

STATE OF WISCONSIN  
MILWAUKEE AND OZAUKEE COUNTIES  
VILLAGE OF BAYSIDE

ORDINANCE NO: 20-716

**An Ordinance to Repeal and Recreate Section 35-122 of the Municipal Code  
With Regard to Closing Hours in Ellsworth Park**

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The Village Board of the Village of Bayside, Milwaukee and Ozaukee Counties, Wisconsin does ordain as follows:

Section One: Section 35-122 of the Municipal Code is hereby deleted in its entirety and recreated to read as follows:

**Sec. 35-122 – Closing Hours in Ellsworth Park**

- (a) Ellsworth Park shall be closed to the public, including the presence of persons engaging in activities as hereinafter set forth, from one-half hour after sundown to one-half hour prior to sunrise.
- (b) No person shall remain upon, stand around, spend time idly, or loiter in, on, or about Ellsworth Park during any time when such park is closed to the public. This subsection shall not be construed to prohibit passing through, travel, or activities devoid of an intent to remain in the Park such as jogging, recreational walking, bicycling, or walking or exercising pets.
- (c) Ellsworth Park shall be posted in such a fashion as to reasonably apprise the public of the provisions of this section.
- (d) The penalty for violation of this section shall be in accordance with Section 1-13.

Section Two: Severability: In the event that any provision of this Ordinance is for any reason held to be invalid, unconstitutional, or unenforceable by any court of competent jurisdiction, such portions of this Ordinance shall be deemed separate, distinct and independent provisions of the Ordinance and all remaining portions of this Ordinance shall remain in full force and effect.

Section Three: All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby to such extent repealed.

Section Four: This ordinance shall take effect and be in force after its passage and posting pursuant to law.

PASSED AND ADOPTED by the Village Board of Trustees of the Village of Bayside this eighteenth day of June, 2020.

VILLAGE OF BAYSIDE

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Eido M. Walny, Village President

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Lynn A. Galyardt, Administrative Services  
Director