

UW 1.06 Conservation of university parks. (1) The dumping of any waste, trash, debris or other rubbish on any university property is prohibited, except only as may be specifically authorized by the Regents.

(2) Except as authorized by the regents, the removal of any shrubs, vegetation, wood, timber, rocks, stone, earth, or other products from the university parks is prohibited.

(3) The removal, destruction or molestation of any bird, animal and fish life within the boundaries of university parks is prohibited, except in cases wherein this provision conflicts with any order of the Wisconsin conservation commission, when such commission is empowered to act; and in such cases of conflict said commission order shall govern.

(4) The presence of dogs, cats and other pets is prohibited in all buildings, except when their presence is necessary for research or instructional purposes, and in the Arboretums and Picnic Point at all times. The presence of dogs, cats, and other pets is prohibited in other areas of the University parks unless they are on leash under the control of and accompanied by their owners or some other person. Any dogs, cats or other pets found in violation of this subsection may be impounded and their owners are subject to the penalty provisions of this code.

(5) It shall be unlawful to break, tear up, mar, destroy or deface any notice, tree, vine, shrub, flower or other vegetation, or dislocate any stones or disfigure natural conditions or destroy or damage in any way any other property, real or personal, within the boundaries of any university park. The penalty provided in section 26.19, Wis. Stats., shall apply to violations of this subsection.

History: 1-2-56; am. (5), Register, December, 1957, No. 24, eff. 1-1-58; am. (4), Register, July, 1969, No. 163, eff. 8-1-69.

UW 1.07 Conduct within university parks. (1) Picnicking is prohibited in university parks except in the arboretum, Picnic Point, the area west of the Tent Colony and the Daisy Field in such specific areas as are designated by the superintendent of buildings and grounds to be picnic grounds. All rules and regulations for picnics which are posted by order of the superintendent of buildings and grounds must be strictly complied with. The dean of the college of agriculture or his designated representative is authorized to establish picnic areas on university farms.

(2) The lighting and use of fires is prohibited except in such places as are set aside for this purpose and appropriately designated by standard signs. It shall be unlawful to throw away any cigarette, cigar, pipe ashes, or other burning material without first extinguishing them.

(3) All canvassing, peddling, or soliciting shall be prohibited on the grounds or in the buildings of the university except that the business manager of the university with the consent of the president of the university may authorize subscription, membership, and ticket sales solicitation by university and student organizations and campaigns for charitable purposes at such times and in such manner as not to interfere with regular university business and functions. Food or beverage concessions operated either by students or private parties

are prohibited unless prior approval is granted by the business manager of the university.

(4) Restricted use of unions: (a) The use of union buildings and union grounds is restricted to members of the union, to university faculty, to university staff, and to invited guests, except on occasions when all or part of the buildings or grounds are open to the general public. The university reserves the right to require currently valid evidence of qualification to use the union buildings and union grounds by student identification card, union membership card, faculty or employee identification card, evidence of invitation as an invited guest, or other suitable evidence of qualification for such use, in any area of the buildings and grounds not open to the general public at the time when identification is requested. The university reserves the right to deny the use of union buildings and union grounds to anyone who fails or refuses to provide such identification in any such area. Any person who fails or refuses to provide such identification in any such area, and who then fails or refuses to withdraw from the buildings and grounds, may be removed.

(b) For the purposes of this section:

1. Union buildings and grounds are "open to the public" only in those areas and during those hours specified in a notice placed outside the main entrance or entrances.

2. An "invited guest" is a person who is invited a. by the university, by a university department, or by a registered university organization to use the union buildings or union grounds during a specific conference, special function, tour or official visit taking place on campus; or b. by a union member to use the union buildings or union grounds for a specific occasion or registered program taking place on the buildings or grounds, and who is escorted to the buildings or grounds by the member and accompanied by the member while there.

The use of union buildings and grounds by an "invited guest" is limited to the specific occasion to which he is invited. A person making regular, repeated use of the buildings and grounds will not be regarded as an "invited guest."

