

**THE CITY OF ASHLAND CONDUCTS THEIR MEETINGS IN PERSON at
CITY HALL COUNCIL CHAMBERS, 601 MAIN STREET WEST, ASHLAND, WI
WITH THE AVAILABILITY TO ATTEND VIRTUALLY**

To join the meeting from your computer, tablet or smartphone:

<https://global.gotomeeting.com/join/500263957>

Or dial in using your phone.

United States (Toll Free): 1-877-309-2073

Access Code: 500-263-957

Please contact the Clerk's office if you require accommodations to attend the meeting.

ASHLAND COMMITTEE OF THE WHOLE MEETING

Tuesday, January 31, 2023 – 6:00 PM

The Committee of the Whole Meeting immediately follows the adjournment of the Council meeting.

1. Roll Call
2. Approval of Agenda
3. Council President's Report
4. Administrator's Report
 - A. Strategic Plan Update
5. Committee Updates
6. Discussion Items
 - A. Report of PFAS Test Results and Update on Future Regulations (*Public Works*)
 - B. Discussion and Possible Action Regarding Submitting an Assistance to Firefighters Grant Application (*Fire Department*)
 - C. Discussion and Possible Action Regarding Entering into Agreements for Type II Hazmat Emergency Management with Ashland County, Bayfield County, Iron County, and Price County (*Fire Department*)
 - D. Discussion and Possible Action Regarding Proposed Updates to the Codification of Chapter 463: Policies and Procedures for Parks, Facilities, and Recreation Areas, Ashland City Ordinances (*Parks and Recreation*)
 - E. Discussion and Possible Action Regarding Submitting an Application by the City of Ashland to become a Monarch City USA (*Councilor Ortman*)
 - F. Discussion and Possible Action Regarding "What is Good Governance?" (*Councilor Ortman*)
7. Items for Future Discussion
8. Adjournment

The City of Ashland does not discriminate on the basis of sex, race, creed, color, national origin, sexual orientation, age or disability in employment or provision of services, programs or activities.

NOTE: Upon reasonable notice, the City of Ashland will accommodate the needs of disabled individuals or individuals with limited English proficiency through auxiliary aids or services. For additional information or to request this service, contact Denise Oliphant at 715-682-7071 (not a TDD telephone number) or FAX: 715-682-7048

SUBJECT: Committee Updates

RECOMMENDATION: Discussion Only

DEPARTMENT OF ORIGIN: Councilors

CLEARANCES: Council President

EXHIBITS:

**COMPLIANCE WITH STRATEGIC
PLAN:**

SUMMARY STATEMENT:

ASHLAND ORE DOCK BOARD OF TRUSTEES: TOCHTERMAN
DISABLED PARKING ENFORCEMENT COMMITTEE: GRAF
HARBOR COMMISSION: PUFALL
HISTORIC PRESERVATION COMMISSION: GOYKE
HOUSING AUTHORITY: SEEFELDT
MAIN STREET COMMITTEE
MUNICIPAL LIBRARY BOARD: JACKSON
PARKS & RECREATION COMMITTEE: SEEFELDT
PLAN COMMISSION: TOCHTERMAN
PUBLIC WORKS COMMITTEE: GOYKE
SUSTAINABILITY COMMITTEE: GRAF

SUBJECT: Report of PFAS Test Results and Update on Future Regulations (*Public Works*)**RECOMMENDATION:** Presentation**DEPARTMENT OF ORIGIN:** Public Works**CLEARANCES:** Council President**EXHIBITS:**

1.	US EPA: Effectiveness of Point-of-Use/Point-of-Entry Systems to Remove "PFAS" Substances from Drinking Water
2.	MPR News: 3M to stop making 'forever chemicals' by end of 2025
3.	Investigative Drinking Water Analysis

COMPLIANCE WITH STRATEGIC PLAN: INFRASTRUCTURE & ENVIRONMENT regarding the goal of clean City drinking water.**SUMMARY STATEMENT:**

In December 2022, the City of Ashland Water Utility completed testing for 18 different chemicals in the Per and Polyfluoroalkyl (PFAS) group of chemicals. The sample tested was taken from the finished water supply entering the city's water distribution system and the testing was performed by a state-certified laboratory.

Seventeen of the chemicals tested were not detected at any level. The one chemical detected, Perfluorooctanoic Acid (PFOA), was found at 0.58 parts per trillion (ppt). At this concentration, the laboratory noted that the level of PFOA is so low that laboratory methods made available by the Environmental Protection Agency (EPA) cannot reliably report the result. In other words, the result is so low that there is a level of uncertainty around the actual concentration in the water supply.

The results from the City's water supply correlate to the low levels of PFAS found via other entities testing tap water and indicate that the City's surface water supply will almost certainly be in compliance with the soon to be established federal maximum contaminant level (MCL) without the need for additional water treatment. The EPA previously said the federal MCL would be established by the end of 2022 but recently delayed that to March 2023.

The absence of an MCL at the federal level has left states to establish their own MCLs. In Wisconsin, the MCL is 70 ppt for total PFAS or 120 times greater than the level of PFOA found in the city's water supply. In Michigan, the MCL is 8 ppt for PFOA or 14 times greater than the level of PFOA found in the city's water supply.

The EPA has some information available on in-home filtration systems that concerned individuals may utilize to reduce their level of exposure to PFAS. In addition, the manufacture and use of PFAS by the private industry continues although some companies are beginning to identify alternatives acknowledgement of the health risks.



An official website of the United States government
[Here's how you know](#)

[MENU](#)

Related Topics: **PFOA, PFOS and Other PFAS** <<https://epa.gov/pfas>> | **Science Matters** <<https://epa.gov/sciencematters>> | **Ground Water and Drinking Water** <<https://epa.gov/ground-water-and-drinking-water>>

CONTACT US <<https://epa.gov/sciencematters/forms/contact-us-about-science-matters>>

EPA Researchers Investigate the Effectiveness of Point-of-use/Point-of-entry Systems to Remove Per- and Polyfluoroalkyl Substances from Drinking Water

Published January 22, 2020



PFAS are a group of synthetic chemicals that have been in use since the 1940s. PFAS manufacturing and processing facilities, facilities using PFAS in production of other products, airports, and military installations are some of the contributors of PFAS releases into the air, soil, and water. Due to the widespread use of PFAS and their persistence in the environment, most people in the United States have been exposed to PFAS. For homeowners, there is strong interest in finding a household water treatment system that can be easily installed, if necessary, to reduce the levels of PFAS in their drinking water.

Currently, NSF International has standards PFOA and PFOS, two PFAS compounds. To help homeowners make an informed decision when trying to reduce PFAS in their drinking water, EPA researchers conducted studies on several off-the-shelf, commercially available technologies, including granular activated carbon (GAC), reverse osmosis (RO), and ion exchange treatment systems to determine if they were capable of decreasing PFAS levels in drinking water. Studies for GAC and RO have been completed to date.

In these studies, EPA researchers analyzed water samples for PFAS, pH, temperature, turbidity, total organic carbon, total dissolved solids, hardness, and free available chlorine. The PFAS included in this research were perfluorooctanoic acid (PFOA), perfluorooctane sulfonate (PFOS), perfluoroheptanoic acid (PFHpA), perfluorobutane sulfonate (PFBS), perfluorohexane sulfonic acid (PFHxS), and perfluorononanoic acid (PFNA).

EPA found that both the GAC and RO systems studied were able to reduce PFAS to below laboratory detection limits when used as point-of-entry (where the water enters the whole house) or point-of-use (where water is used in the house, for example a kitchen sink or a bathroom sink) systems. However, water quality conditions, concentrations of PFAS in the water, and operational conditions were shown to affect each of the systems and their effectiveness.

For example, for RO systems, homeowners would be required to replace membranes and filters on a regular schedule to maintain effectiveness. While RO systems were very effective as point-of-use systems, for use as a point-of-entry system to treat water for the entire home, they would require additional components—such as a 200-500-gallon water storage tank, a 20-gallon bladder tank, and a pump with a shutoff switch.

In addition, because RO systems demineralize water, homeowners may have to add mineralization cartridges to point-of-entry RO systems to prevent potential lead and copper corrosion issues within household plumbing.

The RO systems tested included the iSpring RCS5T, the Hydrologic Evolution RO1000 and the Flexeon LP-700. All effluent PFAS results for the iSpring and Flexeon RO systems were non-detect (less than three parts per trillion) during the one-week studies. However, the Hydrologic RO systems were shown to have PFAS concentrations higher than non-detect during intermittent operation. Even in these cases, the membrane removed greater than 75% of the individual PFAS.

GAC systems were also studied on two types of GAC media. Both GAC media (Evoqua 1230CX and Calgon Filtrasorb 600 AR+) were shown to have the potential to remove PFAS to below detection under the specific water quality conditions, PFAS concentrations, and operational conditions used in this study. However, point-of-entry applications, large quantities of GAC would be required to provide enough contact time for removal of PFAS in residents homes.

In conclusion, if a household water system is correctly designed based on the source water's characteristics and the PFAS type and concentrations found within the water, then point-of-use and point-of-entry water systems can provide relatively inexpensive treatment barriers for PFAS removal in the home. It is important to keep in mind that any in-home treatment device should be certified by an independent party, currently available for PFAS (NSF P473), and should be properly maintained to ensure that the treatment system remains effective over time.

For homeowners considering testing to evaluate PFAS in their drinking water, EPA recommends contacting your state to learn if they have state accredited laboratories to test for PFAS. For drinking water, EPA recommends using an EPA testing method.

EPA researchers continue to work with states, tribes, and local communities to develop treatment options to decrease PFAS exposures.

Read the journal article: *Effectiveness of point-of-use/point-of-entry systems to remove per- and polyfluoroalkyl substances from drinking water* [🔗](https://awwa.onlinelibrary.wiley.com/doi/full/10.1002/aws2.1131)

<<https://awwa.onlinelibrary.wiley.com/doi/full/10.1002/aws2.1131>>.

Contact Us <<https://epa.gov/sciencematters/forms/contact-us-about-science-matters>> to ask a question, provide feedback, or report a problem.

