

## RENVILLE COUNTY PARK ORDINANCE

### *SECTION 1. PURPOSE*

The purpose of this Ordinance, which is enacted pursuant to Minnesota Statutes, including but not limited to 398.31 – 398.37, County Parks, is to secure the quiet, orderly, and suitable use and enjoyment of public parks, County recreation areas, Countywide trail systems, wildlife sanctuaries, forest, historical sites, and public access to lakes, rivers, and streams in parks established by Renville County, and to further the safety, health, comfort, and welfare of all persons in the use thereof, and to preserve the natural environment for future generations.

### *SECTION 2. DEFINITIONS*

**Area** or **Areas** – A specified place within a park.

**Authorized Person** – A person or persons authorized, approved, or assigned by Park Management to perform a specific task or duty within the park system.

**Board** – The Renville County Board of County Commissioners.

**Camping Unit** – A tent not greater than 400 square feet of floor area, a camper, a motor home, or a group of up to six persons camping in the open.

**Controlled Substance** – Any drug, substance, or immediate precursor in Schedules I through V of Minnesota Statutes, Section 152.02, as amended.

**County Park Roadway** – That portion of a County road located within a County park improved, designed, or ordinarily used for vehicular travel.

**Department** – The Renville County Parks Department.

**Electronic Delivery Device** – Any device that can be used to deliver aerosolized or vaporized nicotine to the person inhaling from the device including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah. Electronic smoking device includes any component, part, or accessory of such a device, whether or not sold separately. Electronic smoking device does not include drugs, devices, or combination products approved for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

**Employee, Contract** – Any unpaid volunteers and any persons employed or hired by a contractor, concessionaire, or other person or firm to perform work in a park or on other open-space property at the request of or under contract with the County of Renville.

**Employee, Department** – Any full-time, part-time, permanent, or temporary worker in the employ of the Department.

**Gambling** – Any gambling activity as defined in Minnesota Statutes.

**Greywater** – Sewage that does not contain toilet wastes.

**Hazardous Substance** – A chemical or substance, or mixture of chemicals and substances, as outlined in Minnesota Statutes, Chapter 182.651, Subd. 14, as amended.

**Indoor Area** – All space between a floor and a ceiling that is bounded by walls, doorways, or windows, whether open or closed, covering more than 50 percent of the combined surface area of the vertical planes constituting the perimeter of the area. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent. A 0.011 gauge window screen with an 18 by 16 mesh count is not a wall.

**Misdemeanor** – A crime for which a sentence of not more than 90 days or a fine of not more than \$1,000, or both, may be imposed.

**Model Aircraft** – An unmanned aircraft, capable of flight in the atmosphere, flown with visual line of sight by the person operating the aircraft, and used for hobby and recreational purposes.

**Motor Vehicle** – Car, truck, motorcycle, bus, or recreational vehicle or similar equipment which is permitted by license to operate on public roads.

**Natural Resources** – All plants and animals within a park and the physical factors on which they depend including air, water, soil, and minerals.

**Off-Road Recreational Vehicle** – An off-highway motorcycle as defined in Minnesota Statutes, Section 84.787, Subd. 7; off-road vehicle as defined in Minnesota Statutes, Section 84.797, Subd. 7; snowmobile as defined in Minnesota Statutes, Section 84.81, Subd. 3; and all-terrain vehicle as defined in Minnesota Statutes, Section 84.92, Subd. 8, as amended.

**Park** – Any land, open space, water area, trail corridor, or any other area owned, improved, maintained, operated, or otherwise controlled by the Board for recreation or natural resource preservation purposes.

**Park and Trails Committee**- Act as advisory committee to County Board reviewing all recreation, leisure, and park-related issues including park planning, operation, maintenance, protection, and improvement and trail-related issues including trail planning, development, construction, operation and maintenance, and funding sources. Study and recommend to County Board appropriate fees for park permits and trail system user fees.

**Park Management**- Management of Renville County Parks.

**Park System** – The Renville County park system which includes the sites and facilities owned, maintained, and operated by or otherwise under the authority of the Board.

**Park Waters** – Any lake, pond, river, stream, or other body of water located within the boundaries of a Renville County park or any public shoreline owned by or under the authority of the Board including those waters lying within 300 feet of the waterfront immediately abutting park lakeshore.