(c) Any person who fails or refuses to withdraw from union buildings and union grounds after failing or refusing to provide the evidence of qualification required by this section may be penalized as provided by section UW 1.08.

(5) As an anti-littering measure, the distribution of handbills, pamphlets, and other similar materials on the grounds or in the buildings of the university is prohibited, except that student and university organizations may be granted permission for such distribution by the office of dean of students provided that the organization agrees in writing to collect all discarded materials from its distribution on the campus and to distribute no unlawful material.

(6) The erection, posting or attaching of signs in or on any building or university grounds is prohibited except on regular bulletin boards. The director of residence halls is authorized to allow exceptions to this rule for temporary periods for the university residence halls and immediately adjacent grounds. The superintendent of buildings and grounds is authorized to allow exceptions for temporary periods for the remainder of the university campus. The dean of the

college of agriculture or his designated representative is authorized to allow similar exceptions for temporary periods for the university farms.

(7) Smoking is prohibited in the classrooms, laboratories, rest rooms, store rooms, and corridors of university buildings except for such areas as are designated for that purpose by the superintendent of buildings and grounds.

(8) Walking upon the roof of university buildings is prohibited at all times except where emergency egress to a fire escape is necessary, unless such roof has been specifically constructed to be walked upon.

(9) (a) Section 36.49 Wis. Stats. provides: "(1) Any person who utilizes sound-amplifying equipment in an educational or administrative building owned or controlled by a state institution of higher education under this chapter . . . , or upon the grounds of such an institution without the permission of the administrative head of the institution or his designee, may be fined not more than \$100 or imprisoned not more than 30 days, or both."

"(2) In this section 'sound-amplifying equipment' means any device or machine which is capable of amplifying sound and capable of delivering an electrical input of one or more watts to the loudspeaker."

(b) For the purpose of section 36.49 Wis. Stats., the "administrative head of the institution or his designee" shall mean the chancellor or the dean of any campus, or in the case of arboretums, experiment stations or other areas not part of a campus under the supervision of a chancellor or dean, the university official in charge.

(c) In granting or denying such permission, the following principles shall govern:

1. The applicant shall have the burden of establishing need for amplification to communicate with the anticipated audience.

2. No censorship or discrimination shall be exercised.

3. The volume of sound shall not unreasonably interfere with the instructional, research and administrative functions of the university.

(d) A request for the permission required by section 36.49 Wis. Stats. shall be submitted in writing to the person specified in subsection (b) of this section at least 24 hours prior to the intended use of the sound-amplifying equipment. Such request shall contain:

1. The proposed hours, date and location where the sound-amplifying equipment is to be used;

2. The purpose of the use, the size of the anticipated audience and the reasons why sound-amplifying equipment is needed;

3. A description of the proposed equipment which includes the manufacturer, model number, and wattage;

4. The names of the owner of the equipment and of the person who will be responsible for its operation.

If permission is granted, the applicant shall, notwithstanding the provisions of Wis. Adm. Code section UW 1.07 (6), post a sign visible to the audience stating: "Permission to use sound-amplifying equipment at this meeting has been granted."

(e) Specific requests for the permission shall not be required for the use of university-owned sound-amplifying equipment to be used with the permission of the university employee having control of the equipment 1. for authorized university classes, 2. for authorized university research, 3. for meetings of faculty or administrative staff,

4. for other authorized meetings in University buildings, 5. for university-sponsored academic, recreational or athletic activities or 6. for crowd control by authorized university officials.

(10) Carrying or using firearms on university property except as required for (1) educational programs, (2) use in established rifle and pistol ranges, and (3) for police and military purposes is prohibited unless otherwise authorized by the regents. Firearms in violation of this regulation shall be confiscated and disposed of according to the Wisconsin Statutes.