LAST UPDATED ON APRIL 14, 2022

3M and PFC groundwater contamination in Minnesota

3M to stop making 'forever chemicals' by end of 2025

Kirsti Marohn St. Paul December 20, 2022 7:30 AM



3M said in a news release Tuesday it would discontinue manufacturing PFAS and aim to end the chemicals' use "across its product portfolio" by 2025. Marlin Levison | Star Tribune via AP

a variety of products, including nonstick cookware, carpet, clothing and some firefighting foams.

Gain a Better Understanding of Today

MPR News is not just a listener supported source of information, it's a resource where listeners are supported. We take you beyond the headlines to the world we share in Minnesota. Become a sustainer today to fuel MPR News all year long.

[Donate Today](#)

Updated: 3:10 p.m.

Maplewood-based 3M says it will stop manufacturing PFAS, known as forever chemicals, by the end of 2025.

In a news release Tuesday morning, the company said it will stop manufacturing that class of human-made chemicals — and work to stop using them in other products. 3M cited what it called “accelerating regulatory trends” regarding PFAS as one reason for the change.

“This is a moment that demands the kind of innovation 3M is known for,” 3M chairman and CEO Mike Roman said in the release.

Roman said 3M still believes PFAS “can be safely made and used,” but said ending production of the chemicals positions the company “for continued sustainable growth by optimizing our portfolio, innovating for our customers, and delivering long-term value for our shareholders.”

“With these two actions, 3M is committing to innovate toward a world less dependent upon PFAS,” the company said in Tuesday’s announcement.

PFAS is a large class of synthetic chemicals known for their ability to repel water, grease and oil. They have been used in

PFAS are extremely durable, which makes them useful. But they also don’t break down in the environment. They’ve been found in drinking water, soil, and the blood of humans and wildlife around the globe.

Two decades ago, 3M stopped making two PFAS chemicals that are linked to health issues, including cancer. But it has continued to make other PFAS with shorter carbon chains. The company said they are less toxic, but researchers and regulators have raised concerns about their health and environmental risks.

“I think they do see the writing on the wall, and even these shorter chain ones are going to be regulated,” said Matt Simcik, an environmental chemistry professor at the University of Minnesota's School of Public Health. “And most likely, there's going to be some liability associated with the production of them.”

The company has faced several lawsuits involving the chemicals, including an [\\$850 million settlement with the state of Minnesota in 2018](#) over groundwater contamination in the eastern Twin Cities metro.

Environmental groups greeted the announcement with some optimism, but also skepticism. Jay Eidsness, a staff attorney with the Minnesota Center for Environmental Advocacy, called it “definitely a step in the right direction.”

“We are encouraged that at least the company is making some outward facing steps to reduce this the spread of these serious chemicals in our environment and in our bodies across the world,” he said.

Eidsness said 3M’s hand is being forced by state and federal governments around the world, which are tightening regulations to reduce or eliminate the use of PFAS.

The U.S. Environmental Protection Agency also has signaled that it will tighten regulations of PFAS in drinking water, and list some PFAS as hazardous substances under the Superfund law.

Scott Faber, senior vice president of government affairs at the nonprofit Environmental Working Group, said in a release that 3M should not be trusted to uphold its new commitment.

“After telling everyone — their neighbors, their workers, and their regulators — that PFAS are safe while poisoning the entire planet, 3M is now pledging to slink out the back door with no accountability,” Faber said.

3M spokesperson Brian Henry said the company will continue addressing PFAS contamination where it's responsible, and resolving litigation either by defending itself in court or by negotiating settlements.

“We're committed to doing all three of those things — to remediate, to resolve and reduce — and we're going to live up to our commitments,” he said.

[Study: Freshwater fish contain concerning levels of 'forever chemical'](#)

[On Wisconsin's French Island, residents live with lingering 'forever chemicals'](#)

[Bemidji settles with 3M over water treatment for 'forever chemicals'](#)

ANALYTICAL RESULTS: Perfluorinated Chemicals by EPA Method 537.1 Safe Drinking Water Analysis

Page 1 of 1

Customer: Ashland Water Utility NLS Project: 397500**Project Description: Investigative Drinking Water Analysis****Project Title: PWS# 80203739****Template: 537.1 Printed: 12/21/2022 13:01**

Sample: 1353128 EP81 Collected: 12/13/22 Analyzed: 12/20/22 - Analytes: 18

ANALYTE NAME	RESULT	UNITS	DIL	LOD	LOQ	MCL	Note
Perfluorohexanoic acid (PFHxA)	ND	ng/L	1	0.47	1.6		
Perfluoroheptanoic acid (PFHpA)	ND	ng/L	1	0.44	1.5		
Perfluorooctanoic acid (PFOA)	[0.58]	ng/L	1	0.49	1.6		J
Perfluorononanoic acid (PFNA)	ND	ng/L	1	0.30	0.98		
Perfluorodecanoic acid (PFDA)	ND	ng/L	1	0.29	0.96		
Perfluoroundecanoic acid (PFUnA)	ND	ng/L	1	0.26	0.85		
Perfluorododecanoic acid (PFDoA)	ND	ng/L	1	0.20	0.67		
Perfluorotridecanoic acid (PFTriA)	ND	ng/L	1	0.38	1.3		
Perfluorotetradecanoic acid (PFTeA)	ND	ng/L	1	0.31	1.0		
Perfluorobutanesulfonic acid (PFBS)	ND	ng/L	1	0.30	1.0		
Perfluorohexanesulfonic acid (PFHxS)	ND	ng/L	1	0.34	1.1		
Perfluorooctanesulfonic acid (PFOS)	ND	ng/L	1	0.31	1.0		
N-Methyl perfluorooctane sulfonamidoacetic acid (NMeFOSAA)	ND	ng/L	1	0.37	1.2		
N-Ethyl perfluorooctane sulfonamidoacetic acid (NEtFOSAA)	ND	ng/L	1	0.54	1.8		
Hexafluoropropylene oxide dimer acid (GenX)	ND	ng/L	1	0.41	1.4		
4,8-Dioxa-3H-perfluorononanoic acid (DONA)	ND	ng/L	1	0.20	0.66		
9-chlorohexadecafluoro-3-oxanonane-1-sulfonic acid (9Cl-PF3ONS)	ND	ng/L	1	0.33	1.1		
11-chloroeicosafluoro-3-oxaundecane-1-sulfonic acid (11CL-PF3OUdS)	ND	ng/L	1	0.28	0.92		
C13-PFHxA (SURR)	96.9%		1				S
C13-HFPODA (SURR)	93.9%		1				S
C13-PFDA (SURR)	89.2%		1				S
d5-NEtFOSAA (SURR)	84.4%		1				S

NOTES APPLICABLE TO THIS ANALYSIS:

J = Result enclosed in brackets is between LOD and LOQ, a region of less certain quantitation.

S = This compound is a surrogate used to evaluate the quality control of a method.

SUBJECT: Discussion and Possible Action Regarding Submitting an Assistance to Firefighters Grant Application (*Fire Department*)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Fire Department

CLEARANCES: Finance

EXHIBITS:

COMPLIANCE WITH STRATEGIC PLAN: N.A.

SUMMARY STATEMENT:

The Ashland Fire Department is requesting approval to write the Assistance to Firefighters Grant (AFG) for a Brush Truck.

The AFG grant has been a great opportunity for the Ashland Fire Department to increase the effectiveness of our operations while minimizing the impact on taxpayers of the City of Ashland and the neighboring townships that we serve. Past awards have included radio equipment (twice), power load cots and power loading devices for our ambulances, our current EKG monitors, and Tanker 5. The AFG grant notification of funding opportunities lists priority funding items. Based on those priorities and our needs, a grant to replace our 1999 F350 multipurpose vehicle will be the most likely to be funded. This item is currently in our capital budget for replacement in 2025.

The estimated cost of a custom built brush truck on a medium duty chassis is \$250,000.00. Our current brush truck was purchased with Haz-Mat funds to be a tow vehicle for our Haz-Mat trailer. It was also outfitted with a snow plow and has been used on emergency calls to gain access to residents in snow storms and it is used to plow the fire department parking lots and apparatus pad in front of the overhead doors. Grants were also used to convert this vehicle into a brush truck approximately 18 years ago. The skid load with water tank and fire pump is over 25 years old. The new vehicle will be built so that we can continue to utilize it for multiple functions and assignments just as we do now.

The Ashland Fire Department maintains a wildland strike team that can be utilized by the US Forest Service or the Wisconsin DNR. The Ashland Fire Department provides fire protection coverage to the Townships of Gingles, Elieen, and Pilsen, an area of 109.3 square miles that has extensive wildland settings where a brush truck would be advantageous to have for future hazards. The City of Ashland also has some terrain and wooded parcels that justify brush truck use.

The grant deadline is February 10, 2023.

If an award is made, staff will work with Finance to ensure our ability to meet the 5%-10% match. The grant match would be required to come from the City General Fund.

The Fire Chief recommends approval to apply for this grant.

SUBJECT: Discussion and Possible Action Regarding Entering into Agreements for Type II Hazmat Emergency Management with Ashland County, Bayfield County, Iron County, and Price County (*Fire Department*)

RECOMMENDATION: Approval Pending City Attorney Recommendations and/or Amendments

DEPARTMENT OF ORIGIN: Fire Department

CLEARANCES: Mayor

EXHIBITS:

1.	Letter to EMS Providers
2.	DRAFT Ambulance Service Provider Agreement

COMPLIANCE WITH STRATEGIC PLAN: NA

SUMMARY STATEMENT:

The current hazardous materials agreements with Ashland, Bayfield, Price, and Iron Counties were signed in 1999 and are in need of updating. The proposed agreement with Bayfield County is attached and under review with the City Attorney.

In 2021 and 2022 the Bayfield County Ad Hoc Emergency Medical Services Advisory Committee noted the importance of more resources for Bayfield County EMS to continue to provide and improve patient care. Bayfield County recognizes the importance of assisting local EMS agencies to remain strong and maintain current coverage areas. The County also recognizes existing funding challenges.

In October of 2022, Bayfield County sent a letter to EMS Directors and local Jurisdictions advising of the County's use of a tax levy exemption to create a funding opportunity for the nine EMS agencies serving in Bayfield County. A letter to providers explaining the program is attached as received from the Bayfield County Administrator. The agreement is a requirement of the Department of Revenue and must be signed before any disbursement of funds.

The Fire Chief is requesting approval from Council to proceed working with the City Attorney regarding any amendments to the agreement before bringing it back to Council for formal approval.



