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6 **AN AMENDED RESOLUTION/ORDINANCE**
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8 Amending *Chapter 47 – Parks and Parkways* of the Milwaukee County General
9 Ordinances to define law enforcement staging and require prior written authorization for
10 such activities in County parks
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12 WHEREAS, Wis. Stat. § 59.52(6) provides the County Board with explicit
13 authority to manage and regulate the use of County parks, parkways, grounds, and
14 related facilities, including the power to establish rules governing access and
15 permissible uses of such property; and
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17 WHEREAS, Milwaukee County parks are intended to serve as open,
18 welcoming public spaces for recreation, relaxation, and enjoyment, where residents
19 and visitors can safely gather, exercise, and experience the natural environment free
20 from unnecessary disruption; and
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22 WHEREAS, the presence of law enforcement staging activities, including the
23 assembly or holding of personnel, vehicles, or equipment in anticipation of
24 enforcement actions, can significantly alter the character of park spaces and
25 negatively affect the sense of calm, safety, and enjoyment experienced by park users;
26 and
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28 WHEREAS, *Chapter 47 – Parks and Parkways* of the Milwaukee Code of
29 General Ordinances (MCGO) governs the use, management, and regulation of
30 Milwaukee County parks and parkways, including provisions on recreational uses,
31 public assemblies, permitted activities, vehicular access, fires, vending, overnight use,
32 and special events, and it establishes a permit system for certain designated activities;
33 and
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35 WHEREAS, requiring prior written authorization from the Parks Director for law
36 enforcement staging activities provides a clear, uniform, and nondiscriminatory
37 framework for evaluating proposed uses of park property; and
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39 WHEREAS, the Committee on Judiciary, Law Enforcement, and General
40 Services, at its meeting of January 27, 2026, recommended adoption
41 of File No 26-255 as amended (vote 4-1); now, therefore,
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43 BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby amends
44 *Chapter 47 – Parks and Parkways* of the Milwaukee County Code of General
45 Ordinances by adopting the following:
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47 **AN ORDINANCE**

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49 The County Board of Supervisors of the County of Milwaukee does ordain as follows:

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51 **SECTION 1.** Sections 47.01 of the Milwaukee County Code of General Ordinances is
52 amended as follows

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54 **47.01. - Definitions.**

- 55
56 (1) Park; parkway. The terms "park" and "parkway," wherever used in chapter 47,
57 unless otherwise stated, shall include the grounds, buildings thereon, waters
58 therein and any other property which is now or may hereafter be under the control
59 or jurisdiction of the county park commission.
60
61 (2) Person. The term "person," as used in chapter 47, shall include any individual, firm,
62 partnership, corporation, and association of persons, and the singular number shall
63 include the plural.
64
65 (3) Park commission; commission. The term "park commission" or "commission,"
66 wherever used in chapter 47, shall mean the Milwaukee County park commission.
67
68 (4) Right-of-way. The term "right-of-way", as used in chapter 47, shall have the
69 meaning provided in Wis. Stats., § 66.0414(1)(t).
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71 (5) Small cell wireless facility. The term "small cell wireless facility", as used in chapter
72 47, shall have the meaning provided in Wis. Stats., § 66.0414(1)(u).
73
74 **(6) Law enforcement agency. The term "law enforcement agency," as used in**
75 **chapter 47, means any local, state, tribal, or federal governmental entity,**
76 **department bureau, office, or unit whose officers or agents are authorized by**
77 **law to enforce criminal or civil laws, execute warrants, or make arrests.**
78
79 **(7) Staging; staging area. The terms "staging," or "staging area," as used in**
80 **chapter 47, mean the intentional use of any park or parkway as a pre-**
81 **operational assembly area location or base of operations for a law**
82 **enforcement action not directly related to park safety, a permitted park event,**
83 **or an immediate response to an incident within the park or parkway**
84 **the temporary assembly, positioning, or holding of law enforcement**
85 **personnel, vehicles, or equipment for any purposes where such presence is**
86 **not part of a routine patrol or an active emergency response.**
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88 SECTION 2. Section 47.024 is created as follows:
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90 **47.024. - Law enforcement staging in parks and parkways; written authorization**
91 **required.**

92
93 **(1) Prohibition. No person shall use, cause, or permit the use of any park or**
94 **parkway as a staging area by or on behalf of a law enforcement agency**
95 **unless prior written authorization has been issued by the director of parks,**
96 **recreation and culture, or the director’s designee.**

97
98 **(2) Written authorization. Written authorization under this section shall be**
99 **issued in writing and shall identify, at minimum, the requesting law**
100 **enforcement agency, the park or parkway location or locations, the date or**
101 **dates and time period for the authorized staging activity, and any material**
102 **resources expected to be deployed, as determined by the director or**
103 **designee.**

104
105 **(3) Construction; exclusions. This section regulates the use of County-owned**
106 **park property and does not regulate or direct the conduct of any individual**
107 **law enforcement officer.**

108
109 **(4) Enforcement; unauthorized use. The use of any park or parkway as a staging**
110 **area without written authorization under this section constitutes an**
111 **unauthorized use of County-owned park property and may be addressed**
112 **under Subchapter II of this chapter, including abatement and other remedies**
113 **authorized therein.**

114
115 **(5) Penalty; A violation of this section constitutes an unauthorized use of**
116 **County-owned park property and is enforceable under section 47.46.**

117
118 **(6) Notwithstanding the foregoing, nothing in this section shall be construed**
119 **to limit or impair the exercise of any law enforcement officer’s constitutional**
120 **or statutory duties.**

121
122 **(7) Exclusions. For purposes of this section, “staging” does not include:**

123
124 **a. Routine patrol law enforcement presence or activity within parks or**
125 **parkways.**

126
127 **b. Law enforcement activities undertaken in response to calls for service,**
128 **reported incidents, investigations arising from such incidents, traffic**
129 **enforcement, traffic crash response, or evidence processing.**

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131 **c. Law enforcement activities requested, authorized, or coordinated by**
132 **the Department of Parks, Recreation, and Culture, including support for**
133 **permitted events.**

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SECTION 3. The provisions of this Ordinance shall be effective upon passage and publication.

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