

Chapter 2.52 PARKS AND RECREATION BOARD¹

Sections:

2.52.010 Established.

There is hereby established a parks and recreation board for the city which shall have, in addition to the powers granted herein, all of the powers now or hereafter granted under Wisconsin Statute 27.08.

(Ord. 646 § 2(part), 1970: prior code § 4.33(1)).

(Ord. No. 1778, § 1, 5-4-2010; Ord. No. 1913A, 2-18-2016)

2.52.020 Purpose.

The establishment of this board shall be for the purpose of acquiring, improving, developing, maintaining, and operating public parks, recreation facilities, equipment, and activities. This board shall provide a parks and recreation program for the citizens of Whitewater, coordinating and correlating all recreation activities for the maximum benefit of the community and operating with other public or private organizations to more efficiently utilize the city's resources. The board shall interpret any and all programs which they may promulgate.

(Ord. 646 § 2(part), 1970: prior code § 4.22(2)).

(Ord. No. 1778, § 1, 5-4-2010; Ord. No. 1913A, 2-18-2016)

2.52.030 Membership—Terms—Vacancies—Officers.

The board shall consist of nine members including three ex officio members and six citizen members. All six of the citizen members shall be a resident of the city or a resident of the Whitewater Unified School District and three of the six citizen members shall be residents of the city of Whitewater. The three ex officio members shall not have a specified residency requirement. The board shall serve without compensation.

The board shall consist of three ex officio members who will serve permanently or as long as they are holding office in or are representatives of the following organizations or departments:

- (1) District administrator of the Whitewater Unified School District or his/her designated representative;
- (2) Common council member;
- (3) University of Wisconsin—Whitewater, chancellor or his or her designee.

The board shall also consist of five citizens who shall be appointed by the city under the procedure set out in Section 2.12.011. Three of the five appointees shall be residents of the city of Whitewater. The final citizen member of the board shall be a member of the Whitewater Unified School District Board and shall be appointed by the school district board.

¹ For the statutory provisions regarding city administrative boards, see WSA § 64.10.

There shall be one alternate member appointed to serve. In the event one of the seven regular members is unable to attend, then the alternate member shall be called upon to attend and shall have full power to act and vote.

Each citizen member shall serve for a term of three years beginning on the first of January, except that when the first board is appointed, one member shall be appointed for one year, another for two years, and the third for three years.

Vacancies to finish unexpired terms only will be filled in the same manner as the original appointments.

Officers. A chairman and vice-chairman shall be elected by the board members. The election of officers will take place at the first meeting in May and those elected will serve for the term of one year. The parks and recreation director will automatically serve as secretary.

(Ord. 1644A § 1, 2007; Ord. 1629A § 1, 2007; Ord. 1225 § 1, 1992; Ord. 1171 § 1, 1990; Ord. 1031 § 1, 1984; Ord. 964 § 1, 1981; Ord. 826 § 1, 1975; Ord. 646 § 2(part), 1970: prior code § 4.33(3)).

(Ord. No. 1778, § 1, 5-4-2010; Ord. No. 1913A, 2-18-2016; Ord. No. 2017A, § 1, 2-2-2021)

2.52.040 Organization.

The board shall organize and adopt rules for its own government in accordance with the provisions of this chapter. Meetings shall be held monthly or at the call of the chairman, and shall be open to the public. Minutes shall be kept showing all actions taken and a copy shall be filed with the city clerk and the parks and recreation director as a public record.

A quorum shall be four members, but all actions shall require the approval of the majority of the voting members.

(Ord. 646 § 2(part), 1970: prior code § 4.33(4)).

(Ord. No. 1778, § 1, 5-4-2010; Ord. No. 1808A, § 1, 11-16-2010; Ord. No. 1913A, 2-18-2016)

2.52.050 Powers.

The board shall have control and jurisdiction over all playgrounds, recreation centers and other places which have previously, or may in the future, be dedicated for the purpose of public recreation and given over to their control. The board shall furthermore have all powers listed at Section 27.08 of the 1967 Wisconsin Statutes and any amendment thereto as though specifically set forth herein. The board shall adopt rules and regulations which may be necessary to exercise said powers. All rules and regulations shall be subject to final approval by the common council. The board shall have the authority to enlarge the duties of the director of parks and recreation listed in subsection 2.20.030(b) of this title, and to determine general policies of the program and the level of leadership employed.

(Ord. 646 § 2(part), 1970: prior code § 4.33(5)).