Bayfield County Administrator

117 E 5th Street, PO Box 878, Washburn, WI 54891

Ph: 715-373-6181 Fx: 715-373-6153

Mark Abeles-Allison, *County Administrator*
Kristine Kavajecz, *Human Resources Director*

January 9, 2023

Bayfield County
Emergency Services Providers

Dear Bayfield County Emergency Service Provider:

In 2021 and 2022, Bayfield County held advisory committee meetings to address key challenges facing rural EMS agencies. As a result, the committee recommends creating a County Wide EMS agency so additional resources can be available to assist local EMS providers, as Wisconsin State Statutes allow.

With the approval of the Advisory Committee, EMS Council, and many elected officials, Bayfield County has established a county-wide Mass Casualty EMS team that will contract with area EMS agencies. With a signed contract, Bayfield County agrees to pay each service \$20,000 in 2023 for continued EMS Services for their districts.

Agencies are asked to track spending related to the distribution and be prepared to provide a report in early August as to the impact the funds have made for your agency and community. These reports will be used to decide the future of the project for 2024. We encourage agencies to use these funds to create a positive impact for their service and we are not adding restrictions to how the funds are used.

Attached, please find the agreement provided by Bayfield County Corporation Counsel John Carlson. We ask that these signed agreements be returned as soon as possible by February 17, 2023. Please review this and reach out to either of us for more detailed information.

Sincerely,

Mark Abeles-Allison
County Administrator
Mark.abeles-allison@bayfieldcounty.wi.gov

Meagan Quaderer
Emergency Management Director
Meagan.Quaderer@bayfieldcounty.wi.gov

AMBULANCE SERVICE PROVIDER AGREEMENT
BETWEEN BAYFIELD COUNTY
AND _____

THIS AGREEMENT is entered into effective as of January 1, 2023, between Bayfield County, a Wisconsin quasi-municipal corporation (the "County"), and _____, who is referred to as the "Provider".

WHEREAS, the County has established an emergency medical services program under the authority of section 256.12 of the Wisconsin Statutes, coordinates the overall EMS System, and has elected to utilize the Provider pursuant to this intergovernmental agreement under authority of section 66.0301 of the Wisconsin Statutes, and may consider additional providers as needed.

WHEREAS, a primary objective is transparency and accountability for the system to all citizens of Bayfield County, in accordance with Chapter 256 of Wisconsin Statutes and Administrative Code provisions adopted thereunder, with the agreed-upon goals of improving the EMS System which the parties believe will be most efficiently furnished by establishing services on a contractual basis in the manner provided herein; and

WHEREAS, all parties agree on the need for continuous improvement of the Emergency Medical Services System throughout the County with the goals of proper staffing, better integration, improved service delivery, and a professional dispatch service, with the long term goal of continuously improving performance and system flexibility.

NOW, THEREFORE, in consideration of the mutual promises and covenants of each other contained in this Agreement and other good and valuable consideration, receipt of which is hereby mutually acknowledged, the parties agree as follows:

1. The purpose of this Agreement is to support EMS agencies in Bayfield County in the improvement of staffing, service delivery, and a professional dispatch service.
2. Provider shall maintain the level of service it is currently providing as of the date of this agreement.
3. Bayfield County will remit \$20,000 to the Provider upon the execution of this agreement. Providers will track spending related to the distribution and be prepared to provide a report in August as to the impact the funds have made for the Provider and communities served by the Provider. These reports will be used to decide the future of the project for 2024.
4. Provider shall comply with all state and federal laws and regulations in providing service. Specifically, Wis. Stat. Chap. 256 and DHS 110, as well as any successor versions enacted by the State.
5. Provider shall not use the County's name in its service trade name and public information programs, unless agreed to in writing by the County.

6. The Provider shall establish and maintain adequate inventory control policies and procedures.
7. The Provider shall be responsible for the costs of the Wisconsin EMS license issued to the provider issued by the Department of Health Services.
8. Provider shall maintain, at all times during the term of this Agreement, insurance by an insurance company licensed to do business in the State of Wisconsin, with a minimum AM Best Financial Strength Rating of B-. If no AM Best rating is available, the insurance company may have a rating from another rating agency that is reasonably equivalent to or better than an AM Best Financial Strength Rating of B- (Fair/Adequate ability to meet obligations). Provider shall supply a Certificate of Insurance (COI) to the County within 30 days after execution of this Agreement.
9. Provider agrees to hold harmless, pay the cost of defense including actual attorney fees, and indemnify the County from all claims, lawsuits, and liability for loss, damage or injury to the person or property of others that arise out of occurrences related to the negligent acts or omissions of Provider, its employees, officers, agents, and representatives in the performance of this Agreement.
10. County agrees to hold harmless, pay the cost of defense including actual attorney fees, and indemnify the Provider from all claims, lawsuits, and liability for loss, damage or injury to the person or property of others that arise out of occurrences related to the negligent acts or omissions of County, its employees, officers, agents and representatives in the performance of this Agreement.
11. Notwithstanding any other provision of this Agreement to the contrary, in the event that the County loses its levy limit exemption for a Countywide Emergency Medical System under 66.0602(3)(e)6 of the Wisconsin Statutes, and sufficient budgeted funds are not available for a new fiscal year, the County shall notify Provider in writing within five (5) days of the determination of such occurrence, and this Agreement shall terminate on the last day of the current fiscal year without penalty or expense to the County.
12. The initial term of this Agreement shall be for 12 months, commencing January 1, 2023 and terminating at midnight, December 31, 2023. This Agreement shall automatically renew unless the Provider notifies the County by September 1st that the Provider is terminating this Agreement or if the County notifies the Provider by October 1st, that the County is terminating this Agreement.
13. Provider shall not assign any portion of the Agreement for services to be rendered without first obtaining written consent from the County. Any assignment made contrary to the provisions of this Agreement shall, at the option of the County, terminate the Agreement and shall not convey any rights to the assignee.
14. Other provisions of this Agreement notwithstanding, the County recognizes that it does not exercise control over the daily operation of the Provider regarding individual manpower

assignments, terms, benefits, or conditions of employment established by a collective bargaining agreement, or duties and obligations of any town board or commission, nor is the County bound by them.

15. Unless otherwise specified, all notices, consents, and agreements required or permitted by this Agreement shall be in writing, and shall be addressed as follows:
16. The laws of the State of Wisconsin shall govern the validity, interpretation, construction, and performance of this Agreement.
17. Pursuant to Wisconsin's Open Records Law, sections 19.21, et. seq. , Wis. Stats. , Provider shall keep and maintain public records that ordinarily and necessarily would be required by the County in order to perform the service; Provide the public with access to public records on the same terms and conditions that the County would provide the records and at a cost that does not exceed the cost provided in section 19.35, Wis. Stats. , or as otherwise provided bylaw; Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized bylaw; Meet all requirements for retaining public records and transfer, at no cost, to the County all public records in possession of the Provider upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the County in a format that is compatible with the information technology systems of the County.
18. In the event that any provision of this Agreement shall, for any reason, be determined to be invalid, illegal, or unenforceable in any respect, the Parties hereto shall negotiate in good faith and agree to such amendments, modifications, or supplements of or to this Agreement or such other appropriate actions as shall, to the maximum extent practicable in light of such determination, implement and give effect to the intentions of the Parties as reflected herein, and the other provisions of this Agreement shall, as so amended, modified, supplemented, or otherwise affected by such action, remain in full force and effect.

EMS Agency Director

Date

Municipal Signatory

Date

Lynn Divine, County Clerk

Date

Dennis Pocernich, County Board Chair

Date

SUBJECT: Discussion and Possible Action Regarding Proposed Updates to the Codification of Chapter 463: Policies and Procedures for Parks, Facilities, and Recreation Areas, Ashland City Ordinances (*Parks and Recreation*)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Parks and Recreation

CLEARANCES: Parks and Recreation Committee
City Administration
City Attorney

EXHIBITS:

1.	REDLINED Chapter 463 Policies and Procedures for Parks, Facilities, and Recreation Areas 2023
----	---

COMPLIANCE WITH STRATEGIC PLAN: ENVIRONMENT: Ties into the proper use and conservation of the city's natural resources and greenspaces.

SUMMARY STATEMENT:

It is the purpose of Chapter 463 to encourage and enhance the public's recreational experience and use of public-owned public parks, trails, plazas, facilities, and recreation and conservation areas within the corporate limits of the City of Ashland, while at the same time establishing reasonable restrictions and limitations intended to preserve and protect these lands and the people using them to allow the public to have a pleasurable recreational experience on these shared multi-purpose lands.

Updates are shown in red, with a strike-through with the former language.

Major updates to Chapter 463 include:

- 463.08 Reservations = update includes setting up two different dates to start making camping reservations and a pavilion/green space/picnic shelter reservation, limiting the number of month-long reservations that can be made per month, and when reservations can start (1st or 15th of each month)
- 463.09 Personal Conduct and Nuisances = updated to state "prohibited at all times in or on all recreational areas" along with an updated definition of recreation area, smoking, tobacco products, electronic smoking devices, and tobacco products. The update also states that "Use of sacred tobacco in or on recreational areas as part of a Native American religious, spiritual, or cultural ceremony or practice" is allowed.
- 463.16 RV and Tenting = update better defines how sites are acquired and what sites are available for month-long reservations. The update in numbers reflects the renumbering of the Kreher Park Campground in 2021.
- 463.25 Additional Park Rules, Permits = added section about unattended property in City parks.

CHAPTER 463. POLICIES AND PROCEDURES FOR PARKS, FACILITIES, AND RECREATION AREAS.

463.01. Purpose. It is the purpose of this chapter to encourage and enhance the public's recreational experience and use of City owned public parks, trails, plazas, facilities, recreation and conservation areas within the corporate limits of the City of Ashland; while at the same time establishing reasonable restrictions and limitations intended to preserve and protect these lands and the people using them to allow the public to have a pleasurable recreational experience on these shared multi-purpose lands.

463.02. Scope. Except when the context provides otherwise, the provisions of this chapter shall apply in all lands, structures, and property owned, leased, or administered by the City of Ashland including developed and undeveloped parks, lands, trail corridors, plazas, facilities, and recreation and conservation areas within the present and future corporate limits of the City of Ashland.

463.03. Definitions. The following definitions shall be applicable to the provisions of this chapter:

(a) Campground shall mean any portion of municipal lands designated for supplying non-permanent overnight accommodations for camping units.

