



GRAFTON
QUALITY LIFE. NATURALLY.

Town of Grafton Ordinance No. 2011-09

**AN ORDINANCE AMENDING
TITLE 4, AND CREATING CHAPTER 10: GOVERNING THE USE OF
THE TOWN OF GRAFTON'S MULTI-USE TRAIL,
INTO THE CODE OF ORDINANCES, TOWN OF GRAFTON, WISCONSIN**

WHEREAS, it is deemed to be in the best interest of the Town of Grafton that the Municipal Code of the Town of Grafton be further modified and amended in the manner hereinafter more particularly set forth; and

WHEREAS, a Notice of Public Hearing before the Town Board was duly published in the *Ozaukee Press* on 7/31/2011, 2011 and 8/30/2011, 2011; and

WHEREAS, a Public Hearing was held before the Town Board on 9/14/2011, 2011 regarding the proposed Amendments to the Town's Code of Ordinances; and

WHEREAS, based on the above, it is deemed to be in the best interest of the Town of Grafton that the Municipal Code of the Town of Grafton be further modified and amended in the manner hereinafter more particularly set forth below.

NOW, THEREFORE, the Town Board of the Town of Grafton does hereby ordain as follows:

Section 1:

The following Chapter is hereby created and incorporated into the Town of Grafton's Code of Ordinances

Title 4 – PUBLIC WORKS

Chapter 10 – TOWN OF GRAFTON MULTI-USE TRAIL

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4.10.1. Town of Grafton Multi-Use Trail.

4.10.1.01 Rules and Regulations Governing the Town of Grafton Multi-Use Trail

(A) Purpose: The Town of Grafton's Multi-Use Trail has been established for non-vehicular, passive recreational trail purposes, such as walking, hiking, jogging, running, snowshoeing, horseback riding, and cross-country skiing as documented within the Town of Grafton Comprehensive Outdoor Recreation Plan. The following rules and regulations shall apply to the Town of Grafton Multi-Use Trail for the purpose of operating the Town of Grafton Multi-Use Trail in an orderly manner. These rules are necessary to promote and protect the safety of all persons using the trail and to preserve and maintain the condition of the trail.

4.10.1.02 Definitions

- (A) The Town of Grafton Multi-Use Trail means the parcel of land owned, leased, or obtained by easement by the Town of Grafton.
- (B) Vehicle means all wheeled or tracked conveyances, including motorized automobiles, trucks, all-terrain vehicles, snowmobiles, motorcycles, trailers, horse drawn vehicles, bicycles, sleds, mopeds, airplanes or any other motorized or non-motorized mode of transportation.
- (C) Person means any individual, firm, partnership, corporation, limited liability company (LLC), limited liability partnership (LLP) or other association of persons.
- (D) Hours of Darkness means the period of time from one-half hour after sunset to one-half hour before sunrise.

4.10.1.03 Rules for Use

- (A) All persons using the Town of Grafton Multi-Use Trail must abide by all posted signage governing the use of the Town of Grafton Multi-Use Trail.
- (B) No vehicles are authorized for operation on the Town of Grafton Multi-Use Trail except for: police, emergency, or rescue vehicles; authorized maintenance vehicles; motorized and non-motorized wheelchairs; strollers; and children's wagons.
- (C) No dogs shall be allowed on the Town of Grafton Multi-Use Trail unless restrained upon a leash, not more than ten feet in length, by the owner. The dog owner must pick up and remove all dog waste.
- (D) Fires and camping are not permitted within the boundaries of the Town of Grafton Multi-Use Trail.
- (E) The use and possession of all fireworks, air guns, paintball guns, projectile devices or archery equipment are prohibited within the boundaries of the Town of Grafton Multi-Use Trail.
- (F) No soliciting or commercial enterprise is allowed within the boundaries of the Town of Grafton Multi-Use Trail.
- (G) No unauthorized vehicle or piece of equipment may be parked or be permitted to remain standing on any portion of the Town of Grafton Multi-Use Trail, so as to obstruct or limit passage of the trail.
- (H) The use of kites, model airplanes or similar objects is not permitted on the Town of Grafton Multi-Use Trail.
- (I) It is prohibited to soil, deface, injure, damage, upset or remove any building, fence, fountain, bench, table, vegetation or other object situated, used or kept upon the Town of Grafton Multi-Use Trail unless authorized by the Town of Grafton.
- (J) It is prohibited to leave, dispose, throw or break any bottle, box, can or any other waste on the Town of Grafton Multi-Use Trail or at any other place adjacent to the Town of Grafton Multi-Use Trail except in clearly marked refuse receptacles provided for that purpose.
- (K) No person may use the Town of Grafton Multi-Use Trail during hours of darkness, unless otherwise permitted by the Town of Grafton.

4.10.1.04 Reserved Use

Any group may request to reserve the use of a designated area or portion of the Town of Grafton Multi-Use Trail provided that:

- (A) The Town of Grafton receives the submission of a formal written request no later than sixty days prior to the planned use.
- (B) Written approval is obtained for any group use of the Town of Grafton Multi-Use Trail by the Town Board.
- (C) An application fee is paid at the time the written request is submitted to the Town Clerk.
- (D) All group-use requests are approved at the discretion of the Town Board.

4.10.1.05 Penalties and Fees

Any person who shall violate any of the provisions of the rules and regulations governing the Town of Grafton Multi-Use Trail shall upon conviction thereof forfeit not less than \$25.00 nor

more than \$500.00 for each violation in addition to the costs of prosecution, including attorneys' fees.

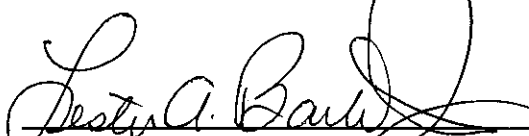
Section 2:

Except as hereinabove specifically modified, the Code of Ordinances, Town of Grafton, Wisconsin, shall remain in full force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.

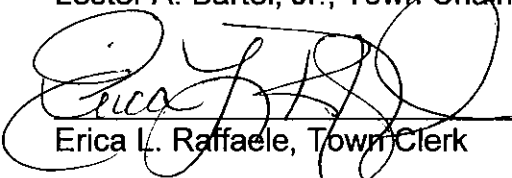
Section 3:

This Ordinance shall take effect and be in full force from and after its passage and publication or posting.

Adopted by the Town Board of the Town of Grafton, Ozaukee County, Wisconsin, at its regularly scheduled meeting on this 14th day of September, 2011



Lester A. Bartel, Jr., Town Chairman



Erica L. Raffaele, Town Clerk

Posting Date: 10/28, 2011