(Ord. No. 1778, § 1, 5-4-2010)

2.52.060 Selection of parks and recreation director.

The board shall participate in the interview and selection process for the hiring of a parks and recreation director. It shall be the sole responsibility of the city manager to appoint the director.

(Ord. 646 § 2(part), 1970: prior code § 4.33(6)).

(Ord. No. 1778, § 1, 5-4-2010)

2.52.070 Finances.

The board shall submit to the city manager by October first of each year a proposed program and budget for the ensuing year. The board shall not contract any liability in excess of the budget appropriated unless specifically authorized by the city manager and approved by the common council. All moneys received for the purpose of the board, whether from the general fund or from charges for activities, facilities, or services shall be deposited in the general fund of the city and segregated on the books of the city. The city treasurer shall act as treasurer of the board without additional compensation. All expenditures shall be made in accord with the appropriations by the city council only upon the approval of the board and city manager and by the issuance of an order for the expenditure by the city clerk.

(Ord. 964 § 2, 1981; Ord. 646 § 2(part), 1970: prior code § 4.33(7)).

(Ord. No. 1778, § 1, 5-4-2010; Ord. No. 1913A, 2-18-2016)

2.52.080 Reports.

The board shall issue an annual written report of its finances and activities and an inventory of all its public parks, recreational lands, facilities, and equipment, for the previous year to the common council by April first of each year.

(Ord. 646 § 2(part), 1970: prior code § 4.33(8)).

(Ord. No. 1778, § 1, 5-4-2010)

2.52.090 Urban forestry commission.

- (a) Creation and Membership. The urban forestry commission is hereby established as a permanent committee of the parks and recreation board. There shall be seven members on the Whitewater Urban Forestry Commission. Membership shall be as follows:
- (1) Five citizen members shall be appointed under the procedures set forth in Whitewater Municipal Code, Chapter 2.12, each serving three-year terms, staggered annually.
 - (2) One member of the plan and architectural review commission shall be appointed to the Whitewater Urban Forestry Commission.
 - (3) One member of the parks and recreation board shall be appointed to the urban forestry commission.
 - (4) The city forester or his/her designee shall serve as the nonvoting staff liaison to the Whitewater Urban Forestry Commission.
- (b) Powers and Duties. The urban forestry commission shall:
- (1) Make recommendations to the city forester and parks and recreation board concerning the care of all trees and shrubs planted in the rights-of-way of all streets or highways, or in any park or other public areas of the city;

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- (2) Prepare, and recommend for adoption by the parks and recreation board and the city council, an urban forestry management plan, which shall include provisions for the planting, maintenance and protection of all public trees and shrubs, and make recommendations for amendments thereto as the urban forestry commission shall determine appropriate from time to time. The urban forestry management plan may contain any or all of the following elements:
 - (A) Street Tree and Shrub Planting Plan. A proposed plan for the orderly and systematic planting of new or replacement trees and shrubs in the terraces or boulevards along city streets in a manner which minimizes conflicts between trees and shrubs and other public use of streets, facilitates care of the trees and shrubs, and enhances the aesthetics of the city streetscapes. The plan shall designate the appropriate species of tree(s) and shrub(s) for each street segment and shall take into consideration the mature size and requirements of the species, the width of the terrace or boulevard, depth of building setbacks, location of street lights, safety signals and signs, the location of overhead or underground public utility facilities, the location of existing desirable trees and any other relevant site factors.
 - (B) Tree and Shrub Maintenance. Plans for the maintenance of trees and shrubs located in public places to preserve the function or beauty of such public places in accordance with the applicable city maintenance standards. The plan shall provide plans for the trimming, removal, pruning, spraying, fertilizing or other treatment of any tree or shrub on any public place when necessary or appropriate to promote the general welfare, improve the city's appearance or alleviate any unsafe condition.
 - (3) Serve in an advisory capacity to the city council on all issues relating to trees and shrubs located within street right-of-ways, parks, and other public places in the city; and to any other matter involving trees and shrubs that affect, or may affect, public areas;
 - (4) Prepare and maintain an inventory of trees and shrubs located in public areas within the city and an inventory of areas along streets where street trees cannot be planted due to site limiting factors;
 - (5) Prepare and recommend for adoption by the parks and recreation board and the city council rules and regulations for the protection and maintenance of trees and shrubs located on public property, and to protect the public health, safety and welfare against dangers resulting from any trees and shrubs, including any regulations deemed necessary to protect against injury or damage caused by the spread of disease, insects or fungus;
 - (6) Identify and maintain a list of tree and shrub species deemed to be nuisances due to their propensity to harbor pests or transmit diseases which endanger other trees or shrubs or the public health, safety and welfare;
 - (7) Subject to the approval of the city manager, apply for county, state, federal and private grant funds for the city's urban forestry program;
 - (8) Recommend such persons or firms who are qualified in urban forestry to assist with the city's urban forestry program;
 - (9) Provide a forum for and encourage public comments on city tree and shrub projects and the urban forestry program;
 - (10) Encourage public participation in urban forestry practices and projects within the city and the surrounding extraterritorial area;
 - (11) Conduct an Arbor Day observance each year;
 - (12) Inform and educate city residents about the care of natural areas in their neighborhoods;