(b) Camp Site shall mean a defined area within a campground designated for the placement of a single camping unit or multiple camping units. A camp site may also be referred to as a Group Camp Site.

(c) Camping Unit shall mean any portable device (tent, trailer, motor home, 5th wheel, tent trailer (pop-up), van, bus, etc.) designed to be used as a temporary dwelling.

(d) Conservation Lands are those lands intended to exist primarily in a natural state. Conservation lands are intended to support wildlife and native plants. They may also support recreation and educational uses where such activities are compatible with their primary purpose.

(e) Motorized Vehicle shall mean any engine driven vehicle including, but not limited to, automobiles, trucks, go-carts, mopeds, motorcycles, scooters, ATVs, UTVs, and snowmobiles.

(f) Parks / Park Lands are public lands, leased public or private lands, trail corridors, facilities, and recreation areas owned by the City and dedicated for park, recreation, or conservation use. These lands are often, but not always, developed with recreation facilities and landscaping. They also may have natural values and functions.

(g) Trails are publicly owned or leased public or private lands, or private lands for which the City has obtained an easement for public purposes, which serve as corridors for recreation, travel, and/or wildlife. Trails may be single use or multi-use as determined by the ordinances,

policies and regulations adopted by the Common Council. The principal trail component within the City of Ashland is the Ashland Rail Trail System (ARTS).

(h) Improved Park Lands shall mean publicly owned park and recreation areas with buildings, structures, pavilions, roads, trails, landscaping and established regularly cut grassy areas or lawns, or managed native vegetation. Generally an improved park, recreation or conservation area will be dedicated as a named public area by ordinance or resolution of the Common Council and named.

(i) Park Pavilion shall mean a roofed structure open on all sides.

(j) Picnic Shelter shall mean a roofed structure open on all sides generally not larger than a single picnic table.

(k) Undeveloped Park and Recreation Lands as used within this chapter shall mean publicly owned lands, open space, or green space within the City that have not been dedicated for a specific use. Undeveloped park and recreation lands are generally not landscaped nor are they improved with trails, roadways, structures, or recreational amenities. Undeveloped park and recreation lands do not include designated conservation areas.

463.04. Park Descriptions.

(a) Prentice Park and Campground. Prentice Park consists of public owned land West of Turner Rd to the Ashland/Bayfield County Line and north of Park Rd to U.S. Highway 2 and the public owned land north of Junction Rd to Park Rd.

1. Parcel No. 201-04767-0000 lying south of the rights-of-way of USH 2 & STH 13;
2. Parcel No. 201-04778-0000 lying south of the rights-of-way of USH 2 & STH 13;
3. All of Parcel No. 201-04763-0000;
4. All of Parcel No. 201-04769-0000;
5. That part of Parcel 201-04773-0000 lying north of Gun Club Road.

(b) Maslowski Beach. The Maslowski Beach consists of that portion of Government Lots three (3) and four (4) north of the right-of-way easement of U.S. Highway 2.

1. Parcel No. 201-04778-0000 lying north of the rights-of-way of USH 2 & STH 13;
2. Parcel No. 201-04767-0000 lying north of the rights-of-way of USH 2 & STH 13.

(c) Hodgkins Park. Hodgkins Park consists of three ball fields and is the public owned land

South of Pufall Dr. and East from 11th Ave E to 14th Ave E.

1. Parcel No. 201-02434-0000;
2. Parcel No. 201-02438-0000;
3. Parcel No. 201-05088-0000.

(d) Kreher Park, Beach, Boat Launch, and RV Campground. Kreher Park, Kreher Park Beach, and RV Campground consists of the public owned land west from the Willis Avenue to Ellis Avenue and North of the Railroad right-of-way between the two avenues. This park contains a pavilion, restroom facilities, RV Campground, a fee boat launch and Marina boat storage.

1. Parcel No. 201-00997-0000;
2. Parcel No. 201-01002-0000; and
3. Undeveloped street rights-of-way.

(e) Bayview Park and Beach. Bay View Park consists of those publicly owned parcels located North of Lake Shore Dr East (U.S Hwy 2 E), West from approximately 21st Avenue East on the east to 13th Ave East on the west and includes the area commonly referred to as City Dock; the tract consists of:

1. Parcel No. 201-03301-0000;
2. Parcel No. 201-01141-0000;
3. Parcel No. 201-01139-0000;
4. Parcel No. 201-01140-0000;
5. Easterly portion of Parcel 201-00976-1000 (C&NW RR rights-of-way);
6. Undeveloped street rights-of-way.

(f) Howard Pearson Plaza and Ed Griffiths Pedestrian Pass. The H. Pearson Plaza consists of the public owned property by Ashland City Hall, the area North of Main St W to U.S. Highway 2, then under U.S. Highway 2 through Ed Griffiths Pedestrian Pass:

1. Parcel No. 201-04239-0000;
2. Parcel No. 201-04240-0000;
3. Northerly ½ of Parcel No. 201-04229-0000
4. 201-04231-0000
5. Undeveloped street rights-of-way.

(g) 6th Avenue Beach. A tract of publicly owned land lying between Lake Shore Drive West and the shore of Chequamegon Bay, extending along the lakeshore 400 ft. east from the north end of 6th Ave W. and including the following parcel numbers:

1. Parcel No. 201-04221-0000;

2. Undeveloped street rights-of-way north of the Waterfront Trail.

(h) Central Railyard Park, Little League Fields & Skatepark. Central Railyard Park consists of a tract of public and private lands generally bounded on the south by 6th Street West and parcels containing Zipperers Mini Storage and Chequamegon Bay Engineering, bounded on the west by Vaughn Avenue, bounded on the north by parcels containing the AADC Enterprise Center, Bretting Community Center, Bay Civic Center, the historic Soo Line Depot; on the east by commercial offices including the Chequamegon Clinic consisting of Parcels:

1. 201-01958-0000
2. 201-01959-0200
3. 201-01960-0000
4. 201-01952-0000
5. 201-01965-0000
6. 201-01948-0000
7. 201-01979-0000
8. Parking lot easement on Parcel 201-01945-0000
9. Parking lot easement on Parcel 201-01973-0000
10. Undeveloped street rights-of-way.

(i) East End Skating Rink. A tract of land bounded by 5th Street East on the north, 17th Avenue East on the east, the alley between 5th Street and 6th Street on the south, and 16th Avenue East on the west consisting of Parcel:

1. 201-03641-0000

(j) Ellis Park. Block 128, Ellis Division of the City of Ashland consisting of Parcel:

1. 201-01760-0000

(k) Penn Park. Block 264, Ellis Division of the City of Ashland consisting of Parcel:

1. 201-02692-0000

(l) Locomotive Park. Consists of the publicly owned land on Depot Drive including the following parcel number:

1. 201-01671-0000

(m) Marina Park. Marina Park consists of those lands on the marina peninsula east of Ellis Avenue comprising that portion of Parcel No. 201-01009-000 lying on the marina peninsula east of Ellis Avenue.

(n) Menard Park. Consists of the public owned property on the corner of Chapple Ave and

Main St W, consisting of Parcel:

1. 210-00015-0000

(o) Beaser Park & Martinsen & Bebeau Fields. Consists of the public owned property on Block 71-72 of Ashland Proper off of Beaser Ave and 8th St W and consisting of Parcel:

1. 210-00564-0000
1. 201-00560-0000

(p) Hot Pond Boat Launch. An area of privately owned lands between Lake Shore Drive (USH 2 & STH 13) and the shore of Chequamegon Bay at approximately Beaser Avenue outside of the security fence of the NSPW Bayfront Power Plant for which the City has a license for maintaining a boat launch consisting of a portion of Parcel:

1. 201-00726-0000

(q) Pig Iron Dock. An area of privately owned lands between Lake Shore Drive (USH 2 & STH 13) and the shore of Chequamegon Bay at approximately 17th Avenue West outside of, and west of, the security fence of the NSPW Bayfront Power Plant for which the City has a license for permitting recreational access consisting of the westernmost portion of Parcel:

1. 201-00726-0000

(r) Ashland Rail Trail System. The Ashland Rail Trail System (ARTS) is described as a linear corridor of varying widths and about 10 miles in length and includes public property and private property where the City of Ashland has been granted easements or license for recreational use. ARTS consists of several components including:

- (1) 5th Street Corridor extending from the Tri-County Corridor at Sanborn Avenue on its west end through Central Railyard Park to Lake Shore Drive at approximately 24th Avenue East on the east;
- (2) Waterfront Trail extending from the Prentice Park pavilion parking lot on the west and extending along the waterfront through Maslowski Beach, 6th Avenue Landing, Kreher Park, and Bayview Park to approximately 22nd Avenue East on the east where it connects to the 5th Street Corridor; and
- (3) East Side Connector extending from Bayview Park along the former C&NW railroad rights-of-way to the 5th Street Corridor at the Public Works Shop.

463.05. Opening & Closing Dates Established.

(a) Availability of Park Facilities. The facilities of Prentice Park, Maslowski Beach, Bay View Park, Kreher Park, Howard Pearson Plaza and Central Railyard Park will open the first of May and close Mid-October (depending upon weather).

(b) Campground Closure. The Kreher Park and Prentice Park Campgrounds shall be closed from Mid-October (depending upon weather) until the first Saturday in May.

463.06. Park Hours. It shall be unlawful for any person to enter or be within any municipal park lands between the hours of 10:00 p.m. and one-half hour before sunrise with the following exceptions:

- (a) A City sponsored or City approved event.
- (b) A registered camper at either the Kreher Park Campground or the Prentice Park Campground.
- (c) Activities directly related to boat launching and trailer parking areas.
- (d) Users of the City's Waterfront Trail and 5th Street Corridor Trail provided trail users are not congregating with others nor are they loitering in the use of the trail.

463.07. Fees, Charges, Deposits.

(a) Fee Schedule. It shall be unlawful for any person to reserve any facility, shelter, pavilion, or area for which a fee or charge has been approved by the Ashland Common Council, without payment of such fee or charge. Fees and charges are incorporated within the City of Ashland Comprehensive Fee Schedule and are reviewed and approved annually by the Common Council.

(b) Special Fees. Any park area, structure, or facility may be reserved or rented for special purposes subject to approval by the Parks and Recreation Committee.