**Peace Officer** – As defined in Minnesota Statutes, Section 626.84, as amended.

**Permit** – The written permission that must be obtained from the Department to carry out certain activities such as camping, use of all or portions of specific areas, buildings, and other park system facilities for conducting special events.

**Person** or **Persons** – Includes an individual, a firm, a corporation, a partnership, a company, or any group, organization, club, or gathering.

**Pet** – Any animal that is domesticated or kept as a companion, except horses.

**Petty Misdemeanor** – A petty offense which is prohibited by this Ordinance, which does not constitute a crime and for which a sentence of a fine of not more than \$300 may be imposed.

**Pollutant** – Any substance, solid, liquid, or gas, which could cause contamination of air, land, or water so as to create or cause a nuisance or render it unclean or noxious or impure so as to be actually or potentially harmful or detrimental or injurious to public health, safety, or welfare, or that of wildlife or vegetation.

**Possession:**

1. Physical possession means having a controlled substance on one's person with knowledge of the nature of the substance.
2. Constructive possession means having once possessed a controlled substance, continuing to exercise dominion and control over the substance up to the time of arrest, or aiding and abetting another in possessing a controlled substance.

**Property** – Any land, waters, facilities, or possession of Renville County.

**Public Rallies** – Exhibitions, celebrations, training exercises, parades, gatherings, solicitations, concerts, speeches, pageants, entertainment, ceremonies, and other such related uses of the buildings, grounds, and roads in the Renville County park system.

**Recreational Vehicle** – A vehicle that is built on a single chassis, is 400 square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towable by a light-duty truck, and is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. For the purposes of this Ordinance, the term “recreational vehicle” shall be synonymous with the term “travel trailer/travel vehicle.”

**Responsible Person** – The parent, guardian, or person having lawful custody and control of a juvenile.

**Sewage** – Waste produced by toilets, bathing, laundry, or culinary operations, or the floor drains associated with these sources, and includes household cleaners, medications, and other constituents in sewage restricted to amounts normally used for domestic purposes.

**Small Unmanned Aerial Vehicle (UAV)** – A power-driven, small, unmanned aircraft, weighing less than 55 pounds, that is remotely controlled.

**Smoking** – Inhaling or exhaling smoke from any lighted or heated cigar, cigarette, pipe, or any other tobacco or plant product, or inhaling or exhaling vapor or aerosol from any electronic delivery device. Smoking shall include being in possession of a lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product intended for inhalation.

**Tobacco** – Any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product including, but not limited to, cigarettes; cigars; pipe tobacco; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready-rubbed, and other smoking tobacco; snuff; snuff flowers; cavendish; plug and twist tobaccos; fine cut and other chewing tobaccos; refuse scraps, clippings, cuttings, and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any tobacco product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

**Trail** – A public pathway designated and promoted for uses such as cross-country skiing, hiking, bicycling, horseback riding, snowmobiling, and off-road recreational vehicle riding.

**Travel Trailer** – A vehicle without motor power used or adaptable for living, sleeping, business, or storage purposes, having no foundation other than wheels, blocks, jacks, or skirting, which does not meet building code requirements and has been or reasonably may be equipped with wheels or other devices for transporting the structure from place to place. The term “trailer” shall include camp car, camp bus, camper, and house car.

**User Fee** – Payment for any facility or area for which a permit is required.

**Weapon** – Any device including, but not limited to, firearms, bows, slings, and spring guns from which a shot or a projectile of any type is discharged or propelled by means of an explosive, gas, compressed air, elastic, or other means.

**Wildlife** – Any living creature, not human, wild by nature, including, but not limited to, mammals, birds, fish, amphibians, insects, reptiles, crustaceans, and mollusks.

### ***SECTION 3. ORDINANCE VIOLATIONS***

1. Petty Misdemeanors. Petty misdemeanor offenses are actions or inactions prohibited by state statute and carry the designated penalties set forth by the respective County court system. The following violations of the Ordinance shall be deemed petty misdemeanors:

- Section 4.1 – Park Hours
- Section 4.2 – Park Permits
- Section 4.3 – Park Permit Regulations
- Section 6.6 – Pets in Parks
- Section 8.1 – Shelter Use
- Section 8.2 – Horseback Riding
- Section 8.3 – Camping
- Section 8.5 – Other Winter Recreational Activities
- Section 9.3 – Parking Vehicles

2. Misdemeanors. All remaining violations of the Ordinance shall be deemed misdemeanor offenses unless circumstances warrant a more serious offense.

