

TOWN OF SOMERSET
ORDINANCE #2009-01

AN ORDINANCE TO ESTABLISH A FEE AND REGULATIONS FOR USE OF TWIN SPRINGS PARK IN THE TOWN OF SOMERSET

WHEREAS, WSS 30.77(3)(e) allows municipalities to charge boat operators reasonable fees for use of a public boat launching facility that the Town of Somerset owns or operates (and for the Town of Somerset's costs for operating or maintaining a launch), and

WHEREAS, the Town of Somerset owns and operates a park at Twin Springs and plans to continue these activities and services in the future, and

WHEREAS, the rationale behind this ordinance is public safety and the elimination of congestion at Twin Springs Park, and

WHEREAS, the Town of Somerset has expended and will in the future continue to expend sums of money provided by local property taxes and state funding for these activities and services, and

WHEREAS, the Town of Somerset has determined that the continuation of the above activities and services requires a fair and reasonable fee to be charged to boat operators and vehicles parked within Twin Springs Park to supplement revenues received from local property taxes and state funding for these activities and services,

NOW THEREFORE, THE TOWN OF SOMERSET DOES HEREBY ORDAIN AS FOLLOWS:

Section 1.1 LAUNCH/PARKING FEE ESTABLISHED. No person shall launch a boat from Twin Springs Park or park a vehicle during the period from and including March 1 through February 28 of each calendar year without paying the launch/park fee established in this Section. The fee for launching/parking permit for one day shall be set by resolution by the Somerset Town Board. The amount shall not exceed the resident state park daily entrance fee as established by the Wisconsin Department of Natural Resources and the fee for unlimited seasonal launching/parking of one boat for a calendar year shall not exceed ten (10) times the daily launch fee. [NOTE: As of August 1, 2007, the resident state park daily entrance fee was \$7.00.] The net revenue resulting from the sale and enforcement of the launch/parking permits, after the deduction of the cost of collection, enforcement, administration and operation shall be used to establish, maintain, and improve boat launch and park facilities within the Town of Somerset.

Section 1.2 RULES AND REGULATIONS OF USAGE. A valid parking permit must be displayed on any vehicle parked in or at Twin Springs Park at all times. The St. Croix County Sheriff's Department will monitor the payment and check all vehicles for a valid parking permit. All vehicles will be towed per WSS 349.13 (3) if they do not display a valid permit in the manner explained in Section 1.3 and follow the rules and regulations of usage described below:

1. Twin Springs Park is open between 5:00 a.m. and 11:00 p.m. All vehicles are subject to being towed if they are in the park before or after these hours. No overnight parking. All vehicles in the park before 5:00 a.m. and after 11:00 p.m. will be towed at the owner's expense.

2. No camping, fires, dumping or littering is allowed in Twin Springs Park. Failure to abide

by this regulation will void your parking permit.

3. No boats will be allowed to attach or tie-up, in any manner, adjacent to or on the tie-up docks which are adjacent to the launching ramps, except for immediate launching or loading or for authorized events.

4. No alcoholic beverages may be consumed in Twin Springs Park. Failure to abide by this regulation will void your parking permit.

5. No person shall possess, fire, discharge, explode or set off any cracker or other explosive or pyrotechnic device containing powder or other combustible or explosive material, within the limits of Twin Springs Park, except the exhibitions of fireworks given under the direction or by the written permission of the Town Chair or Town Board. Failure to abide by this regulation will void your parking permit.

6. No person shall have in their possession or under their control in Twin Springs Park, any uncased firearm, bow, air gun, paint gun or gas operated gun as defined in WSS 939.22. Failure to abide by this regulation will void your parking permit.

7. If any vehicle in the park is found to be in violation of any section of this ordinance and the identity of the driver cannot be readily determined, the owner or person in whose name such vehicle is registered shall be held prima facie responsible of such violation.

8. No person or owner of a vehicle shall engage in any shift, scheme, device or plan which results in payment of less than the actual permit fee for any vehicle. Tampering or vandalism of the pay box and its contents will result in prosecution.

9. The Somerset Town Board reserves the right to suspend any and all permits and the rights hereunder at any time.

Section 1.3 PAYMENT OF LAUNCH FEE.

1. Daily permits will be sold through self-registration at the boat launch site or park site. Daily launching/parking permits shall be prominently displayed on the interior of the driver's side window of the vehicle. Every person that launches a boat on a single day shall utilize an envelope/tear-off payment stub system under which the person who launches a boat inserts the applicable fee into the envelope provided by the Town of Somerset, fills out the date and vehicle license plate state and number, tears off the stub and places the stub in a visible location on the dashboard of the motor vehicle used to launch the boat, and places the envelope into a designated launch fee container near the launch facility.

2. Annual stickers shall be available for purchase from the Town Clerk. Applications are available on the Town's website or by contacting the Town Clerk at 715-247-3470. The fee for the annual permit sticker shall be set by resolution of the Town Board. Annual permit stickers shall be prominently displayed on the left side of the trailer tongue. In the event no trailer is used, the annual launch/parking permit sticker shall be prominently displayed on the back left bumper of the vehicle. Replacement cost for lost or damaged annual permit stickers shall be set by resolution of the Town Board.

Section 1.4 ENFORCEMENT. The Town of Somerset hereby adopts and authorizes the use of

towing to be used for violations of this ordinance as provided in WSS 349.13 (3). The Town of Somerset authorizes the St. Croix County Sheriff's Department to patrol and monitor Twin Springs Park. The Sheriff's Department has the authority from the Town Board to authorize vehicles in violation of this ordinance to be towed at the owner's expense. The officer will keep a log of identification of the location of the vehicle parking in violation of this ordinance, the number and state of the vehicle's license, the make/model of the vehicle, the time at which such vehicle is parking in violation of the provisions of this ordinance, and any other facts or knowledge of which is necessary to a thorough understanding of the circumstances attending to this violation. The Town shall appoint a Town Board member to serve as a liaison between the Town and the St. Croix County Sheriff's Department.

Section 1.5 PENALTIES/CASH DEPOSITS. The penalty/cash deposit for violations of this Ordinance shall be \$25 for every offense. The penalty/cash deposit will be paid by the owner of the vehicle that is in violation of this ordinance. The penalty/cash deposit shall be paid to the towing company upon reclamation of owner's vehicle and credited to the Town of Somerset for the collection, enforcement, administration and operation to establish, maintain and improve Twin Springs Park and boat launch facility in the Town of Somerset.

Section 1.6 SEVERABILITY. The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town of Somerset would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected.

Section 1.7 EFFECTIVE DATE. This ordinance shall become effective on May 14, 2009 upon passage and publication.

Adopted this 6th day of May 2009.

_____, Ed Schachtner, Chairman

_____, Shane Demulling, Supervisor

_____, Douglas Plourde, Supervisor

_____, Larry Rauch, Supervisor

_____, Lenny Germain, Supervisor

Attest: _____, Jeri Koester, Clerk/Treasurer