(c) Program Fees. Fees may be established for recreational programs including separate resident and non-resident fees, subject to approval by the Parks and Recreation Committee.

(d) Reservations and Deposits. Reservation requests and deposits are handled through the Parks and Recreation Office. Upon inspection of the premises and surrender of keys where applicable, the deposit shall be refunded to the user. The deposit will be subject to retention, in whole or part, by the City if the pavilion or facility used proves to have been subjected to abuse, inadequately cleaned, or used in violation of current rules and regulations.

463.08. Reservations.

- (a) Reservations for pavilions, picnic shelters, green spaces, recreation areas and month long camping will be accepted on a first come – first serve basis beginning the first Monday

second Wednesday in February for the calendar year at the Parks and Recreation Department office.

- a. Reservations for month long camping for the summer will close on June 1 of each year
- b. Month long reservations must begin on the 1st or 15th of the month
- c. The total number of month long reservations cannot exceed 15 reservations/month.

(b) Reservations for pavilions, picnic shelters, green spaces, and recreation areas will be accepted on a first come – first serve basis beginning the third Wednesday in February

(c) Pavilion, park, and green space reservations must be made at least 24 hours one week prior to a scheduled event. Reservations, fees, and charges must be paid at the time the reservation is made at the Parks and Recreation Department office.

463.09. Personal Conduct and Nuisances.

(a) Personal Conduct. It shall be unlawful for any person to indulge in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance, or to be so intoxicated that he/she is unable to care for his/her own safety, upon any City park land.

(b) Property of Others. It shall be unlawful for any person to destroy, disturb, molest, or remove the property or personal effects of others upon any city park land.

(c) Unnecessary Noises. It shall be unlawful for any person to operate sound trucks, loud speakers, motors, generators, power boats, motor vehicles, or any other mechanical devices that produce undue or unnecessary noises without first obtaining a written permit from an authorized agent of the Parks and Recreation Department. Unnecessary noise for the purposes of this section is defined as any noise that disturbs a person of reasonable sensibilities.

(d) Glass Beverage Containers. It shall be unlawful to bring, or possess, any glass alcoholic or non-alcoholic beverage container within City park lands, trails, beach or skatepark.

(e) Smoking; Tobacco Use. **Is prohibited at all times in or on all recreational areas**, within the Purple Park and within 15 feet of all City park playground structures, ballparks, public beaches, and the skatepark. The “Purple Park” is that part of the Central Railyard Park, as defined in sec. 463(04)(h), that is bounded by Sixth Street on the South, Vaughn Avenue on the West, the walkway bordering the Zipperer’s Mini Storage parcel on the east (including the walkway itself), and the Fifth Street Corridor trail on the north (including the paved portion of the trail itself).

(1) Smoking shall mean: inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco, nicotine, or plant product intended for inhalation, including hookah and marijuana, whether natural or synthetic. “Smoking” also includes the use of an electronic smoking device.

- (A) ~~Inhaling, exhaling, burning or holding any lighted cigar, cigarette, pipe or other lighted tobacco product in any manner or in any form, or~~
- (B) ~~Inhaling or exhaling from, holding, or operating any lighted or activated electronic device which produces and/or delivers nicotine in a vaporized form, or is designed, advertised, or marketed to do so, including, but not limited to, devices commonly known as electronic cigarettes or e-cigarettes.~~

(2) Recreational area means all facilities, parks, trails, open space, and other property owned, leased, rented, contracted, used, or controlled by City for parks and recreational purposes, including parking areas, streets, and sidewalks located within a park or recreational area. The term includes, but is not limited to, restrooms, spectator and concession areas, playgrounds, athletic fields, beaches, picnic areas, golf courses, walking paths, gardens, hiking trails, bike paths, riding trails, roller and ice-skating rinks, skateboard parks, amusement parks, zoos, and aquatic areas.

~~(2) Playgrounds shall mean the area set aside for recreation and play, especially those containing equipment such as seesaws and swings, owned and maintained by the City.~~

~~(3) Ballparks shall mean a facility, including bathrooms, concession buildings, bleachers and dugouts in which baseball and softball games are played.~~

~~(4) Public beaches shall mean the areas covered with sand or small rock next to Lake Superior and owned by the City; refers only to Maslowski, Kreher and Bayview Beaches.~~

~~(5) Skatepark shall mean the area of concrete with structures built and used for skateboarding, BMX and aggressive inline skating in Central Railyard Park.~~

(3) Electronic smoking device means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah

(4) Tobacco products means:

- (a) any product containing, made of, or derived from tobacco or nicotine that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means, including, but not limited to, a cigarette, cigar, pipe tobacco, chewing tobacco, snuff, or snus;
- (b) any electronic smoking device as defined in this policy and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; or,

- (c) any component, part, or accessory of 1) or 2), whether or not any of these contains tobacco or nicotine, including, but not limited to, filters, rolling papers, blunt or hemp wraps, hookahs, and pipes.

“Tobacco product” does not mean drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

(5) Tobacco use means the act of smoking or the use of any other tobacco product in any form.

(6) Implementation

- (a) Signage will be posted at strategic locations to inform the community and recreational area users about the policy.
 - (b) The success of this policy depends on the consideration and cooperation of all. Enforcement of the policy is a shared responsibility of City staff and recreational area users. City staff will communicate the policy to event organizers. City staff will also make periodic observations of recreational areas to monitor for compliance.
 - (c) Any individual found violating this policy will be reminded and asked to comply before being subject to ejection from the recreational area. City staff found violating this policy may be subject to disciplinary action.
 - (d) An owner, manager, operator, or employee of an area regulated by this Article shall direct a person who is smoking or using tobacco products in violation of this Article to extinguish the product being smoked or stop using the tobacco product. If the person does not stop smoking or using the tobacco product, the owner, manager, operator, or employee shall refuse service and shall immediately ask the person to leave the premises. If the person in violation refuses to leave the premises, the owner, manager, operator, or employee may contact a law enforcement agency.
- (7) Use of sacred tobacco in or on recreational areas as part of a Native American religious, spiritual, or cultural ceremony or practice is allowed.

463.10. Destruction of Property, Disposal of Refuse, Cleaning.

(a) Destruction, Defacement, Removal. It shall be unlawful for any person to disturb, molest, deface, remove, or destroy any native tree, shrub, plant, or other natural growth; to carve on or deface any rock, archaeological feature, signs, walls, structures, barrier, barricade, or railing; to drive nails in trees, or to move, injure or deface in any manner any structures including buildings, signs, fences, tables, or other City property.

(b) Disposal of Refuse.

- (1) It shall be unlawful for any person to dispose of any garbage, sewage, bottles, tin

cans, or other waste material in any manner except by placing in receptacles provided for such purposes. Discarding bottles, tin cans, garbage, sewage, or other refuse in the water or on the ice of any river, stream, lake or along roads in any City park lands is prohibited.

(2) It shall be unlawful for any person (registered campers excepted) to dispose of household solid waste or yard waste on any City park lands or within waste receptacles in City park lands.

(3) It shall be unlawful for any person, hunter, fisherman, or trapper to utilize a park restroom, concession stand, pavilion for the gutting and cleaning of fish and game.

(4) Charcoal residue and wood coals shall not be disposed of within waste receptacles until such time as they are cool to the touch.

(c) Cleaning, Washing. The washing of cars, pets, recreational vehicles, persons, cooking utensils, or clothing in any river, stream, lake, playground, boat landing, parking lot, roadway or within fifty feet (50') of any well, fountain, artesian well, or drinking water outlet within any City park land is prohibited. The washing of persons, cooking utensils, and clothing shall be permitted at designated facilities and washing areas.

463.11. Vehicles. It shall be unlawful to operate or park any motorized vehicle, except as provided herein, upon any trail, pathway, beach area, playground, picnic area, athletic field, or any area other than an established roadway, parking area, boat ramp, and service areas or contrary to posted notice or within any park seasonally closed to vehicular traffic.

(a) Vehicular Traffic.

(1) No person shall operate any vehicle in any park in a reckless manner contrary to the provisions of sec. 346.62, Wisconsin Stats.

(2) It shall be unlawful to operate any motorized vehicle at a speed in excess of 15 miles per hour, or contrary to official traffic signs, on roadways and within parking lots within any City park lands.

(3) It shall be unlawful to operate any motorized vehicle at a speed in excess of 5 miles per hour within the access roads of any City of Ashland recreational vehicle park or campground, unless otherwise stated.

(4) It shall be unlawful for any vehicle, other than a government vehicle, to be within the boundaries of any City of Ashland R.V. Park and Campground between the hours of 10:00 p.m. and 6:00 a.m. without the person in control of the vehicle first having paid the applicable R.V. Park or campground entry/user fee with the exception of guests of campers.

(b) Parking.

(1) No person shall park, stop, or leave standing, whether attended or unattended, any vehicle, obstruction, or watercraft in any manner as to block, obstruct, or limit the use of any road, trail, parking lot, boat landing, waterway, or winter sport facility or contrary to posted notice.

(2) No person shall park, stop or leave standing a motor vehicle within City park lands between the hours of 10:00 p.m. and one-half hour before sunrise except:

(A) Registered campers or their guests at Kreher and Prentice Park.

(B) Persons launching boats.

(C) Persons participating in special events approved by the City or its Parks and Recreation Department.

(c) Use of Snowmobiles and Off Road Vehicles

(1) It shall be unlawful for any person to operate a snowmobile, all terrain vehicle (ATV), or utility terrain vehicle (UTV) within any City parklands except routes designated and signed for snowmobile, ATV or UTV use.

(2) Persons operating snowmobiles on approved designated routes within City parklands shall abide by the provisions of Chapter 350, Wis. Stats. and Chapter 505, Ashland City Ordinances.

(3) Persons operating ATVs or UTVs on approved designated routes within City parklands shall abide by the provisions of Chapter 23.33, Wis. Stats. and Chapter 507, Ashland City Ordinances.

463.12. Fires and Firewood.

(a) Fires. It shall be unlawful for any person to start, tend, or maintain any fire, except at designated fireplaces, fire rings, or grills within any City park, except:

(1) Fires for cooking or heating may be made in portable stoves, heaters, or grills at designated camping and picnic areas.

(2) Special events approved by the City or its Parks and Recreation Department.

(b) Unattended Fires. It shall be unlawful for any person to leave a fire unattended.

