

Town of Winchester
Winnebago County, WI
Ordinance 2026-02
Facility Use Rules and Regulations

Section 1. Purpose.

This Ordinance prescribes rules and regulations for the establishment, protection, development, and management of Town of Winchester facilities so as to provide to Town of Winchester residents and visitors recreational benefit while at the same time ensuring the conservation of facilities, wildlife, and natural resources. These rules are necessary to promote and protect the safety of all persons using the facilities, to preserve and maintain the facilities, and to protect the property of the landowners whose property adjoins or is impacted by the facilities. These rules also endeavor to provide that those who use the facilities contribute to the care and upkeep of the facilities. All citations to Wisconsin Statutes in this Ordinance refer to those statutes as amended from time to time.

Section 2. Scope.

Except as provided otherwise in this Ordinance, This Ordinance applies to all lands, structures, and property owned, leased, or administered by the Town of Winchester.

Section 3. Definitions.

For the purposes of this Ordinance:

Alcohol Beverages has the meaning given in Wis. Stat. ch. 125.

Camping means the use of any shelter such as a tent, trailer, motor vehicle, tarpaulin, bedding, sleeping bag, or other material used for bedding purposes for temporary residence or sleeping purposes.

Conservation Areas means any land or park acquired by the Town of Winchester to protect and preserve the natural landscape and environment.

Educational and Historical Sites means an area of any Town of Winchester property where the Town maintains a passive recreation and wildlife area for educational and historical purposes.

Exclusive Event means a gathering that is in most but not in all cases, not open to the general public. These events are typically invitation-only and serve various purposes, such as celebrations, commemorations, corporate functions, and fundraisers.

Facilities means the building(s), shelter(s), park(s), playground(s), recreational trails, conservation areas, and/or educational and historical sites, which are the subject of this Ordinance.

Fee, Transaction Fee means a non-refundable fee for renting any Town facility, park, or shelter.

Motor Vehicle shall include any motorized automobile, truck, RV, all-terrain vehicle, utility-task vehicle, snowmobile, motorcycle, trailer, wagon, moped, E-bike, airplane, golf cart, segway, or any other motorized mode of transportation not listed.

Park includes all lands acquired by the Town and assigned for park or recreational purposes and placed under the jurisdiction of the Town.

Person includes any individual, firm, partnership, corporation, limited liability companies (LLCs), limited liability partnerships (LLPs), or other associations of persons, both singular and plural.

Recreational Trail means any parcel of land owned, maintained, leased, or obtained by easement or license by the Town and administered by the Town in the form of a paved or unpaved thoroughfare or trail across land used for recreational purposes such as bicycling, cross-country skiing, hiking, walking, jogging, or similar fitness activities or for commuting to work, school, or business in a similar manner.

RV means a motor vehicle that classifies as a recreational vehicle (i.e. travel trailer, fifth-wheel, motor home, pop-up camper, pick-up camper, or any wheeled camping unit).

Town means the Town of Winchester, Winnebago County, WI.

Town Board means the duly elected Town of Winchester Board of Supervisors actively serving their term as provided by Wis. Stat. § 60.30.

Winter season means the period from November 1 to April 1 annually.

Section 4. Identification of Facilities subject to this Ordinance.

(a) The facilities subject to this Ordinance are:

- (1) Town Hall;
- (2) Arthur Larsen Pavilion;
- (3) Nelson Park;
- (4) Nelson Park Playground;
- (5) Nelson Park Baseball Diamond;
- (6) Winchester Prairie;
- (7) Winchester Park and Prairie Recreational Trails;
- (8) Friendship Trail;
- (9) Gregor Olson Log Barn;
- (10) Any other property owned and/or administered by the Town intended for public use.

Section 5. Common Use Regulations.

(a) The following regulations apply to all Facilities identified in Section 4 of this Ordinance:

- (1) Town facilities are open to the public beginning at 6:00 a.m. daily and are closed and all activities must cease at 11:00 p.m. daily. No person may enter or remain in any facility at any time other than as provided in this Ordinance, unless the Town first grants written permission, except for law enforcement or emergency responders operating within their official capacity.
- (2) No person shall operate any vehicle, as defined herein and in Wis. Stat. § 340.01(74), except on the road or parking lots located in any facility unless given specific permission by the Town.
- (3) No person shall operate any Motor Vehicle at a speed in excess of 25 miles per hour or contrary to official traffic signs at any facility, except for law enforcement or emergency responders operating within their official capacity.
- (4) No Motor Vehicle shall be left in any facility between 11:00 p.m. and 6:00 a.m. without the specific permission of the Town.