(11) Swimming, fishing, and boating in ponds, lagoons, streams and all waters within the boundaries of the arboretum is prohibited. The storing of boats, boating gear, and other equipment within the boundaries of university parks except under conditions specified by the superintendent of buildings and grounds, and except as otherwise authorized by the regents, is prohibited. There shall be no swimming, fishing, docking or mooring of boats from university piers, except as follows; and, unless otherwise indicated, the facilities are available only to university personnel:

- (a) Crew pier—reserved for crew purposes only. No trespassing.
- (b) Life saving pier—reserved for life saving purposes only. Boat docking permitted. No trespassing.
- (c) University pier (east of memorial union)—Swimming and docking of boats permitted. Open to members of the public 17 years of age or over, except as otherwise authorized for limited periods by the superintendent of buildings and grounds.
- (d) Hoofers pier—reserved for members and guests of the hoofers club. Docking and mooring of boats permitted.
- (e) Lake laboratory piers (2)—reserved for lake laboratory purposes. No trespassing.
- (f) Piers at Van Hise and Kronshage dormitories—reserved for university halls residents. Boat docking and swimming permitted.
- (g) Pier at Elizabeth Waters Hall—reserved for university halls residents and university medical school and university hospitals personnel. Boat docking and swimming permitted.
- (h) Picnic Point pier—to be used as a boat dock only. Open to public.
- (i) Tent Colony pier—reserved for tent colony residents. Boat docking and swimming permitted. Fishing permitted only as the director of the colony may direct.

(12) Drunkenness or disorderly conduct of any kind is prohibited. The use or possession of intoxicating liquors or fermented malt beverages with an alcoholic content of more than 5% by weight is prohibited on all university property, except in faculty and staff housing, and, at suitable times under decorous conditions, in faculty and staff dining and meeting facilities.

(13) No fermented malt beverages containing $\frac{1}{2}$ of 1% or more of alcohol by volume shall be sold, dispensed, given away, or furnished to, or purchased by or for any persons under the age of 18 years, on university of Wisconsin property, unless accompanied by parent or guardian.

(14) The closing hour at the arboretum and Picnic Point shall be 10:00 P.M., after which time there shall be no picnicking, parking or trespassing of any sort on said property other than the traversing

of the private park road through the arboretum at such times as it is open to traffic.

(15) The closing hour at the area west of the tent colony, the Daisy Field, and Willows Beach shall be 10:00 P.M. Sunday through Thursday, and midnight Friday and Saturday, after which time there shall be no picnicking, parking or trespassing of any sort on said property.

(16) It shall be illegal to request the unauthorized duplication of a university key. It shall also be illegal to transfer any university key from a person entrusted with possession to an unauthorized person.

(17) Except in bicycle racks provided and in areas designated for that purpose by the superintendent of buildings and grounds, the parking or storage of bicycles in buildings, on sidewalks and driveways, and in motor vehicle parking spaces, is prohibited. Bicycles shall be parked so as not to obstruct free passage of vehicles and pedestrians.

(18) (a) It is unlawful for any person to be present in any class, lecture, laboratory period, orientation session, examination, or other instructional session without the consent of a member of the university administration or faculty or other person authorized to give such consent.

(b) A person is present without consent as forbidden by paragraph (a), in the following circumstances:

1. If he is not then enrolled and in good standing as a member of such an instructional session, and refuses to leave such session on request of the member of the university administration or faculty or other person in charge thereof;

2. If he is present during the conduct of any such instructional session and upon reasonable request therefor by the person in charge thereof refuses or fails to identify himself by written or documentary evidence as a person present with the consent required by paragraph (a), and refuses or fails to leave such session at request of the person in charge thereof.

(c) Any person violating the provisions of this section may be penalized as provided by sections 36.06 (8), 27.01 (2), (5), (8), and 26.19, Wis. Stats.