(c) Burning of Refuse. It shall be unlawful for any person to burn rubbish, trash, plastic,

glass, cans, or household garbage on City park lands.

(d) Collection of Firewood. The collection of firewood from City park lands is prohibited.

(e) Transport of Firewood. It shall be unlawful for any person to transport firewood onto City parklands from a distance of more than 25 miles from the corporate limits of the City of Ashland.

463.13. Fireworks. It shall be unlawful for any person to possess, fire, discharge, explode, or set off any squib, crackers, or other explosive or pyrotechnic device containing powder, or other combustible or explosive material within the limits of any City park, excepting the exhibitions of fireworks given under the direction or by the permission of the City or its Parks and Recreation Department.

463.14. Ashland Rail Trail System.

(a) Trail Use. The use of the Ashland Rail Trail System corridors are limited to pedestrian activities such as walking and bicycling except as provided within Section 463.14 (c).

(b) Users Shall Share the Trail. All users of the Ashland Rail Trail System shall share the trail with other users.

(c) Motorized Vehicles. The operation of Motorized Vehicles on the Ashland Rail Trail System is prohibited except:

(1) Snowmobiles are permitted on the length of the 5th Street Corridor from Sanborn Avenue on the west to the south east corner of the Chicago Iron property during those times in which Ashland County snowmobile trails are open for use in accordance with Chapter 505, Ashland City Ordinances.

(2) ATVs are permitted on that portion of the 5th Street Corridor between Stuntz Avenue and 11th Avenue East to permit utilization of the bridge to cross Bay City Creek, however:

(A) ATVs are restricted to 10 mph when using this trail segment in accordance with Chapter 507, Ashland City Ordinances.

(B) ATVs are prohibited from traversing or climbing the banks of Bay City Creek or crossing Bay City Creek in any manner which avoids utilizing the 5th Street Corridor Trail bridge.

(3) Motorized vehicles are permitted on that portion of the Waterfront Trail from the

access road to the western entrance of the Bayfront Power Plant (15th Avenue West) to the unimproved trail accessing the private lands licensed for public recreational use by NSPW known as the Pig Iron Dock.

(4) Municipal vehicles utilized for maintenance, operations, emergency, or enforcement of municipal ordinances.

(d) Motorized Vehicles Shall Yield. Motorized vehicles are required, in all circumstances, to yield to pedestrians and non-motorized traffic.

(e) Trail Closing.

(1) In an emergency, or when in the judgment of the Public Works Director and/or Parks and Recreation Director, or their designees, that flooding, wet conditions, lack of snow, construction, severe weather, high fire danger, or any other reason that the public interest demands, may close sections of the trail system.

(2) Portions of the trail system may be closed by the Parks and Recreation Department for authorized special events.

(3) Use of the portion of the trail system after it is posted “closed” under this section shall be deemed as trespass.

463.15. Ashland Skate Park.

(a) In addition to the prohibitions set forth herein, the Parks and Recreation Committee and its designee may establish administrative and operating rules and policies applicable to the City skate park when conditions or necessity require.

(b) It is unlawful for any person to engage in any of the following conduct while present at the City skate park:

(1) Skateboarding, inline skating, or otherwise being present at the City skate park during hours when posted signs indicate that such skate park is closed and usage is not allowed.

(2) Use of motorized bicycles, scooters, or vehicles on the skateable surfaces within the City skate park.

(3) Placing or using ramps, tables, benches, or other objects not constructed as an integral part of the skate park within the skate parks’ skateable surface areas.

(4) Using alcohol, tobacco, or unlawful drugs within any part of the skate park area.

- (5) Allowing or possessing any animals within the skate park skate area.
- (6) Littering within the skate park complex, adjoining parking lots, park lands, and public street rights-of-way.
- (7) Possessing any glass or ceramic container while on the skate park skateable surface areas.
- (8) Profane, obnoxious, boisterous, or rowdy behavior disturbing to others.
- (9) Utilization of the skate park without wearing a properly fastened helmet that is specifically approved and sold as a helmet for skateboarding or inline skating.

463.16. RV and Tent Camping.

(a) Camping.

- (1) Occupancy of Kreher and Prentice Park campsites is first come – first serve except for month long campers who may reserve sites at Kreher Park.
- (2) APR may accept nightly reservations for groups of 10+ RVs. Reservations must be made at least four months in advance through the APR Office and are subject to the Parks and Recreation Director's approval.
- (3) It shall be unlawful to camp or use a camping unit on any City park land other than designated campsites within Kreher or Prentice Park.
- (4) The Parks and Recreation Committee, and its designated agent, may provide exemptions to City park camping restrictions for special events.

(b) After Hours Loitering.

- (1) Parking of vehicles, congregating of individuals, or loitering at the Kreher Park beach, restrooms, playground, pavilion, boat launch area or boat launch parking lot between the hours 10:00 p.m. and one-half hour before sunrise by anyone other than registered campers or individuals or parties launching boats is strictly prohibited.
- (2) Parking of vehicles, congregating of individuals, or loitering at the Prentice Park, restrooms, playground, pavilion, boardwalk between the hours 10 PM and one-half hour before sunrise by anyone other than registered campers is strictly prohibited.

(c) Registration and Payment of Camping Fee. Self registration is required of all parties

occupying a campground campsite for any purpose prior to occupancy. **A camping unit must be on site when paying the camping fee, sites cannot be held by chairs, tables, cars, etc.**

(d) Tent camping is prohibited at Kreher RV Park. Family tents are allowed on a paid and occupied RV site as an accessory use.

(e) Check-Out time is 11:00 a.m. Occupants of a site after 11:00 a.m. without permission of the camp host or caretaker will be charged another night's camping fee

(f) Occupation Limit. A site may not be occupied by more than eight (8) persons.

(g) Length of Stay.

(1) Kreher RV Park – no one may occupy the following lakefront RV campsites continuously for more than 14 days: ~~15, 18, 19, 20 and 23~~ **10, 14, 23, 24, 25, 26, 29, 30, and 33.** Sites ~~15, 18, 19, 20 and 23~~ **10, 14, 23, 24, 25, 26, 29, 30, and 33** are not able to be reserved and are only available on a first come first serve basis unless approved by special circumstance by Parks and Recreation Director: i.e. host site, medical reasons, etc. Lake sites ~~16, 17, 21, and 22~~ **26, 27, 31, and 32** have a maximum stay of one month per calendar year.

(2) Prentice Park - No one may occupy a tent campsite continuously for more than 14 days. RV sites **6, 4 and 2**, with a recreational vehicle (RV), are available for month long rentals.

(h) Placement of Vehicles and Tents.

(1) Camping units are restricted to the designated parking area on each campsite. No more than two motor vehicles (or six motorcycles) are allowed on any one campsite.

(2) The number of tents allowed on any one campsite depends on the sizes of the tents and of the site. Tents may not exceed the boundaries of the site. Tents must be placed on a tent pad at the campsite. Tents are not allowed to be placed in the woods.

(i) Quiet Hours Established. Campground quiet hours are between 10:00 p.m. and 6:00 a.m.

(1) Any noise originating from campsites, camping units, the Waterfront trail, beach, playground, restrooms, or pavilion bothersome to campers at the Kreher RV Park Campground is prohibited.

(2) Any noise originating from campsites, camping units, boardwalk, slough, trails, restrooms, playground, or pavilion bothersome to campers at the Prentice Park Campground is prohibited.

463.17. Use of the Soo Line Ore Dock.

(a) Applicability. This section applies to the structure known as the Soo Line Ore Dock,

AKA Ashland Ore Dock, more specifically described as the structure that extends into Lake Superior from the shore between Stuntz Avenue and Seventh Avenue East, or between Blocks 17 and 18, Ellis Division, City of Ashland, Ashland County, Wisconsin.

(b) Closures. City staff, as delegated by the City Administrator, may close the Ore Dock, or a part of it, to the public for maintenance activities, during periods of inclement weather, during special events authorized by the City, or to protect the public from any hazard to health, safety, or welfare. The public shall be given notice of the closure of the Ore Dock through the placement of signs or physical barricades or both sufficient to provide reasonable notice of the closure to the public. It shall be a violation of this section to:

- (1) Move or remove a sign or barricade providing notice of closure.
- (2) Enter the Ore Dock, or any closed part of it, when it has been closed pursuant to this section.

(c) Special events. The Parks and Recreation Department may authorize weddings and other brief ceremonies (less than an hour) that are small enough to allow the public substantial access to most of the Ore Dock during the ceremony. Any event that would require closure of the entire Ore Dock or a substantial portion of it must be approved by the City Council.

(d) Children. No child under the age of ten years shall be on the Ore Dock unaccompanied by an adult, and no parent or guardian shall allow a child under the age of ten years to be on the Ore Dock unaccompanied by an adult.

(e) Prohibitions. No person shall:

- (1) Tamper with, remove, damage, or misuse any rescue ring, safety ladder, navigational aid, light, or other safety device.
- (2) Climb on, move, remove, or damage any fence or barricade.
- (3) Remove, damage, or destroy any City property on the Ore Dock, such as but not limited to picnic tables or trash cans.
- (4) Draw or paint or otherwise place any graffiti on any portion of the Ore Dock, or any fence or barricade or other structure on the Ore Dock.
- (5) Jump or dive from the Ore Dock.
- (6) Swim from the Ore Dock.
- (7) Light, use, or maintain any fire on the Ore Dock or in or on any device on the Ore Dock.

- (8) Discharge any fireworks not specifically authorized by the City.
- (9) Operate any motorized vehicle not specifically authorized by the City.
- (10) Moor a vessel of any sort to the Ore Dock for more than four hours without permission of the Marina Manager.
- (11) Moor a vessel in any manner which interferes with the ingress or egress of the RV Kiyi from the adjacent dock.
- (12) Use or possess any glass container.
- (13) Dispose of any trash or refuse of any nature on the Ore Dock or in the waters or on the ice near the Ore Dock.
- (14) Use any alcoholic beverage or possess any alcoholic beverage unless it is in the container in which it was sold and the container is sealed as it was when sold.
- (15) Be so intoxicated as to be a danger to himself or herself or others.
- (16) Smoke. Smoking means:
 - (A) Inhaling, exhaling, burning or holding any lighted cigar, cigarette, pipe or other lighted tobacco product in any manner or in any form, or
 - (B) Inhaling or exhaling from, holding, or operating any lighted or activated electronic device which produces and/or delivers nicotine in a vaporized form, or is designed, advertised, or marketed to do so, including, but not limited to, devices commonly known as electronic cigarettes or e-cigarettes.

