

MEEKER COUNTY PARKS ORDINANCE

AN ORDINANCE
GOVERNING PARKS UNDER THE JURISDICTION OF THE
MEEKER COUNTY BOARD OF COMMISSIONERS

MEEKER COUNTY, MINNESOTA

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SECTION 1: PURPOSE

The purpose of this Ordinance, which is enacted pursuant to Minnesota Statutes, is to secure the quiet, orderly, and suitable use and enjoyment of public parks lands, county recreation areas, county-wide trail systems, forests, historical sites, and county/public access to lakes, rivers, and streams in parks established by Meeker County in the State of Minnesota, and to further the safety, health, comfort and welfare of all persons in the use thereof.

SECTION 2: DEFINITIONS

For the purpose of this Ordinance, the terms defined in this Section shall have the meanings given them in this Section.

1. “Meeker County Parks” means the park organization or system in Meeker County.
2. “Park Superintendent” means the person appointed by the County Board to serve as the chief administrative officer of the Meeker County Park System.
3. “Park” means any land or water area, and all facilities thereon, established as a park by Meeker County pursuant to Minnesota Statutes.
4. “Park Caretaker” means the person designated by the County Board of Commissioners with the responsibility for the operation and management of a particular park.
5. “Park Visitor” means any person, firm, partnership, association, cooperation, governmental unit, company or organization of any kind within a park.
6. “Vehicle” means any motorized, self-propelled, animal-drawn or human-powered conveyance.
7. “Motorized Recreation Vehicle” means any self-propelled, off-the-road, or all-terrain conveyance, including but not limited to a snowmobile, mini-bike, amphibious vehicle, motorcycle, go-cart, trail bike, or dune buggy.
8. “Weapon” means any device from which shot or a projectile of any type can be discharged by means of an explosive, gas, or compressed air or otherwise propelled, including, but not limited to, firearms, bows and arrows, slings and spring guns.

9. "Wildlife" means all living creatures, not human, wild by nature, endowed with sensation and power or voluntary motion, including quadrupeds, mammals, birds, fish, amphibians, reptiles, crustaceans, and mollusks.
10. "Intoxicating Liquor" means any liquor which is intoxicating pursuant to Minnesota law and includes ethyl alcohol, distilled, fermented, spiritous, vinous, and malt beverages containing in excess of 3.2 percent alcohol by weight.
11. "Non-Intoxicating Malt Liquor" means a beverage containing not more than 3.2 percent alcohol by weight.
12. "Drug" means any substance defined as a controlled substance by Chapter 152, Minnesota, or other statutes or federal law or regulations.

SECTION 3: PARK OPERATION

1. A person may be granted a permit by the Park Superintendent or his designee for temporary exclusive use of reserved space within a park.
2. No person shall remain within a park between the hours of 10:00 p.m., and 6:00 a.m., except campers in designated camping areas, subject to the power of the Meeker County Park Board to establish different hours, which hours shall be posted.
3. Any permit granted pursuant to this Ordinance may be revoked upon the violation by the permittee of any Ordinance, rule or regulation of the Meeker County Park System.
4. It shall be unlawful for any person to use any facility or area for which a fee or charge has been established by the Meeker County Park System without payment of such fee or charge.
5. The Meeker County Park System shall not be liable for any loss, damage, or injury sustained by a park visitor.
6. Any park or portion thereof may be declared closed to the public by the Meeker County Board or Park Superintendent at any time and for any interval of time, or to certain uses, as the Meeker County Board or Park Superintendent shall find reasonably necessary.

SECTION 4: REGULATIONS ON GENERAL CONDUCT – PERSONAL BEHAVIOR

A. Drugs and Alcohol Use

It shall be unlawful for any person to:

1. Have in possession or bring into a park “non-intoxicating malt liquor” or strong beer in kegs, barrels, or case-lot quantities in an amount more than 72 fluid ounces. The Meeker County Park Board by resolution may prohibit any use or possession of alcohol in any park, with said resolution becoming effective upon passage, after one published notice in the County’s legal newspaper, and by posting notice at said park.
 - a. Meeker County prohibits any use or possession of alcohol at the Lake Manuella County Park. (*Ordinance amended January 30, 2002*)
2. Have in possession or bring into a park “intoxicating liquor”, except strong beer.
3. Use, possess, or sell any controlled substance in violation of state statutes.