(19) (a) *Student convicted of dangerous and obstructive crime.* Section 36.47 Wis. Stats. provides: "Any person who is convicted of any crime involving danger to property or persons as a result of conduct by him which obstructs or seriously impairs activities run or authorized by a state institution of higher education under this chapter or ch. 37, and who, as a result of such conduct, is in a state of suspension or expulsion from the institution, and who enters property of that institution without permission of the administrative head of the institution or his designee within 2 years, may for each such offense be fined not more than \$500 or imprisoned not more than 6 months, or both."

(b) *Student not covered by (a) who has violated regent bylaws.* Any person who is suspended or expelled from the university for conduct of the kind described in subparagraph (d) 1. of this section, and who is in a state of suspension or expulsion from the university, and who enters any campus of the university within one year of the effective date of his suspension or expulsion without the written consent of the chancellor of the campus or his designee, may be penalized as provided in sections 36.06 (8), 27.01 (2), (5), (8), 26.19 and 23.09 (11), Wis. Stats.

(c) *Non-student who is convicted of dangerous crime on campus.* Any person not a student of the university who is convicted of any crime involving danger to property or persons as a result of conduct by him on a campus of the university, and who enters any campus of the university within one year of the effective date of his conviction without the written consent of the chancellor of the campus or his designee, may be penalized as provided in sections 36.06 (8), 27.01 (2), (5), (8), 26.19 and 23.09 (11), Wis. Stats.

(d) *Definitions.*

1. The conduct referred to in subsection (b) of this section is intentional conduct that a. seriously damages or destroys university property or attempts to seriously damage or destroy university property; b. indicates a serious danger to the personal safety of other members of the university community; c. obstructs or seriously impairs university-run or university-authorized activities on any campus, including activities either outdoors or inside a classroom, office, lecture hall, library, laboratory, theatre, union, residence hall, or other place where a university-run or university-authorized activity is carried on. The kind of conduct referred to in this subparagraph (d) 1. c. is intentional conduct which by itself or in conjunction with the conduct of others prevents the effective carrying on of the activity—a result which the offender knew or reasonably should have known would occur. Illustrations of the kind of conduct which this subparagraph (d) 1. c. is designed to cover appear in chapter V, section 4 (c) of the Regent Bylaws, as amended on July 19, 1968.

2. For the purposes of section 36.47, Wis. Stats., conduct by an individual which “obstructs or seriously impairs” an activity is conduct which by itself or in conjunction with the conduct of others prevents the effective carrying on of the activity.

3. For the purposes of section 36.47, Wis. Stats., the “administrative head of the institution or his designee” shall mean the chancellor or the dean of any campus, or in the case of arboretums, experiment stations or other areas not part of a campus under the supervision of a chancellor or dean, the university official in charge. For the purpose of subsections (b) and (c) of this section, “the chancellor or his designee” shall mean the chancellor of the campus if it has a chancellor; otherwise, it shall mean the dean of the campus. In the case of arboretums, experiment stations or other areas not part of a campus under the supervision of a chancellor or dean, “the chancellor or his designee” shall mean the university official in charge. Each chancellor may designate one other official who may, under the chancellor’s direction, grant or deny consent to enter a campus pursuant to section 36.47, Wis. Stats., and subsections (b) and (c) of this section.

4. For the purposes of section 36.47, Wis. Stats., and subsection (c) of this section, “crime involving danger to property or persons” shall mean any crime defined in chapter 940 (Crimes against life and bodily security), section 941.13 (False alarms, and interference with fire fighting), section 941.20 (Reckless use of weapons), section 941.22 (Possession of pistol by minor), section 941.23 (Carrying concealed weapon), section 941.24 (Possession of switchblade knife), section 941.30 (Endangering safety by conduct regardless of life), section 941.31 (Possession of explosives for unlawful purpose), section 941.32 (Administering dangerous or stupefying drug), section 943.01

(Criminal damage to property), section 943.02 (Arson of buildings; damage of property by explosives), section 943.03 (Arson of property other than buildings), section 943.05 (Placing combustible materials an attempt), section 943.06 (Molotov cocktails), section 943.10 (Burglary), section 943.14 (Criminal trespass to dwellings), section 943.32 (Robbery), section 944.01 (Rape), section 946.41 (Resisting or obstructing officer), section 947.015 (Bomb scares), or section 167.10 (Fireworks regulated) of Wisconsin Statutes.