### ***SECTION 4. REGULATION OF PUBLIC USE***

1. Park Hours.
  - A. Parks shall be open to the public from 5:00 a.m. until 10:00 p.m. It shall be unlawful for any person to enter or remain in a park at any other time without a permit, except when the park area or facility hours are otherwise designated by Park Management.
  - B. Any section or part of any park may be declared closed to the public by Park Management at any time and for any interval of time, either temporarily or at regular and stated intervals, and either entirely or for certain uses as Park Management shall find necessary.
2. Park Permits.
  - A. Permits shall be required for camping and for the exclusive use of all or portions of specific areas, buildings, shelters, and other system facilities for conducting special events.
  - B. A permit shall be required to allow the cutting and removal of deadfall (downed trees and limbs) in the park system for personal use with the exception of deadfall used in the park system for small recreational fires in fireplaces or fire rings. The allowing of cutting and removal of deadfall will be reviewed from year to year by the Park and Trails Committee based on an environmental assessment of each park. The permit shall contain a waiver of

liability, the appropriate park location, and set the dates for cutting and removal.

- C. A permit shall be required to participate in a special park hunting season. The allowing of a special park hunting season within the park system shall be reviewed annually by the Park and Trails Committee. The permit shall contain a waiver of liability, park zone hunting location map, hunting rules, and hunting season dates.

3. Park Permit Regulations.

- A. Any persons, group, or association of persons required to obtain any park permit shall file an application for the permit with Park Management.
- B. Permittee shall be bound by this Ordinance and any Department regulations in force as though the same were inserted in the permit.
- C. Permittee shall be liable for any loss, damage, or injury sustained by the system or any person by reason of the negligence of the person or persons to whom the permits are issued.
- D. Permittee shall not transfer or relinquish the permit to another person or group of persons without written authorization from Park Management.
- E. Park Management or peace officer shall have the authority to revoke a permit.
- F. It shall be unlawful for any person to use, without payment, any facility or area for which a permit is required or user fee charged unless the payment is waived by permit.
- G. It shall be unlawful for any person to disturb, harass, or interfere with the grantee of a valid permit or with any of the grantee's property or equipment.
- H. The Renville County Board of County Commissioners shall establish user fees for permits required by this Ordinance.

***SECTION 5. REGULATION OF GENERAL CONDUCT/PERSONAL BEHAVIOR***

- 1. Smoking and Tobacco Use. It shall be unlawful for any person to smoke or use any tobacco product in any indoor area including toilets and park buildings. Park shelters are excluded from this provision.
- 2. Littering. It shall be unlawful for any person to deposit, scatter, drop, or abandon in any park any paper, bottles, cans, sewage, waste, trash, or other debris, except in receptacles provided by the Department for such purpose. No person shall deposit in any receptacle in any park any accumulation of waste or trash generated outside the boundaries of the park.

3. Public Nuisance/Personal Safety. It shall be unlawful for any person to:
  - A. Use threatening, abusive, insulting, obscene, or indecent language or commit, perform, or engage in any lewd, lascivious, obscene, or indecent act that shocks the conscience of others.
  - B. Engage in fighting, quarreling, or brawling.
  - C. Disturb, harass, or interfere with any park user or user's property.
  - D. Solicit or ask anyone to commit, perform, or engage in any lewd, lascivious, obscene, or indecent act of behavior.
  - E. Intentionally expose his or her own genitals, pubic area, buttocks, or female breast below the top of areola, with less than a fully opaque covering while on park property, if 10 years of age or older.
4. Alcohol and Controlled Substances. It shall be unlawful for any person to:
  - A. Use, possess, or sell any alcoholic beverages in violation of Minnesota Statutes.
  - B. Serve or sell any alcoholic beverage except by permit or concessionaire agreement approved by the Board.
  - C. Possess or bring beer or wine into a park in kegs, barrels, or other tap quantities except by permit approved by the Board.
  - D. Use, manufacture, possess, sell, give away, barter, exchange, distribute, or otherwise transfer any controlled substance, except on a lawful prescription by a person licensed by law to prescribe and administer controlled substances.
5. Gambling. It shall be unlawful for any person to gamble, as defined in Minnesota Statutes, within the park.
6. Possession and Use of Firearms/Dangerous Weapons/Fireworks. It shall be unlawful for any person to:
  - A. Possess uncased within park property, fire or discharge, or cause to be fired or discharged across, in, or into any portion of the park, any gun or firearm, spear, bow and arrow, crossbow, slingshot, air or gas weapon, air gun, knife designed or used as a dangerous weapon, dart or projectile thrower, or any other dangerous or illegal weapon or projectile, except for purposes permitted by the Board including easements to property owners or authorized persons to cross parklands to gain access to their property for hunting purposes with

