

CHAPTER 50. STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

ARTICLE IV. Parks and Cemeteries

*State law references--General authority relative to parks, Minn. Stats. §§ 410.33, 412.191; general authority relative to cemeteries, Minn. Stats. §§ 410.33, 412.221, subd. 9.

Sections 50-151 thru 50-165. Reserved.

Section 50-166. Definitions.

For the purpose of this division the term "park" shall mean a park, playground, playfield, swimming pool, lake, pond, stream, trail, nature area, open space area, recreational center, golf course, or cemetery. It shall also mean any other property owned, leased, used, or controlled, wholly or in part, by the city for park and recreation use.

Section 50-167. Scope.

The provisions of this division apply to all parks within the city.

Section 50-168. Park facilities use policies, procedures and fees.

Policies, procedures, and fees for use of park facilities in the city may be set by the city council, either upon its own motion or following recommendation by the park and recreation advisory board.

Section 50-169. Penalties.

Violation of section 50-172, 50-174, 50-175, 50-177, 50-178, 50-180, 50-181, 50-182, 50-186 or 50-188 shall be a petty misdemeanor, and violation of section 50-173, 50-176, 50-179, 50-183, 50-184, 50-185 or 50-187 shall be a misdemeanor under this Code.

Section 50-170. Emergency orders.

When necessary to protect the public health, safety or welfare, the chief of police is authorized to issue reasonable temporary orders concerning the use of parks on matters not specifically addressed in this article or the policies, procedures, rules, or regulations adopted under this article by resolution.

Section 50-171. Additional regulations.

In order to protect public health, safety and welfare, and to better control and manage all parks of the city, the superintendent of parks is authorized to propose additional written rules and regulations which shall define in detail the procedures to be followed in the use of the parks. Such regulations and any amendments thereto shall be effective upon council approval by resolution.

Section 50-172. Park hours.

Except for Greenhaven, unless otherwise posted, all public parks will close by 11:00 p.m. each day and shall remain closed to the public until 6:00 a.m. on the following day. By council resolution, and upon posting, other closed hours may be designated for any park. No person shall be in, remain in, or enter any closed public park.

Section 50-173. Obeying authorized persons.

Any person using a park and recreation facility shall obey all orders or directions of authorized city personnel given in conformance with this article. The superintendent of parks and any park attendant shall have the authority to eject from the park and its facilities any person acting in violation of this article.

Section 50-174. Traffic.

- (a) *Parking.* No person shall drive into, remain in, or leave a parked vehicle in a public parking area within or immediately adjacent to a public park during the hours when such park is closed in accordance with section 50-172 except as authorized by permit or the police department.
- (b) *Parking in proper areas.* No person shall operate or park any motorized vehicle in any public park or recreation area except on roads or in designated parking areas unless authorized by a special permit.
- (c) *Speed limit.* No person shall operate a motorized vehicle within a park at a speed in excess of 15 miles per hour.

Section 50-175. Fires.

No fires shall be lighted or made in any park except in designated areas. Fires must be attended at all times and extinguished after use.

Section 50-176. Fireworks and firearms.

- (a) No person shall bring into or discharge any fireworks in any park without the written permission of the city and without a permit, from the fire chief.
- (b) No person shall bring into or discharge a firearm in any park unless as approved under a special permit to allow hunting.

Section 50-177. Golf activities prohibited in public parks.

No person shall hit, drive, stroke or otherwise propel a golf ball upon, in, over or across any park other than a designated golf course or driving range. The play or practice or use of golf equipment of any kind is prohibited in public parks within the city, except under the direction and approval of the superintendent of parks or on a golf area provided for that purpose or as part of a city park and recreation program.

Section 50-178. Gambling; excessive use of alcoholic beverages; abusive, boisterous, profane or indecent language, conduct or attire.

Gambling, excessive use of alcoholic beverages, and abusive, boisterous, profane or indecent language, conduct or attire is prohibited in public parks. No alcoholic beverages shall be possessed or consumed in parks where notice of such restriction is posted.

Section 50-179. Nuisance and disorderly conduct.

No person shall commit any nuisance as defined by Minn. Stats. § 609.74 or any offense against decency or any act defined as disorderly conduct as defined by Minn. Stats. § 609.72.

Section 50-180. Sales.

Advertising, selling, or solicitation is prohibited in parks and recreation areas except as specifically permitted by the city.

Section 50-181. Animals.

- (a) It shall be unlawful for a person to cause or permit a dog, cat, or other pet to be in a park unless restrained at all times on an adequate leash not greater than eight feet in length. Feces of any domestic animal shall be properly disposed of by the owner or guardian of the pet.
- (b) No person shall disturb, molest, injure or interfere with any birds, animals, animal habitat, or nesting area in a park.

Section 50-182. Litter.

No person shall scatter about or litter a park with any form of waste material. Dumping or depositing bottles, broken glass, ashes, paper, boxes, cans, or refuse of any kind is prohibited except in the containers provided in the parks.

Section 50-183. Shooting mechanisms.

No person shall possess or use an air rifle, BB gun, bow and arrow, or sling shot in a park or on public property unless as approved under a special permit to allow hunting.

Section 50-184. Pollution of water.

No person shall discharge in waters of any pond, stream or any body of water, any substance, liquid or solid, or any material or thing which will result in pollution of the water.

Section 50-185. Protecting public property.

No person shall remove, break, destruct, injure, mutilate, carry away, or deface in any way any tree, plant, flower, shrub, rock, soil, sand, fence, bench, table, building, shelter, or any other city property or thing pertaining to or located in a park.

Section 50-186. Climbing.

Climbing of trees, flagpoles, buildings, shelters, light standards, fences and backstops, sitting or standing upon monuments, vases, fountains, railings, or fences in any park and recreation area is prohibited.

Section 50-187. Safe use of facilities.

No person shall use a park facility in a manner which endangers any person or property.

Section 50-188. Exclusive use.

No person or organization shall use a park or a park area for group celebrations, meetings, entertainment, etc., which are considered "exclusive use," except through use of a permit issued by the Director of Public Services.

Sections 50-189 thru 50-210. Reserved.