(e) *Factors to be considered.* In granting or denying consent to enter a campus pursuant to section 36.47, Wis. Stats., or subsection (b) or (c) of this section, the following factors shall be considered:

1. The danger that the offensive conduct, particularly if it is of the kind described in subparagraph (d) 1. of this section, will be continued or repeated by the applicant for permission to enter the campus.

2. The need of the applicant to enter the campus, for example, to attend a campus disciplinary hearing in which he is being tried or is to be a witness, or to receive treatment in university hospitals.

(20) UNIVERSITY IDENTIFICATION CARDS. (a) Each student, faculty member or employee of the University shall have in his possession a currently valid card issued by the university identifying him as a student, faculty member or employee whenever he is present on a university campus.

(b) It shall be unlawful for any student, faculty member, or employee of the university intentionally to transfer his university identification card to any other person.

(c) It shall be unlawful for any person to possess any university identification card which was issued to another person, or which was falsely made or altered, with intent to use it or to cause or permit its use to deceive another.

(Note: Section 943.38 (3), Wis. Stats. provides: "Whoever, with intent to defraud, does any of the following may be fined not more than \$200 or imprisoned not more than 6 months or both . . . (b) Falsely makes or alters any writing of a kind commonly relied upon for the purpose of identification. . . .")

(21) RESTRICTIONS ON PERSONS WHO MAY ENTER CAMPUSES DURING EMERGENCIES. (a) Section 36.45, Wis. Stats. provides: "The chancellor of each university of Wisconsin campus or the chief security officer thereof . . . during a period of immediate danger or disruption may designate periods of time during which the university campus and designated buildings and facilities connected therewith are off-limits to all persons who are not faculty members, staff personnel, students or any other personnel authorized by the above-named officials. Any persons violating such order shall be subject to the penalties provided by law for criminal trespass." (For penalty, see sections 943.13 and 943.14, Wis. Stats.)

(b) During any period so designated, it shall be unlawful for any person to remain on the campus, or in the designated buildings and facilities, after failing or refusing to identify himself upon request as a person entitled to be present.

(c) For the purpose of paragraph (b),

1. "To identify himself" means to show a university identification card or other written or documentary evidence of identity.

2. "Person entitled to be present" means a university faculty member or other employee, a university student, or any other person

authorized to be present by the order issued pursuant to the statutory provision set forth in subsection (a) of this section;

3. The "request" must be made by a police officer or other person authorized by the order to make such request.

(22) PICKETING, RALLIES, PARADES, DEMONSTRATIONS AND OTHER ASSEMBLIES. (a) In order to preserve the order which is necessary for the enjoyment of freedom by members of the university community, and in order to prevent activities which physically obstruct access to university facilities and prevent the university from carrying on its instructional, research, public service, and administrative functions; any picketing, rally, parade, demonstration, or other assembly shall be declared unlawful if its participants:

1. Intentionally gather, or intentionally remain assembled, outside any university building or other facility in such numbers, in such proximity to each other or in such other fashion as to physically hinder entrance to, exit from, or normal use of the facility;

2. Intentionally congregate or assemble within any university building or other facility in such fashion as to obstruct or seriously impair university-run or university-authorized activities, or in such fashion as to violate any of the following conditions:

a. No group may be admitted into the private office of any faculty member or other university employee unless invited by the authorized occupant of that office, and then not in excess of the number designated or invited by that person.

b. Passage through corridors, stairways, doorways, building entrances, fire exits, and reception areas leading to offices shall not be obstructed or seriously impaired.

c. Classrooms, study rooms, or research rooms shall not be entered or occupied by any group not authorized to do so by the person in immediate charge of the room, or by a person designated by the chancellor to approve requests for the use of rooms for meetings. Groups shall not assemble immediately outside such rooms at times when they are normally in use for classes, study, or research.

d. Any group present in a university building shall leave at the closing hours established pursuant to Wis. Adm. Code section UW 2.02 with the exceptions specified in that section.

e. No parades, picketing, or picket signs supported by standards or sticks will be permitted in any assembly in a university building.