written authorization from Park Management. This section shall not apply to peace officers, those in possession of a permit to carry under Minnesota Statutes, Chapter 624.714, or a permit issued for a special park hunting season.

- B. Possess, set off or attempt to set off, or ignite any firecracker, fireworks, smoke bombs, rockets, or other pyrotechnics.
7. Loitering. It shall be unlawful for any person to:
- A. Enter any restroom, washroom, or toilet facilities set apart or designated for the opposite sex, except a minor in the custody and under the supervision of a parent or guardian, or a person attending to or assisting a handicapped person.
  - B. Lurk or loiter in or around the toilet or other system facility, except to use or wait for an accompanying person using such facility for the purpose for which it is intended.
8. Public Rallies. It shall be unlawful for any person to conduct public rallies through or in any park, except with written authorization from Park Management.
9. Soliciting Donations. It shall be unlawful for any person to beg or solicit money, donations, or contributions within a park.
10. Interference with Employee Performance of Duty. It shall be unlawful for any person to impersonate any employee or contract employee of the Department or interfere with, harass, or hinder any employee, other authorized person, or contract employee in the discharge of duties.

#### ***SECTION 6. REGULATION OF GENERAL PARK OPERATIONS***

1. Noise/Amplification of Sound. It shall be unlawful for any person, without prior authorization from Park Management to:
- A. Install, use, or operate or permit the use or operation within the park any of the following devices:
    - i. Loudspeaker or sound amplifying equipment.
    - ii. Radios, tape players, phonographs, television sets, musical instruments, amplifiers, or other machine or device for the production or reproduction of sound in such a manner as to be heard at a distance of 50 feet or more.
    - iii. Yell, shout, whistle, sing, or make any unpleasant and unnecessary noises to disturb the peace and quiet within any park or cause

discomfort or annoyance to reasonable park visitor of normal sensitivity, except for special programs at dates and times as authorized by permit.

2. Commercial Use/Solicitation/Advertising/Photography. It shall be unlawful for any person to:
  - A. Solicit, sell, or otherwise peddle any goods, wares, merchandise, services, liquids, or edibles in a park, except by authorized concession or written authorization from Park Management.
  - B. Operate a still, motion picture, video, or other camera for commercial purposes in a park without written authorization from Park Management.
  - C. Expose, distribute, or place any sign, advertisement, notice, poster, or display in a park without written authorization from Park Management.
  - D. Distribute or disseminate any leaflets, pamphlets, circulars, handbills, advertisement, or other written or printed material without the written authorization of Park Management.
3. Fires. It shall be unlawful for any person to:
  - A. Start or maintain a fire in any park, except small (not larger than three feet in diameter) recreational fires in fireplaces or fire rings provided for that purpose. Private grills, camp stoves, and heaters may be used provided that all ashes and residue therefrom are disposed of properly.
  - B. Leave a fire unattended or fail to fully extinguish a fire.
  - C. Scatter or leave unattended lighted matches, ashes, tobacco, paper, or other combustible material.
4. Operation of Small Unmanned Aerial Vehicles and Engine-Powered Models and Toys. Small UAVs and engine-powered model aircraft or like-powered toys may only be operated for recreation and hobby purposes and cannot be used for business purposes without prior approval of the Board. It shall be unlawful to operate a small UAV, engine-powered model, or like-powered toy near a toilet, shelter house, recreation area, or camping or parking area. Use and operation of small UAVs must abide by all federal and state regulations.
5. Unlawful Occupancy. It shall be unlawful for any person to enter in any building or area that may be under construction, locked, or closed to public use; or to enter, remain in, or be upon any building or area after the posted closing time or before the posted opening time, or contrary to the posted notice in any park.
6. Pets in Parks. It shall be unlawful for any person to:

- A. Cause or allow any pet to roam or be at large in any park.
  - B. Permit a pet, except guide animals to assist a blind or impaired person, to enter any beach area, picnic area, nature interpretive area, park building, or park shelter.
  - C. Bring a pet into an authorized area of a park unless caged or on a leash not more than six feet in length.
  - D. Permit a pet to disturb, harass, or interfere with any park visitor, park visitor's property, or park employee.
  - E. Tether any animal to a tree, plant, building, or park equipment.
  - F. Have custody or control of any pet in a park without possessing and using an appropriate device for cleaning up pet feces and disposing of the feces in a sanitary manner.
  - G. Permit any pet or domestic animal to graze or browse in any park.
7. Lost and Found Articles. Lost or mislaid articles, money, or personal property that is found in any park shall be delivered or turned over to the Renville County Sheriff's Office. Property will be disposed of in accordance with Minnesota Statutes.
8. Abandoned Property. Any property that is left unattended in the park for 72 hours or more shall be considered abandoned and may be seized. Property that has been seized, if unclaimed after 90 days, may be sold.
9. Posted Regulations, Directional Signs and Graphics. It shall be unlawful for any person to disregard or fail to comply with any posted regulations, directional signs and graphics, barriers, or other control devices authorized within any park.
- A. It shall be unlawful for any person to post a sign(s) without approval from Park Management.
10. Aeronautics. It shall be unlawful for any person to use, fly, or land an aircraft, hot air balloon, parachute, hang glider, or other similar flying object within a park unless approved by the Board.

***SECTION 7. PROTECTION OF PROPERTY, STRUCTURES,  
AND NATURAL RESOURCES***

1. Destruction/Defacement of Park Property/Signs. It shall be unlawful for any person to intentionally deface, vandalize, or remove park property, buildings, equipment, or facilities; or intentionally deface, destroy, cover, damage, or remove any placard

notice, or sign or parts thereof, whether permanent or temporary, posted or exhibited by the Department.

2. Disturbance of Natural Resources. It shall be unlawful for any person to:
  - A. Intentionally remove, alter, injure, or destroy any natural resource without written authorization from Park Management.
  - B. Dig trenches, holes, or other excavation in a park without written authorization from Park Management.
  - C. Plant or cultivate any plant or release any animal into a park without written authorization from Park Management.
  - D. Remove any device, apparatus, or material installed for the protection, support, or preservation of any tree, shrub, or plant.
  - E. Engage in metal detecting for reclaiming lost personal property.
3. Disturbance of Wildlife. It shall be unlawful for any person to:
  - A. Kill, trap, hunt, pursue, or in any manner disturb or cause to be disturbed or have in possession any species of wildlife found within the confines of any park, except that fishing may be permitted subject to the laws and regulations as established by the State of Minnesota. This section shall not apply to those in possession of a permit under the terms of a special park hunting season.
  - B. Remove any animal, living or dead, from a park without written authorization from Park Management. Any animal so removed or taken contrary to the provisions of this Ordinance or law of the State of Minnesota shall be contraband and subject to seizure and confiscation. This section shall not apply to those in possession of a permit under the terms of a special park hunting season.
4. Utilities. It shall be unlawful for any person to locate, construct, or erect any sewer, gas pipe, water pipe, hydrant, lamp post, telephone or electric post, conduit, pump, lift station, or other utility feature in any park without approval of the Board. Every person, firm, or corporation who receives a contract or permit to do work shall, after such work has commenced and until same has been completed, isolate the construction areas by security fencing, warning lights and signs, or other appropriate measures that will protect the public from exposure to danger and prevent unnecessary accidents.
5. Release of Hazardous or Foreign Substances. It shall be unlawful for any person to:

- A. Place any debris or other pollutant in or upon any park lands or waters in or adjacent to a park.
  - B. Discharge sewage or any other wastes in a park, except into designated containers or dumping stations.
  - C. Release a hazardous substance in and/or upon any park lands.
6. Prevention of Tree Diseases. Unless you are a resident of Renville County bringing in firewood from a source in Renville County, no firewood shall be transported into, possessed, or burned in any Renville County park unless it bears evidence that it is from a Minnesota Department of Natural Resources approved source and/or a certified firewood vendor. Deadfall (downed trees and limbs) gathered in the park system may be used for small recreational fires in fireplaces or fire rings.