- (5) No person shall loiter or otherwise park or be present upon a facility unless the person is engaged in recreational activities.
- (6) Camping, as defined herein, is prohibited at all Town facilities.
- (7) The facilities shall be maintained by the Town as seasonally appropriate.
- (8) The location of all public and private utilities, structures, lines, and pipes within any facilities are subject to the control of the Town, and their construction, erection, repair, or relocation must not begin until the Town provides written consent. There shall be no private construction unless authorized by the Town.
- (9) It is unlawful for any person to beg, peddle, or solicit business of any nature, to distribute handbills or other advertising matter, or to post signs, posters, or decorations on any facility, or to engage in any commercial, or non-profit, enterprise for any purposes whatsoever unless first authorized by the Town.
 - a. No person shall in any manner display or cause to be displayed any sign, placard, picture or other depiction concerning any political candidate or proposal, any commercial display, any non-profit display, showing or event, or any religious activity at any facility, unless first authorized by the Town.
- (10) Musical bands, disc jockeys (DJs), and/or sound amplifying devices are not permitted at any facility, unless provided specific permission by the Town.
- (11) It is unlawful for any person to disturb, vandalize, damage, deface, remove, or destroy any trees, shrubs, plants, rock, gravel, sand, dirt, or other natural material, to carve, paint, or mark on any rocks, archeological or geological features, signs, walls, or structures, to drive nails into trees, or to move, injure, or deface in any manner to any structure including buildings, signs, fences, tables, or any other facility's property except with the approval of the Town. This prohibition shall include defacing trail markers, signs, or surfaces by spray painting event route markers or other notices. This prohibition shall not include the picking of edible fruits, nuts, and fungi, the consumption of which is at one's own risk.
 - a. Any person damaging Town property at any facility may be ordered to pay all damages, forfeitures, or restitution as allowed to the full extent of the law.
- (12) It is unlawful for any person to enter any buildings, installation, or area which may be under construction, locked, or closed to public use or to enter or be upon any building, installation, or area after the closing time or before the opening time or contrary to other posted notices at any facility.
- (13) The washing of cars, persons, pets, or clothing is prohibited on any picnic grounds, playgrounds, recreation areas, parking lots, or roadways; or within fifty (50) feet of any pump, fountain, or drinking water outlet at any facility, except as may be designed and designated for those purposes.
- (14) It is unlawful for any person to abandon personal property at any Town facility. All abandoned or unclaimed property will be addressed, in a joint effort between the Town and the Winnebago County Sheriff's Department, in accordance with Wis. Stats. § 66.0139.
- (15) It is unlawful for any person to dispose of any personal garbage, sewage, bottles, cans, paper, or other waste material or to dump any refuse at any facility in any