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- (13) Undertake programs for education of the public with regard to the benefits of urban trees, the proper selection, planting and care of urban trees and other matters relating to urban forestry as it deems appropriate;
 - (14) Maintain the "Tree City USA" status of the city;
 - (15) Provide, upon request, on such terms and conditions as determined by the requesting body, plan review and technical assistance to the planning and zoning commission and any other board, committee or commission of the city and provide technical advice and assistance with respect to matters affecting the urban forest to the public;
 - (16) Provide at each parks and recreation board meeting a report of the commission's activities since its last report to the board.
 - (17) The parks and recreation board shall receive and review all reports, whether written or oral, provided to them by the urban forestry commission.
- (c) Limitation on Powers. The urban forestry commission shall not have any power to direct or manage any city employee, officer, or agent in their day-to-day work activities.
- (Ord. No. 1752A, § 1, 12-15-2009; Ord. No. 1901A, § 1, 8-4-2015; Ord. No. 1913A, 2-18-2016)

2.52.100 Pedestrian and bicycle advisory commission.

- (a) Established. A pedestrian and bicycle advisory commission for the City of Whitewater is hereby created.
- (b) Purpose and Intent. It is hereby declared as a matter of public policy that the protection, improvement, and enhancement of the city transportation system to ensure safe and efficient movement of people and goods, and provide a variety of mode choices, while enhancing neighborhood livability and resident quality of life, is a public necessity and is required in the interest of the health, prosperity, safety, and welfare of the community. The purpose of this chapter is to:
 - (1) Provide substantive advice and guidance to the parks and recreation board and other city boards, committees and commissions on bicycle and pedestrian related issues;
 - (2) Provide a balanced and efficient transportation network that offers viable alternatives to driving and maximizes the use of existing investment;
 - (3) Improve pedestrian connections to create a continuous and seamless pedestrian system;
 - (4) Enhance the pedestrian environment to create a more walkable community;
 - (5) Continue to build a connected bicycle route and trail network that is viable, convenient, safe, and secure; and
 - (6) Encourage both utilitarian and recreational bicycling.
- (c) Membership and Officers.
 - (1) Creation and Membership. The pedestrian and bicycle advisory commission is hereby established as a permanent commission of the parks and recreation board. There shall be three total members on the Whitewater pedestrian and bicycle advisory commission. Membership shall be as follows:
 - (A) Two citizen members shall be appointed under the procedures set forth in Whitewater Municipal Code, Chapter 2.12, each serving three-year terms, staggered annually.
 - (B) One member of the common council shall serve as a member on the pedestrian and bicycle advisory commission. The common council member appointed to the parks and recreation board shall be the third serving member on the pedestrian and bicycle advisory commission.

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- (2) To the extent feasible, both transportation and recreational interests shall be represented, including, but not limited to bicycling organizations, organizations concerned with education and safety, business organizations, private citizens concerned with non-motorized transportation such as commuting, persons with disabilities, the aging community, recreational enthusiasts, and students.
 - (3) Officers. A chairman and vice-chairman shall be elected by the commission members. The election of officers will take place at the first meeting in each calendar year and those elected will serve for the term of one year.
 - (4) The parks and recreation director shall be the support staff member for the commission.
 - (d) Procedure. A majority of the commission shall constitute a quorum.
 - (e) Powers and Duties. The commission shall be an advisory body that facilitates the city meeting the goals described in Section 2.52.020 and shall be accountable to the parks and recreation board.
 - (f) Meetings. The commission shall hold regular meetings as may be provided by its adopted policies, and may hold special meetings at the call of the chair or at the request of the city council, parks and recreation board or public works committee.

(Ord. No. 2077, § 1, 11-21-2023)