***SECTION 8. REGULATION OF RECREATION ACTIVITY***

1. Shelter Use. It shall be unlawful for any person to:
- A. Assume exclusive use of a shelter without a permit.
  - B. Use any portion of a shelter without a permit if the area is reserved by a permitted group.
2. Horseback Riding. It shall be unlawful for any person to:
- A. Ride, lead, or allow a horse within a park except in designated areas or designated trails.
  - B. Ride a horse in a reckless manner so as to create a nuisance or to endanger the safety or property of any park visitor.
  - C. Tether a horse to a tree, other plant, building, or park equipment.
  - D. Erect any type of portable fencing.
  - E. Leave behind excess hay and straw in staging and camping areas or manure in any area except on designated horse trails.
3. Camping.
- A. It shall be unlawful for any person to:
    - i. Camp without a permit.
    - ii. Operate any vehicle within a campground during designated quiet hours, except in emergencies.

- iii. Camp overnight in a park if under 18 years of age unless accompanied by a responsible person.
- B. A person may not camp in the same park site for more than 14 days in succession unless approved by Park Management. Park Management may also allow camping for additional days when vacancies allow an extended stay.
- C. The permit period begins with the day of registration, and all fees must be paid in full. Camping equipment placed on a campsite by an unpermitted party or any equipment left on a site after the end of the rental period may be removed by Department staff to allow registered campers to occupy the site.
- D. Camping permits expire at 1:00 p.m. at which time a campsite shall be vacated. On departure, the campsite shall be left in a neat and clean condition.
- E. Power units used to generate electricity shall not be operated between the hours of 10:00 p.m. and 8:00 a.m. or at other hours of the day if the operation causes a disturbance for other visitors.
- F. Camping in designated group camping areas is limited to registered groups or individual campers assigned to the area by
- G. Park Management.
- H. A camping fee per camping unit per night, by the week, by the month, or by the season shall be charged. Camping fees shall be set to recoup the costs of developing, operating, and maintaining facilities or to prevent or mitigate resource impacts. Campers must pay the camping fee immediately upon occupying a campsite. If a party occupies a campsite and fails to pay the camping fee immediately, an additional charge equivalent to one night's camping fee shall be assessed if Department personnel or a peace officer must visit the campsite to collect the camping fee.
- I. Liquid wastes from cooking shall only be disposed of in a waste dump. Greywater that originated from hand-carried water must not be discharged directly to surface waters, drainage ways, or poorly drained soils; in a manner or volume harmful to the environment or public health; or in a manner that creates a public health nuisance as determined by the local unit of government. Treatment and disposal of sewage and wastewater generated from the use of a recreational vehicle or travel trailer shall comply with all state and County regulations and standards.
- J. Other prohibitions. It shall be unlawful for any person to:

- i. Install or affix in a permanent manner equipment, a structure, or personal property on parkland.
  - ii. Move or remove picnic tables, fire rings, or other facilities from a campsite, day use area, or campground.
  - iii. Dig or excavate.
  - iv. Make a noise at a level above that of a quiet conversation in camping areas between the hours of 10:00 p.m. and 8:00 a.m., which are designated quiet hours.
- 4. Snowmobiling. It shall be unlawful for any person to:
  - A. Operate a snowmobile in any park or on any public trail, including park roadways that are posted and groomed for winter activities such as cross-country skiing, snowshoeing and hiking under the jurisdiction of the Board, except on County park roadways and on trails specifically designated for such use.
  - B. Operate a snowmobile to tow any person, sled, or other conveyance, except for by the use of a rigid tow bar attached to the rear of such snowmobile (disabled snowmobiles shall be exempt).
  - C. Operate a snowmobile in violation of any Minnesota statute or rule.
  - D. Operate a snowmobile in a park in excess of posted speed limits when present or at a rate of speed greater than reasonable or proper under current conditions, or in a careless, reckless, or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto. Violation of this provision shall be punishable as a misdemeanor.
- 5. Other Winter Recreational Activities. It shall be lawful for any person to pass through a closed gate to enter a park after the parks have been officially closed to motor vehicles to conduct winter recreational activities unless posted otherwise.