- manner except by placing the same in clearly marked receptacles provided for such purposes. Any such garbage and refuse shall be incidental to use of the facility only.
- (16) Charcoal residue shall not be discarded onto any grounds nor into any containers or receptacles at any facility.
 - (17) It is unlawful to operate or park any vehicle on other than established parking areas, or designated parking areas within any facility.
 - (18) No person other than Town employees shall park in designated employee parking areas as posted.
 - (19) It is unlawful within any facility for any person to start, tend, or maintain any fire or to burn any refuse; and it is also unlawful for any person to discard any matches, cigarettes, cigars, pipe ashes, or embers without first extinguishing them. It is unlawful to have a bonfire or campfire.
 - (20) It is unlawful for any person to possess, fire, discharge, explode, or set off any squib, cracker, or other explosive, projectile, or pyrotechnic device containing powder or other combustible or explosive material on or in any Town facility.
 - (21) It is unlawful to operate any snowmobile or other snow vehicle in any area or upon any trail at any facility except in areas or upon trails which have been specifically designated by the Town as being part of the public snowmobile trail for utilization of snowmobiles or other snow vehicles.
 - (22) It is unlawful for any person to park, stop, or leave standing, whether attended or unattended, any motor vehicle in any manner which is:
 - a. Blocking, obstructing, or limiting the use of any road, trail, parking lot, or facility;
 - b. Outside of any area provided for such purpose;
 - c. Contrary to posted notice; or
 - d. Parked in a designated handicap stall without proper permit.
 - (23) Any person that owns pet animals must abide by the following regulations while using any facility designated in this Ordinance:
 - a. Pets shall at all times be kept on a leash. All pet animals, including but not limited to dogs shall be effectively restrained and under the owner's/handler's control at all times.
 - b. The owner or person in charge of any animal shall not permit solid fecal matter of said animal to be deposited at any facility unless such matter is immediately removed there from by said owner or person in charge of the animal. Fecal matter shall not be disposed in the Town waste receptacles.
 - c. No pet animal shall be tied up to any trees, benches, tables, flagpoles, playground equipment, or other equipment at any facility at any time. For the purposes of this section, "other equipment" will be defined with the following examples: fire hydrant, trash/recycle receptacle, etc.

- d. Service animals, as defined under the Americans with Disabilities Act and Wis. Stat. 106.52, are permitted in all Town facilities at all times necessary to provide access to persons with disabilities.
 - e. Law enforcement K-9 animals are allowed at all facilities and at all times when acting in official Law enforcement activities.
- (24) No person shall ride a horse or drive a horse-driven vehicle in any facility except when the approval from the Town is obtained prior. It is the horse owner's obligation to pick up and properly dispose of all fecal and waste matter created by their animal(s).
 - (25) No person shall shoot or strike a golf ball or throw or bat a hardball in any facility except that hardball may be played in areas designated for this purpose.
 - (26) It is unlawful for any person to take, catch, kill, hunt, trap, pursue, or otherwise capture any wild animals or birds in any facility or to use firearms or archery equipment at any facility. The Town reserves the right to authorize such activity as deemed necessary for nuisance control purposes.
 - (27) Refreshments/Concessions or any other items shall not be sold in any Town facility except in conjunction with an approved exclusive event.
 - (28) It is unlawful for any person to consume alcohol beverages other than fermented malt beverages and wine containing not more than 6 percent alcohol by volume at any facility during the hours of operation for all facilities.
 - a. Sale of alcohol beverages of any type is strictly prohibited at any facility.
 - b. Consumption of alcohol beverages is limited to individuals 21 years of age or older who are in attendance and participating in a Town approved exclusive event.
 - (29) No person shall possess or dispose of any glass containers or bottles at any facility.

Section 6. Weapon regulations.

- (a) Subject to section (a)(1), no person other than a sheriff, police officer, or deputy, shall: fire, discharge or shoot any dangerous weapon or air gun; nor shall any person engage in trapping or hunt with bow and arrow, or crossbow, within any facility. Any individual who is legal to possess a firearm may openly carry a dangerous weapon, or conceal carry a dangerous weapon if issued a concealed carry permit, at any Town facility. It is the responsibility of the individual to understand and comply with all federal, state and local firearms laws and regulations, including laws authorizing or prohibiting concealed carry, before entering a Town facility. The Town reserves the right to authorize such activity as deemed necessary for nuisance control purposes.
 - (1) Subsection (a) does not apply to the discharge of a "dangerous weapon" or "airgun" if the actor's conduct is justified or, had it been subject to a criminal penalty, would have been subject to a defense described in Wis. Stats. § 939.45.
 - (2) For purposes of this section, "dangerous weapon" is defined by Wis. Stats. § 939.22(10).
 - (4) For purposes of this section "air gun" is defined by Wis. Stats. § 939.22(2).

- (5) For purposes of this section, "bow" and "crossbow" are defined by Wis. Stats. § 29.001(17) and (19m).
- (6) For purposes of this section, a person with a concealed to carry license is a "licensee" as defined in Wis. Stat. § 175.60(1)(d). A licensee may carry a concealed weapon at Town facilities as authorized under Wis. Stat. § 175.60(2g)(a), subject to the restrictions in Wis. Stat. § 175.60(16). The Town may prohibit concealed weapons in specific Town-owned buildings by posting conspicuous notice at the building's entrance as provided in Wis. Stat. § 943.13(2)(bm)2.am.

