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ORDINANCE 40 PUBLIC PARKS

Section 40.01: DEFINITIONS.

Subd. 1: Vehicle. Means any bicycle, go-cart, mini bike, motorcycle, snowmobile, recreational vehicle, all terrain vehicles or self-propelled "instruments" that carry or may carry an occupant or occupants upon land or water. "Vehicle" includes every device in, upon, or by which a Person or property is or may be transported or drawn upon a highway except devices moved exclusively upon stationary rails or tracks.

Subd. 2: Park. Means a Park, reservation, playground, and recreation center or any other area in the City devoted to active or passive recreation that the City owns or uses.

Subd. 3: Person. Means any individual, partnership, corporation, association or entity.

Subd. 4: Drugs. Means any controlled substance defined by Minnesota Statutes, Chapter 152, as amended, the possession of which is a violation of Minnesota Statutes 152.09, as amended.

Subd. 5: Driver. Means every Person driving or in physical control of a vehicle.

Section 40.02: PURPOSE. The Ordinance's purpose is to afford a means of maintaining and using the Parks under the City's jurisdiction in a manner consistent with a maximum enjoyment by all Persons in protection of the City's natural resources.

Section 40.03: HOURS. No Person shall be in, remain in, or leave any vehicle in any Park between the hours of 10:00 p.m. and 6:00 a.m. the following day. Any Person wishing to remain in a Park after closing hour may apply to the City Clerk/Administrator for a special permit specifying the proposed activity's nature, the hours during which it is to be conducted, and any other information the Clerk may reasonably request. The Person's application may be accompanied by a bond, or other undertaking, in form or substance satisfactory to the City Clerk/Administrator and City Attorney, holding the City harmless from any liability arising from the permitted activity. The applicant or any City resident may appeal the Clerk's decision to grant or deny the application to the City Council.

Updated Section 40.03 on 10/2012

Section 40.04: PARK SHELTER FEE. All Persons, except non-profit organizations, desiring to use Park Shelters, shall make reservations at City Hall and pay the City a fee established in Appendix A.

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Section 40.05: VANDALISM AND RELATED ACTS. No Person shall remove, break, destruct, injure, mutilate or deface in any way of any Park property, including but not limited to any structure, monument, statue, vase, fountain, fence, railing, flagpole, vehicle, bench, tree, shrub, fern, plant, flower, or other property shall be prohibited.

Section 40.06: CLIMBING. No Person shall climb buildings or flagpoles, sit or stand upon monuments, vases, fountains, railings, or fences in any Park or recreation areas.

Section 40.07: WALKING ON THE GRASS. No Person shall be on any Park grass or turf where any sign is posted prohibiting the conduct.

Section 40.08: DUMPING. No Person shall dump or deposit bottles, broken glass, ashes, paper, boxes, cans or refuse of any kind except in the Park's refuse containers.

Section 40.09: ERECTION OF STRUCTURES. No Person shall construct, erect or bring into any Park any permanent or temporary building or structure or run or string any public service utility into, upon or across a Park without the City Council's prior approval and issuance of a special permit under this Ordinance.

Section 40.10: RESTROOMS. No Person in any Park shall fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition.

Section 40.11: THROWING OF MISSILES. No Person in any Park shall throw or cast any stone or missile carelessly or heedlessly in disregard of others' rights or safety or in any manner that endangers or likely endangers any Person or property.

Section 40.12: CAMPING. No overnight camping, such as but not limited to, tents or travel trailer (camper), in any City Park is permitted.

Updated Section 40.12 on 12/19/2018

Section 40.13: DANGEROUS GAMES. No Person in any Park shall take part in or abet the playing of games involving thrown or otherwise propelled objects including but not limited to stones, arrows, missiles, javelins, model airplanes, horseshoes or darts except in areas specifically designated for those forms of recreation. The playing of rough or dangerous games such as football, baseball, and quoits is prohibited except on the field and courts and areas provided for those games.

Updated Section 40.13 on 10/2012

Section 40.14: DANGEROUS WEAPONS/DESTRUCTIVE DEVICES. No person shall bring into a Park Dangerous Weapons, Firearms, or Bow and Arrows [as defined in Chapter 7 Section 70.04 PUBLIC NUISANCES AFFECTING PUBLIC PEACE AND SAFETY] or

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slingshots, explosives, fireworks, or devices capable of discharging blank ammunition into or use in Park areas, except with approval by the Police Chief.

Updated Section 40.14 on 10/2012

Section 40.15: DRUGS AND OTHER ACTIVITIES. Use or possession of drugs, or disorderly conduct in Parks shall be prohibited.