463.18. Beaches.

- (a) Swimming Area Boundary Markers. It shall be unlawful for any person to disturb or mistreat any swimming area buoy or marker at any public swimming beach.
- (b) Swimming Area Limits. It shall be unlawful for any person to swim beyond the limits of swimming area marker buoys where such buoys are provided.
- (c) Lifeguards.
 - (1) It shall be unlawful for any person to ignore the instructions of a lifeguard in the performance of his/her duties.

(2) It shall be unlawful for any person to carry on unnecessary conversation with lifeguards or falsely call for help or assistance; to stand, sit, or cling to any lifeguard perches; or, except in emergency, to climb into or cling to any lifeguard boats.

(d) Bathing Dress. It shall be unlawful for any swimmer or bather to enter the water or onto any bathing beach unless clothed in suitable dress or suit.

(e) Glass Containers. It shall be unlawful to possess or use any glass container on a beach within City park lands.

463.19. Animals.

(a) Pets.

(1) It shall be unlawful for any person to allow pets to enter any public building, swimming bathing-beach, or playgrounds within City park lands with the exception of service animals.

(2) It shall be unlawful for any person to allow pets to run at-large at any time within City park lands except those areas specifically designated as pet runs. In those areas in which pets are permitted, dogs shall at all times be kept on a leash not more than six (6) feet long. All pets shall be effectively restrained and under the owner's control at all times. At-large pets are subject to seizure by animal control officers.

(3) No person shall tether a pet to a tree or plant.

(4) No person shall permit any dog, cat or other pet to enter the Kreher Park, Bayview Park, or Maslowski Park beach swimming areas.

(5) No off leash pets are allowed within the fences of the Beaser Park Baseball fields, Central Railyard Baseball fields, Hodgkins Park Baseball fields, and Penn Park.

(6) No person shall allow his/her pet to deprive or disrupt the enjoyment or use of any City park land by others.

(b) Horses.

(1) Horses are prohibited within all City parklands. Exceptions will be made for special events approved by the City or Parks and Recreation Department.

(2) Should a special event be approved in which horses will be a part, it shall be unlawful to ride a horse in a careless, negligent or reckless manner so as to endanger the life, property or person of others on any City park roads, or designated trails, or to ride,

lead, or have a horse in any manner on the beaches, foot paths, picnic grounds, athletic fields, or other similar special public use areas of any City park lands.

(c) Hunting and Trapping. No person shall intentionally kill, trap, hunt, pursue or in any manner disturb or cause to be disturbed any species of wildlife within City park lands, recreation areas or conservation areas except:

(1) Fishing is permitted on park lands and recreation areas with the proper state license.

(2) Hunts or trapping authorized by the City for the purpose of controlling or removing nuisance animals.

(d) Animal Excreta. Any owner or person having the immediate care, custody, or control of any animal shall promptly remove and dispose of, in a sanitary manner, any excreta left or deposited by the animal on City park lands.

463.20. Feeding Wildlife. No person shall purposely or knowingly feed, bait, or in any manner provide access to food to any wild animal or waterfowl within City park lands.

463.21. Alcoholic Beverages.

(a) Sale of Alcoholic Beverages. It shall be unlawful to sell alcoholic beverages within any City park lands without first acquiring the appropriate license from the Ashland City Clerk's office. The sale of alcoholic beverages shall only occur in compliance with Wisconsin Statutes and City Ordinance.

(b) Enforcement of Drinking Laws. The permit or license holder shall be responsible for complying with the alcoholic beverage laws of municipal ordinance, Wisconsin Statute, and the policies of the Ashland Parks and Recreation Department.

(c) Violations. Violators of the alcoholic beverage provisions of this Ordinance will be asked to leave City park lands and may be cited for the violation of Wisconsin's alcoholic beverage statutes and municipal alcoholic beverage ordinances.

463.22. Installation, Maintenance, & Replacement of Public, Private Utilities.

(a) Location. The location and placement of all public and private utilities serving City park and recreation facilities or crossing City park lands shall be undertaken in conjunction with discussions with the Parks and Recreation Department and Parks and Recreation Committee.

(b) Construction. All public and private utilities located within the boundaries of City park lands, recreation areas, or conservation areas shall be placed underground. The reconstruction or rebuilding of any existing above ground utility will include the placement of that utility line underground.

463.23. Peddling and Soliciting. It shall be unlawful for any person, organization, or business to peddle or solicit business of any nature whatever or to distribute handbills or other advertising matter or to post unauthorized signs, posters, bills, or decorative matter on any vehicle, structures, trees, light poles, sign posts, or property within City park lands or use such lands, structures, or property as a base of commercial operations for soliciting or conducting of business, peddling or providing services within or outside of such lands, structures, or property unless first authorized in writing by the Parks and Recreation Department.

463.24. Additional Park Rules, Permits.

- (a) Additional Rules. Rules, policies, and regulations may be made from time to time by the Common Council governing the further use of and enjoyment of City park lands, playgrounds, trails, beaches, conservation areas, and the facilities thereof provided that such rules may not contradict or conflict with the provisions of this chapter. Any person who shall violate such rules, policies, or regulations, or who refuses to subject himself thereto, may be excluded from the use of such facility.
- (b) Permits. Any person, organization, company to whom a park use permit or special event permit has been issued shall be bound by the provisions of all ordinances of the City of Ashland and the rules, policies, and regulations of use of City park lands as fully as though the same were inserted in each permit.
- (c) Unattended Property. Personal property may not be left unattended for any time period except in a paid/occupied campsite unless authorized by the Parks and Recreation Director. Unattended property is subject to impoundment and, if abandoned, disposal or forfeiture.

463.25. Penalty. Any person, firm or corporation violating any provision of this chapter, or any rule, policy, or order adopted hereunder, shall pay a forfeiture of not less than One Hundred Dollars (\$100.00) nor shall more than Five Hundred Dollars (\$500.00) for each offense, and a separate offense be deemed committed on each day on which a violation occurs or continues.

463.26. Restitution. In addition to the foregoing, any person, firm or corporation violating any provision of this chapter, or any rule, policy, or order adopted hereunder, shall be directly liable to the City of Ashland for the actual cost of repair or replacement of any property owned or in control of the City of Ashland which was damaged or destroyed by the said violation. The court may order restitution to the City of Ashland for said costs in addition to the foregoing penalties. Said restitution may be ordered in cash or labor under the direction of the Parks and Recreation Director.

ADOPTED: 463 (1819) 12/10/2013

AMENDMENTS: 463 (1833) 9/30/2014; 463 (2020-1926) 02/11/2020, 463 (2021-1939)
2/9/2021

DRAFT

SUBJECT: Discussion and Possible Action Regarding Submitting an Application by the City of Ashland to become a Monarch City USA (*Councilor Ortman*)

RECOMMENDATION: Discussion and Possible Action

DEPARTMENT OF ORIGIN: Councilor Ortman

CLEARANCES: Council President

EXHIBITS:

1.	City of Brookings, Oregon Sample Monarch Proclamation
----	---

COMPLIANCE WITH STRATEGIC PLAN: Environment: City Greenspaces: This item is part of the Strategic Plan for sustainable management of the City greenspaces, furthering the City's commitment to the protection of our natural resources. The action items ask, "What do we do with our current greenspaces?" and "...with new greenspace opportunities that emerge..." Becoming a Monarch City USA is a long term opportunity to create a dedicated purpose to one or more of the City's greenspaces, and further support of the natural resources of the area.

SUMMARY STATEMENT:

Nearly a billion monarch butterflies have vanished since 1990, according to data released by the U.S. Fish and Wildlife Service in February 2015. Monarchs rely on the milkweed plants and nectar plants for their food and home. These plants are increasingly vanishing all across America.

Monarch City USA, created in 2015 in Maple Valley, Washington, encourages America's 19,000-plus municipalities to directly help the monarch butterfly population recover by encouraging and planting milkweed and nectar plants within their boundaries. Of course, if municipalities do this monarchs will have stepping stones as stopovers on their journeys. There is a recognition program called Monarch City USA that municipalities join by doing very simple positive things like planting milkweed and nectar plants.

To be a Monarch City USA member, the mayor and/or local government chief executives must register and pay the \$50 lifetime fee, and purchase one or more signs. Signs are \$150 each, but if you order 10 signs they will give you two more signs for free. Local garden clubs and other good civic organizations may wish to purchase the signs for the city.

To be a member of Monarch City USA, it is asked that the City of Ashland commits to these simple, positive actions:

1. Publicly proclaim that your city is committed to helping the monarch butterflies survive by your immediate and future actions.
2. Encourage citizens to plant private milkweed and nectar gardens throughout your city.
3. Work with gardening, landscaping, and/or arboretum clubs in your city.

4. Support the national movement to support monarch butterfly habitat development by purchasing and placing Monarch City USA signs at appropriate sites.
5. Convert abandoned lands to monarch butterfly habitat.
6. Re-establish native milkweed and nectar plants where possible.
7. If possible, host an annual monarch butterfly festival.
8. Integrate monarch butterfly conservation into the city's future land use planning efforts.
9. Work with the local K-12 school system and educators to promote a better understanding of land use conservation.
10. Investigate possible Monarch Butterfly Sanctuary sites.

City of Brookings *Proclamation*

WHEREAS, the monarch butterfly is an iconic North American species whose multigenerational migration and metamorphosis from caterpillar to butterfly has captured the imagination of millions of Americans, young and old; and

WHEREAS, over the past 20 years, there has been a 76% decline in the California overwintering population of Western monarchs which is comparable to the decline seen in the Eastern monarch population that overwinters in Mexico; and

WHEREAS, the monarch is also extremely beneficial, pollinating many cultivated flowers and crops, and serves as an indicator species for the ecological health of large geographic areas; and

WHEREAS, cities, towns and counties have a critical role to play to help save the monarch butterfly, and the City of Brookings has declared an interest in becoming Oregon's first Monarch City to be designated by Monarch City USA, a nonprofit organization dedicated to helping the monarch butterfly recover city by city; and

WHEREAS, every citizen of Brookings can make a difference for the monarch by planting native milkweed and nectar plants to provide habitat for the monarch and pollinators in locations where people live, work, learn, play and worship; and

WHEREAS, on behalf of the people of Brookings who have already created healthy habitat for these magnificent butterflies, it is my hope that other cities across our great nation will also help to ensure that the monarch butterfly will once again flourish across the continent.

