owning property within Winnebago County as is indicated by a tax receipt for the prior year.

Along with the purchase of an initial boat trailer parking permit, an individual shall have the option of acquiring an additional permit for a second automobile, motor home, or truck registered to the same individual to use to pull a boat trailer. The additional one-year supplemental permit shall cost \$5.00 for residents and \$10.00 for non-residents. An additional multi-year supplemental permit shall cost \$10.00 for residents and \$20.00 for non-residents. At any time following the initial transaction, a supplemental permit or replacement permit may be acquired at the Winnebago County Parks Department or Winnebago County Clerk's Office for the corresponding permit period. Proof of vehicle registration shall be required for such transactions. Annual and multi-year stickers shall be prominently displayed and permanently affixed to the lower corner of the interior of the windshield on the driver's side of the automobile, motor home, or truck utilized to pull the boat trailer. The daily boat trailer parking permit fee shall be \$7.00. The side of the daily envelope stub displaying the vehicle license plate number shall be placed face up on the driver's side dash board such that it can be easily read from outside the vehicle.

(e) Vehicles attached to or pulling boat trailers shall have displayed and/or affixed on them an annual, multi-year or daily boat trailer parking permit receipt and/or sticker when parking in the following areas:

1. Lake Butte Des Morts Boat Launch
 - a. Parking Lot and permissible turf areas
2. Eureka Boat Launch
 - a. Parking lot and permissible turf areas
3. Black Wolf Boat Launch
 - a. Parking lot and permissible turf areas
4. Boom Bay Boat Launch
 - a. Parking lot and permissible turf areas

5. Lake Poygan Boat Launch
 - a. Parking lot and permissible turf areas
 - b. Both sides of County Trunk B from Poygan Shores Lane to Lake Poygan Road
 6. Grundman Park Boat Launch
 - a. Parking lot and permissible turf areas
 7. Asylum Point Park Boat Launch
 - a. Parking lot and permissible turf areas
 - b. Both sides of Sherman Road from Snell Road south until its terminus
- (f) Authorized Traffic Officers. For purposes of enforcing this section of the Winnebago County General Code, employees in the Winnebago County Parks Department are hereby designated as “traffic officers” within the meaning of [§ 340.01\(70\)](#) and [349.13](#), Wis Stats, and are hereby authorized to issue citations for non-moving violations of this section.
- (g) Responsibility of Owner. The owner of a vehicle involved in a violation of this Ordinance shall be liable for the violation. It shall be no defense to a violation of this Ordinance that the owner was not operating the vehicle cited at the time of the violation or that the owner did not personally park the boat trailer in a prohibited area.
- (h) Enforcement of Parking Restrictions. Traffic officers observing violations of parking restrictions specified within this chapter may issue parking tickets that shall be attached to the vehicle parked in violation. Each parking ticket shall specify:
1. The location of the vehicle parked in violation of provisions of this section.
 2. The license number and state of licensing of the vehicle
 3. The time that such vehicle was parked in violation of the provisions of this chapter.
 4. Any other facts or knowledge which is necessary for a thorough understanding of the circumstances attending to the violation
- (i) Basic Penalty for a Violation. Basic penalty for violation of this section shall be Thirty-five Dollars (\$35.00).

- (j) **Payment of Violation: Time Limits; Failure to Pay.** Each owner or operator shall, within 48 hours after 8:00 p.m. of the violation, pay to the County as a penalty for and in full satisfaction of such violation, the basic penalty as stated within this section. Each such owner or operator shall, after said 48-hour period, pay a penalty of Fifty Dollars (\$50.00). If the penalty is not paid within five (5) days after 8:00 p.m. of the day of the violation, each owner or operator shall then pay a penalty of Seventy-five Dollars (\$75.00). The failure of such owner/operator to make such payments shall render such owner/operator subject to the penalties hereinafter provided for each violation of the provisions of this section.
- (k) **Non-Moving Violations Registration Program.** In addition to all other methods of collecting parking fines provided for in this section, the proper County officials are hereby authorized and directed to use the procedures provided for in § [345.28](#), Wis Stats, and to take all actions authorized under said section with regard to suspension of the registration of motor vehicles with unpaid citations.
- (l) **Alternate Procedure.** In lieu of the foregoing provisions, a person that has been issued a parking ticket for violation of this section may request a hearing regarding such violation. This person shall be issued a summons and citation and such proceedings shall thereafter be governed by §§ [345.34](#) through [345.47](#), Wis Stats.
- (m) **Use of Permit Fee Revenue.** The net revenue resulting from the sale and enforcement of trailer boat parking permits after the deduction of the cost of collection, enforcement, administration and operation shall be used to establish, maintain and improve County-owned boat launch facilities.
- (n) **Effective Date.** This ordinance shall be effective as of March 31, 2003.