***SECTION 9. REGULATION OF MOTOR AND OFF-ROAD RECREATIONAL VEHICLES, TRAFFIC, AND PARKING***

- 1. Off-Road Recreational Vehicle. It shall be unlawful for any person to operate an off-road recreational vehicle within a park, except on County park roadways and in areas and on trails specifically designated for such use.
- 2. Motor Vehicle Operation. It shall be unlawful for any person to:
  - A. Operate a motor vehicle within a park, except on County park roadways, parking areas, or other areas designated for such use.

- B. Operate a motor vehicle at a speed in excess of 10 miles per hour or the posted speed limit.
  - C. Operate a motor vehicle within a park in violation of posted regulations.
  - D. Drive or operate a motor vehicle on or along any County park roadways or parking areas which have been gated, closed, or posted with appropriate signs or barricades. Park Management shall have the authority to order roads, drives, or parking lots within any park closed during the process of construction, reconstruction, or repair, or when, in the opinion of Park Management, weather or hazardous conditions render travel unsafe or unduly destructive.
  - E. Operate a motor vehicle in a careless or reckless manner.
  - F. Operate a motor vehicle without an operable muffler or that emits excessive fumes or dense smoke.
  - G. Fail to yield right-of-way to pedestrians and other trail users.
  - H. Wash, grease, change oil, service, or repair any motor vehicle in a park, except disabled motor vehicles that shall be expeditiously made operational and removed.
  - I. Drink, consume, or possess an open bottle or container of any alcoholic or intoxicating beverage in or on any motor vehicle when such vehicle is in a park, except when parked in a designated camping or picnic area.
3. Parking Vehicles. It shall be unlawful for any person to:
- A. Park or leave a vehicle standing, except in a designated area and then only in a manner so as not to restrict normal traffic flow.
  - B. Leave a vehicle standing after posted closing hours except for vehicles of registered campers, disabled vehicles, and except by written authorization from Park Management.
  - C. Park in a space designated for handicapped parking only, except with handicapped vehicle license or permit.
  - D. Allow vehicles to remain illegally parked, or disabled vehicles to remain for more than 72 hours. Illegally parked or disabled vehicles may be towed away and impounded at the owner's expense. The sale or disposal of impounded vehicles shall comply with Minnesota Statutes, Section 168B.051 and Section 168B.08, as amended.

### ***SECTION 10. ENFORCEMENT***

1. Peace Officers.
  - A. Peace officers shall, in connection with their duties imposed by law, diligently enforce the provisions of this Ordinance and may issue citations, arrest, arrest with warrant, and eject from parks persons acting in violation of the Ordinance.
  - B. Peace officers shall have the authority to seize, confiscate, and impound any substance, plant, animal, vehicle, or other article that, upon probable cause, is found to be used or possessed in violation of this Ordinance.
2. Fines and Penalties. A person guilty of violating any provisions of this Ordinance, noted in Section 3, shall be guilty of a petty misdemeanor punishable by a fine of not more than \$300. All other violations of the provisions of this Ordinance shall be designated as a misdemeanor, which shall be punishable by a fine of not more than \$1,000 or imprisonment for a period not to exceed 90 days, or both, or higher level of punishment based on the severity of the crime.
3. Employee Performance on Duty. Nothing in this Ordinance shall prevent employees or contract employees of the Department from performing their assigned duties.

### ***SECTION 11. MISCELLANEOUS***

1. Repeal. Existing park ordinance and any rules and regulations in conflict with this Ordinance, or any parts thereof, are hereby repealed, except that such ordinances, rules, and regulations shall be deemed to be in force for the purpose of protecting any right vested, accrued, or arising therefrom.
2. Separability. The provisions of this Ordinance shall be separable, and the invalidity of any section, paragraph, subparagraph, subdivision, or other part thereof shall not make void, impair, invalidate, or affect the remainder thereof.

### ***SECTION 12. EFFECTIVE DATE***

The regulations contained in this Ordinance shall become effective from and after its publication according to law.