NOW, THEREFORE BE IT RESOLVED, that I, Jake Pieper, Mayor of the City of Brookings, do hereby proclaim the month of June as

Monarch Butterfly Month

BE IT FURTHER RESOLVED, that all citizens are encouraged to plant and protect native milkweed and nectar sources, so that monarch butterflies have the resources necessary to produce successive generations and sustain their spectacular migration through the City of Brookings.

In Witness Whereof, I, Mayor Jake Pieper, do hereto set my hand and cause the official seal of the City of Brookings, Oregon, to be affixed this 8th day of May, 2017.

Mayor Jake Pieper



SUBJECT: Discussion and Possible Action Regarding "What is Good Governance?" (*Councilor Ortman*)

RECOMMENDATION: Discussion and Possible Action

DEPARTMENT OF ORIGIN: Councilor Ortman

CLEARANCES: Council President

EXHIBITS:

1.	United Nations Article: What is Good Governance?
----	--

COMPLIANCE WITH STRATEGIC PLAN: Good Government is a main priority of the City of Ashland Strategic Plan. Initiating a definition to good governance for the City Council and staff may assist in developing better collaborative efforts with neighboring governments and communities.

SUMMARY STATEMENT:

This item is brought forward to measure an interest in developing a definition of good governance for the City of Ashland, and put it into Chapter 51 City Council Procedures as our Mission Statement.



What is Good Governance?

Introduction

Recently the terms "governance" and "good governance" are being increasingly used in development literature. Bad governance is being increasingly regarded as one of the root causes of all evil within our societies. Major donors and international financial institutions are increasingly basing their aid and loans on the condition that reforms that ensure "good governance" are undertaken.

This article tries to explain, as simply as possible, what "governance" and "good governance" means.

Governance

The concept of "governance" is not new. It is as old as human civilization. Simply put "governance" means: **the process of decision-making and the process by which decisions are implemented (or not implemented)**. Governance can be used in several contexts such as corporate governance, international governance, national governance and local governance.

Since governance is the process of decision-making and the process by which decisions are implemented, an analysis of governance focuses on the formal and informal actors involved in decision-making and implementing the decisions made and the formal and informal structures that have been set in place to arrive at and implement the decision.

Government is one of the actors in governance. Other actors involved in governance vary depending on the level of government that is under discussion. In rural areas, for example, other actors may include influential land lords, associations of peasant farmers, cooperatives, NGOs, research

institutes, religious leaders, finance institutions political parties, the military etc. The situation in urban areas is much more complex. Figure 1 provides the interconnections between actors involved in urban governance. At the national level, in addition to the above actors, media, lobbyists, international donors, multi-national corporations, etc. may play a role in decision-making or in influencing the decision-making process.

All actors other than government and the military are grouped together as part of the "civil society." In some countries in addition to the civil society, organized crime syndicates also influence decision-making, particularly in urban areas and at the national level.

Similarly formal government structures are one means by which decisions are arrived at and implemented. At the national level, informal decision-making structures, such as "kitchen cabinets" or informal advisors may exist. In urban areas, organized crime syndicates such as the "land Mafia" may influence decision-making. In some rural areas locally powerful families may make or influence decision-making. Such, informal decision-making is often the result of corrupt practices or leads to corrupt practices.

Good Governance

Good governance has 8 major characteristics. It is participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. It assures that corruption is minimized, the views of minorities are taken into account and that the voices of the most vulnerable in society are heard in decision-making. It is also responsive to the present and future needs of society.

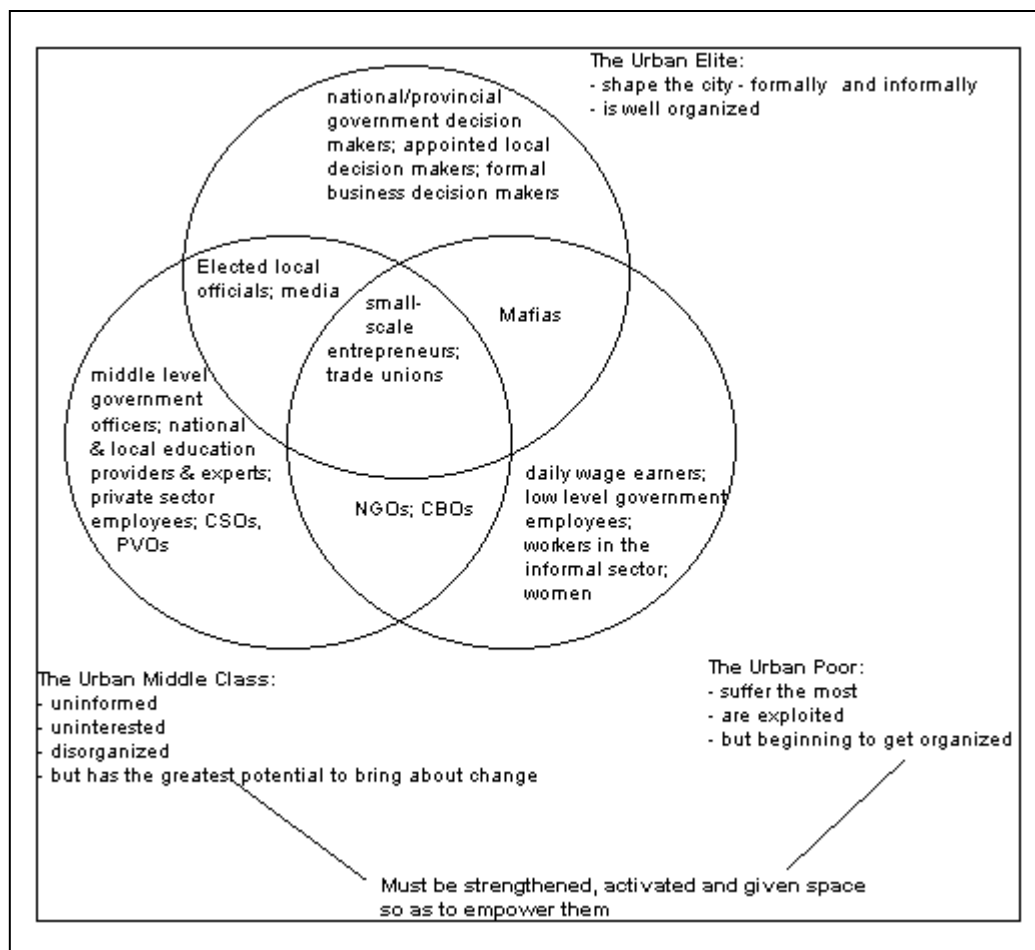


Figure 1: Urban actors

Participation

Participation by both men and women is a key cornerstone of good governance. Participation could be either direct or through legitimate intermediate institutions or representatives. It is important to point out that representative democracy does not necessarily mean that the concerns of the most vulnerable in society would be taken into consideration in decision making. Participation needs to be informed and organized. This means freedom of association and expression on the one hand and an organized civil society on the other hand.

Rule of law

Good governance requires fair legal frameworks that are enforced impartially. It also requires full protection of human rights, particularly those of minorities. Impartial enforcement of laws requires an independent

judiciary and an impartial and incorruptible police force.

Transparency

Transparency means that decisions taken and their enforcement are done in a manner that follows rules and regulations. It also means that information is freely available and directly accessible to those who will be affected by such decisions and their enforcement. It also means that enough information is provided and that it is provided in easily understandable forms and media.

Responsiveness

Good governance requires that institutions and processes try to serve all stakeholders within a reasonable timeframe.

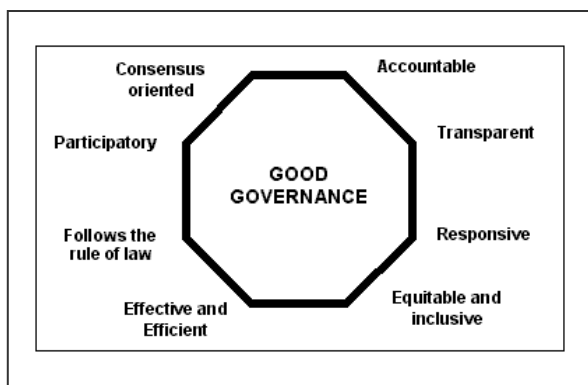


Figure 2: Characteristics of good governance

Consensus oriented

There are several actors and as many view points in a given society. Good governance requires mediation of the different interests in society to reach a broad consensus in society on what is in the best interest of the whole community and how this can be achieved. It also requires a broad and long-term perspective on what is needed for sustainable human development and how to achieve the goals of such development. This can only result from an understanding of the historical, cultural and social contexts of a given society or community.

Equity and inclusiveness

A society's well being depends on ensuring that all its members feel that they have a stake in it and do not feel excluded from the mainstream of society. This requires all groups, but particularly the most vulnerable, have opportunities to improve or maintain their well being.

Effectiveness and efficiency

Good governance means that processes and institutions produce results that meet the needs of society while making the best use of resources at their disposal. The concept of efficiency in the context of good governance also covers the sustainable use of natural resources and the protection of the environment.

Accountability

Accountability is a key requirement of good governance. Not only governmental institutions but also the private sector and civil society organizations must be accountable to the public and to their

institutional stakeholders. Who is accountable to whom varies depending on whether decisions or actions taken are internal or external to an organization or institution. In general an organization or an institution is accountable to those who will be affected by its decisions or actions. Accountability cannot be enforced without transparency and the rule of law.

Conclusion

From the above discussion it should be clear that good governance is an ideal which is difficult to achieve in its totality. Very few countries and societies have come close to achieving good governance in its totality. However, to ensure sustainable human development, actions must be taken to work towards this ideal with the aim of making it a reality.

More information

Mr. Yap Kioe Sheng
Chief,
Poverty Reduction Section
UNESCAP, UN Building,
Rajdamnern Nok Ave.
Bangkok 10200, Thailand

Tel: 66-2-288-1600
Fax: 66-2-288 1056

E-mail: escap-prs@un.org
URL: www.unescap.org/pdd