(12) SPECIAL EVENT FEES

(a) The Winnebago County Parks Department is hereby authorized to charge a special event fee for the additional staff time, equipment, and consumable materials above and beyond the standard maintenance practices of the department for a special event.

(b) Prior to the event, a special event cost estimate will be provided to the event organizers. This cost estimate will be created through a discussion with the event organizers and County staff as well as through analyzing past event costs. This cost estimate will be included in the event contract as an addendum.

(c) Following the event, within 2 weeks of the conclusion of the event, a final invoice will be created and sent to the event organizers. The invoice will be due within 30 days of it being post marked or emailed.

(d) The fee for equipment time will be determined by the most recent State of Wisconsin "Classified Equipment Rates Standard and Special Rated Units." Hours and minutes will be rounded to the nearest quarter hour.

(e) The fee for materials will be any consumable material that is utilized above and beyond standard use. An example of a consumable material would be grass seed for restoring turf due to damage cause by an event.

(f) These event fees would not pertain to events located on the Sunnyview Exposition Center grounds. All Sunnyview Exposition Center fees will follow the fee table in "Exhibit A."

Agenda Item Report



Winnebago County
The Wave of the Future

DATE: JANUARY 18, 2021
TO: COUNTY BOARD
FROM: DIRECTOR OF PARKS AND EXPO CENTER
RE: AMEND CHAPTER 19 - SPECIAL EVENT POLICY

Background:

Throughout the year, the Winnebago County Parks Department works with many event organizers to utilize county park land in order to host large special events. These large events bring in thousands of users from within Winnebago County and beyond. Currently, the Parks Department charges the special event organizer for the use of any shelter within the event area. However, the department does not charge for the time, materials, and equipment to perform additional tasks such as providing additional garbage cans, additional mowings, placement of barricades, etc.

Due to the extra time and materials that these events require, staff recommends allowing flexibility to negotiate the potential charging for these additional costs associated with some events.

On October 4, 2021 park staff emailed the user groups which have traditionally utilized the Community Park on a yearly basis for special events. We informed them of this proposed policy change. We asked for their input and feedback. We received minimal feedback from the organizers.

Policy Discussion:

Fundamental to this policy debate is how many county resources should be utilized for special events which cause greater burden on parks staff. County park resources are allocated for the general use of county park facilities. Larger special events which cause additional staff time and resources detract from projects and necessary items to ensure all park users have a positive park experience.

Currently, the Park Department charges for each event's specific needs at the Sunnyview Expo Center. While this ordinance change would not be identical to Sunnyview's practices, it is substantially similar. This policy will not affect rates and policies associated with the Sunnyview Expo Center itself.

It is common for a city, village, or county to charge for the cost to put on a special event. The Parks Department would like to continue to work with both current and future event organizers to provide quality events to the residents of Winnebago County. The Parks Department will provide a cost estimate for the special event and work with the event organizers to ensure that they are aware of the proposed cost. We will also work to find alternative solutions to the way we set up for events to find cost saving measures that benefit both the County and event organizers.

Requested Action:

Motion to recommend changes to Chapter 19 of the county code to allow for Special Event Fees as presented by staff.

Committee Action:

After discussing the item at multiple committee meetings, the Parks and Recreation Committee recommended the Chapter 19 revisions as listed at their November 23 meeting 5-0.

On December 2, 2021, the Personnel and Finance Committee approved the Chapter 19 revisions as listed 3-0.

Attachments:

- Ordinance
- Exhibit A