Section 40.16: POSTING OF BILLS. No Person shall post, paste, fasten, paint, or affix any placard, bill, notice or sign upon any Park property, including but not limited to any structure, tree, stone, fence, thing or enclosure, without the City Clerk/Administrator's written authorization.

Section 40.17: DISTRIBUTION OF CIRCULARS. No Person, firm, group or organization shall distribute or display any circulars, cards, announcements or other items in any Park without the City Clerk/Administrator's written authorization. An authorized distribution or display of circulars, cards, announcements or items pursuant to this section shall be distributed and disposed of in an orderly manner.

Section 40.18: TRAPPING. No Person shall at any time set, lay, prepare, or have in his or her possession any trap, snare, artificial light, net, bird line, or any contrivance whatever, to catch, take, injure, or kill any bird or animal in any Park without the Chief of Police's written authorization. Permit fee shall be established by the City Council in Appendix A.

Updated Section 40.18 on 10/2012

Section 40.19: MINNOW TRAPS. No Person shall set commercial minnow traps without a permit from the Police Department. All traps shall be placed only in the restricted areas shown on the North Lake map, copies of which are available at the Police Department. Permit fees shall be established by the City Council in Appendix A.

Updated Section 40.19 on 3/13/06

Section 40.20: SALE OF ARTICLES. No Person shall sell or offer for sale any article or thing in any Park. This prohibition shall not apply to the sales of refreshments or other articles by the City, its agents, duly licensed concessionaires or Persons selling under its written direction.

Section 40.21: LOUDSPEAKER. No Person shall use loudspeakers or public address systems in any Park without the City Council's written authorization.

Section 40.22: FIRES. No Person shall start any fire in any Park, except in free-standing barbecue grills or in the places in the Parks the City provides and designates for cooking or grilling. Any Person who starts any fire shall completely extinguish the fire before leaving the Park. This Ordinance does not limit or restrict the enforcement of the City's open burning Ordinance.

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Section 40.23: DISORDERLY CONDUCT. Any Person in a Park who persistently interferes with the orderly conduct of games or play by the participants shall be guilty of disorderly conduct.

Section 40.24: TRAFFIC. No Person in a Park shall:

Subd. 1: Traffic Laws. Fail to comply with any State or City motor vehicle traffic laws.

Subd. 2: Traffic Officers. Fail to obey all traffic officers and Park employees, who the City authorizes and instructs to direct traffic whenever and wherever needed in the Parks and on the highways, streets or roads immediately adjacent to the Park in accordance with City and State laws.

Subd. 3: Traffic Signs. Fail to observe carefully all traffic signs indicating speed, direction, caution, stopping or Parking, and all others posted for proper control and to safeguard life and property.

Subd. 4: Motor Vehicles. No Person shall operate any motorized vehicle within 100 feet of a skating rink or any other area which could endanger life or property.

Subd. 5: Speed Limit. Ride or drive a vehicle at a rate or speed exceeding five (5) miles an hour, except upon any roads the City Council may designate for speedier travel by posted signs.

Subd. 6: Boats and Airplanes. No Person shall operate a motor boat or an airplane on North Lake, except in case of an emergency.

Subd. 7: Roads and Parking Areas. Drive any vehicle on any area except the parking areas, or any areas the City Clerk/Administrator may specifically designate as temporary parking areas.

Section 40.25: SEVERABILITY. If any court determines any provision of this Ordinance invalid, those decisions shall not affect any other part of this Ordinance.

Section 40.26: EVENT PERMIT. No Person shall conduct a special event on North Lake without a permit from the Park Board. The Park Board may establish any restrictions it deems in the public interest and safety and may require a security deposit in an amount appropriate for the situation. Application for a special event permit shall be made to the City Clerk/Administrator at least 30 days before the event.

Section 40.27: ENFORCEMENT AND PENALTIES.

Subd. 1: Enforcement. Any Person violating this Ordinance, and who upon a police officer's request to cease and desist from his or her violation, fails or refuses to do so, may be requested to leave the Park and if necessary may be ordered or removed from the Park by the police officer. The denial of continued use of enjoyment of the Park to violators shall also apply to enforcement of any rules and regulations promulgated by the City if those rules and

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regulations are consistent with this Ordinance. The Police Department, City Council and all City employees whose duties are being discharged in a public Park shall have the power to enforce this Ordinance by arrest of any Person violating this Ordinance.

Subd. 2: Penalty. Any Person violating this Ordinance shall be guilty of a petty misdemeanor upon the first offense and a misdemeanor upon the second and subsequent offenses. Fines for violations are as established by the City Council in Appendix A.

Updated Section 40.27, Subd. 2 on 3/13/06

Section 40.28: EXEMPTIONS. Resource management, enforcement and issue personnel shall be exempt from this ordinance order performing their assigned duties.