3. Intentionally create a volume of noise that unreasonably interferes with university-run or university-authorized activities;

4. Intentionally employ force or violence, or intentionally constitute an immediate threat of force or violence, against members of the university community or university property.

(b) For the purpose of subsection (a) of this section, "intentionally" means that the participant or spectator knew or reasonably should have known that his conduct by itself or in conjunction with the conduct of others, would have the prohibited effect.

(c) The chancellor shall designate a university official or officials who shall have primary authority to implement subsection (a) of this section. He shall prescribe limitations for any picketing, rally, parade, demonstration or other assembly in order that it will meet the requirements of subsection (a) of this section whenever he is requested to do so. Such requests should be made at least 24 hours in

advance in order that adequate police protection for the assembly can be provided. When informed of any picketing, rally, parade, demonstration, or other assembly which may not comply with subsection (a), the chancellor's designee shall proceed immediately to the site and determine if subsection (a) is being complied with. If he finds that it is not, he may declare the assembly unlawful or he may prescribe such limitations on numbers, location or spacing of participants in the demonstration as are reasonably necessary to ensure compliance with subsection (a). If he prescribes limitations, and if his limitations are not observed by the assembly, he may then declare the assembly unlawful. Any declaration of illegality or prescription of limitations by the chancellor's designee shall be effective and binding upon the participants in the assembly unless and until modified or reversed by the chancellor's designee or the chancellor.

(d) Any participant or spectator within the group constituting an unlawful assembly who intentionally fails or refuses to withdraw from the assembly after it has been declared unlawful under this section shall be subject to immediate arrest and liable to the penalties of Wis. Adm. Code section UW 1.08. Any participant or spectator present in a group constituting an unlawful assembly after it has been declared unlawful under this section who intentionally fails or refuses to identify himself upon request by the chancellor's designee shall be subject to immediate arrest and liable to the penalties of section UW 1.08.

(e) If the original picketing, rally, parade, demonstration or other assembly is not declared unlawful, but spectators are violating subsections (a) 1., (a) 2., (a) 3. or (a) 4. of this section, the chancellor's designee may declare that the group including the spectators constitutes an unlawful assembly subject to the provisions of subsections (c) and (d) of this section. No assembly, lawful or unlawful, shall be deemed to justify an unlawful counter assembly.

History: 1-2-55; am. (3), (5) and (11) (c), Register, December, 1957, No. 24, eff. 1-1-58; am. (10), cr. (16) and (17), Register, December, 1960, No. 60, eff. 1-1-61; am. (12), Register, April, 1967, No. 136, eff. 5-1-67; am. (12), Register, October, 1967, No. 142, eff. 11-1-67; renum. (4) to be UW 2.01 and am., and am. (9), Register, May, 1968, No. 149, eff. 6-1-68; emerg. cr. (18) (a) eff. 9-1-68; cr. (4) renum. from UW 2.01 to be UW 1.07 (4) and am.; emerg. cr. (19), eff. 3-10-69; cr. (19), Register, July, 1969, No. 163, eff. 8-1-69; (19) (b) and (c) corrected; cr. (20), Register, August, 1969, No. 164, eff. 9-1-69; am. (9), cr. (21) and (22), Register, September, 1969, No. 165, eff. 10-1-69.

UW 1.08 Penalties. The penalties for violating these rules and regulations are those set forth or referred to in section 27.01 (2), (3), (4), (5) and (8), Wis. Stats. See sections 23.09 (11), 26.19, and 36.06 (8), Wis. Stats.

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