Section 7. Special rules for use of recreation trails.

- (a) To ensure the safety of persons using the recreational trails, the provisions of Wis. Stats. § 340 - 348, will apply to all activity on recreational trails.
- (b) Except as otherwise provided herein, no Motor Vehicles are authorized for operation on the recreational trails except for emergency purposes and except for police, emergency rescue vehicles, authorized maintenance vehicles, and motorized wheelchairs.
- (c) No bicycles including Electronic bicycles (E-bikes) are allowed on recreational trails.
- (d) Personal assistive mobility devices are allowed on all trails while in compliance with the provisions set forth in Wis. Stats. § 346.803. For this section, personal assistive mobility devices will be as defined in Wis. Stats. § 346.02(12).
- (e) In addition to the provisions herein, all persons using the recreational trails must abide by any posted signage on the recreational trails relating to the use of the recreational trails.
- (f) In order to protect the grounds and vegetation surrounding our recreational trails, no person shall leave the marked trails at any facility without the specified permission of the Town.
- (g) No horses or horseback riding is allowed except for on Friendship Trail.
- (h) No unauthorized vehicle or piece of equipment may be parked or be permitted to remain standing on any portion of the recreational trails so as to obstruct or limit passage along the trail or access point.

Section 8. Exclusive Events – Application Procedures and Fees

- (a) The Town Facilities are primarily for the nonexclusive use of residents of the Town and visitors. However, under proper circumstances, exclusive use of the Town Hall and Arthur Larsen Pavilion may be permitted. This section is intended to regulate exclusive use of the Town Facilities where applicable.
 - (1) A person or group, firm, organization, partnership or corporation may request exclusive use of a Town Facility, specifically the Town Hall or Arthur Larsen Pavilion, by written application filed with the Town Clerk.
 - (2) Any Application for exclusive use of a Town Facility must abide by the following:
 - a. Application for use shall be made by a responsible person, 18 years or older.
 - b. The individual signing the Application form shall be responsible for any damage or improper conduct in connection with the exclusive use.
 - c. Application shall include the applicable fee(s) as set by the Town Board and as identified in the Town's Fee Schedule as amended from time to time.

- (3) Applications for exclusive use shall be complete and filed with the Town Clerk with reservations being considered on a first-come, first-served basis.
- (4) The Town reserves the right to deny any application for exclusive use.

Section 9. Additional regulations.

In addition to the foregoing rules, the Town of Winchester is hereby authorized to adopt such further temporary rules and regulations for the use of the facilities for the purpose of addressing maintenance, weather, emergency, or such other similar situations.

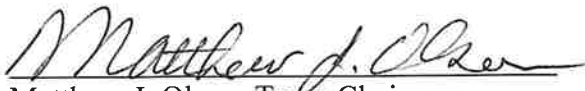
Section 10. Severability.

If any section, clause, provision or a portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions shall not be affected thereby.

Section 11. Administration, Enforcement, Citations, and Penalties.

- (a) Administration and Enforcement. The Town Chairperson, Supervisors, and/or their designee(s) may issue a verbal or written warning or citation to any offender who is in violation of this Ordinance. In addition, any law enforcement officer may issue a citation or arrest any offender who is in violation of any provision of this Ordinance. A law enforcement officer may enter any Town facility building, structure, or enclosure at any time for the purpose of responding to a disturbance or enforcing this Ordinance. The Town Chairperson or designee may enter any Town facility building, structure, or enclosure during facility hours of operation for the purpose of inspecting for Ordinance compliance, except that during an exclusive event under Section 8, entry shall be limited to safety inspections or response to a reported violation..
- (b) Citations and Penalties. Any person who violates any provision of this Ordinance shall, upon conviction, be fined and shall forfeit not less than \$100 nor more than \$500 for each offense, together with the costs of prosecution. Each day a violation exists or continues constitutes a separate offense under this Ordinance.

Approved this 3rd day of August, 2026.


Matthew J. Olson, Town Chairman


Attest: Holly Stevens, Town Clerk