B. Public Nuisance – Personal Safety

It shall be unlawful for any person to:

1. Use threatening, abusive, insulting, obscene or indecent language or to act in an indecent manner, or to do any act which constitutes a breach of the public peace in a park.
2. Engage in fighting or exhibit threatening, violent, disorderly, or indecent behavior.

C. Littering and Release of Harmful or Foreign Substance

It shall be unlawful for any person to:

1. Deposit, scatter, drop or abandon in a park any bottles, cans, broken glass, sewage, waste or other material, except in receptacles provided for such purposes. Said receptacles are not for private use, but are to be used only by persons using said park for recreational purposes.
2. Throw, discharge or place in or upon any lake, stream, creek, pond, or other body of water in or adjacent to a park, or any tributary, stream, storm sewer or drain flowing into such waters, any substance, liquid, solid or gas.

D. Property of Others

It shall be unlawful for any person to:

1. Disturb, harass, or interfere with any park visitor or a park visitor’s property.
2. Leave or store personal property in undesignated areas on park property without a permit.

E. Possession and Use of Firearms/Dangerous Weapons and Fireworks.

It shall be unlawful for any person to:

1. Have in his/her possession within the park, 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 or any other dangerous weapon or projectile, except for purposes designated by the Board in areas and at times designated by the Board.
2. Set off or attempt to set off or ignite any fireworks, smokebombs, rockets, blackpower guns or other pyrotechnics without authorization from the Board.

SECTION 5: REGULATIONS PERTAINING TO GENERAL PARK LAND OPERATION

A. Commercial Use/Solicitation/Advertising

It shall be unlawful for any person to:

1. Sell, solicit, or carry on any business or commercial enterprise or service in a park unless authorized by the Park Superintendent.
2. Expose, distribute, or place any sign, advertisement, notice, poster, or display in a park without authorization from the Park Superintendent.

B. Pets in parks

It shall be unlawful for any person to:

1. Bring a dog, cat, or other pet into a park unless caged or kept on a leash not more than six (6) feet in length, or tether any animal to a tree or other plant.
2. Permit any dog, cat, or other pet to enter a beach area, nature center area, refuge area, picnic area, park building, or other unauthorized area within a park or any park area where their presence is prohibited by the Park Superintendent.
3. Permit a dog, cat, or other pet to disturb, harass, or interfere with any park visitor or a park visitor's property.

C. Fires

It shall be unlawful for any person to:

1. Start a fire in a park, except in small fire for culinary purposes in a designated area, or fail to fully extinguish such a fire.
2. Drop, throw or otherwise leave unattended in a park, lighted matches, burning cigars, cigarettes, tobacco, paper or other combustible material.

D. Aviation

It shall be unlawful for any person to:

Use any land or body of water within a park for a starting or landing field for aircraft, balloons, or parachutes without a permit from the Park Superintendent.

E. Meetings, Speeches, Demonstrations and Parades.

It shall be unlawful for any person to:

Conduct public meetings, assemblies, entertainment, parades or demonstrations, within a park without first obtaining a written permit from the Park Superintendent, and then only in areas designated in the permit.

SECTION 6: PROTECTION OF PROPERTY, STRUCTURES AND NATURAL RESOURCES

A. Protection of Natural Resources and Wildlife

It shall be unlawful for any person to:

1. Injure, destroy, or remove any tree, flower, shrub, plant, rock, soil or mineral in a park.
2. Kill, trap, hunt, pursue or in any manner disturb or cause to be disturbed, any species of wildlife within a park, except that fishing may be permitted in designated areas.
3. Release within a park any plant, chemical or other agent potentially harmful to the vegetation or wildlife of the park.
4. Remove any animal, living or dead, from a park, and any animal so removed or taken contrary to the provisions of this Ordinance or laws of the State of Minnesota shall be considered contraband and subject to seizure and confiscation.

B. Destruction/Defacement of Park Property/Signs

It shall be unlawful for any person to:

Intentionally deface, vandalize or otherwise cause destruction to park property.

SECTION 7: REGULATIONS OR RECREATIONAL ACTIVITIES

A. Camping

It shall be unlawful for any person to:

1. Camp in a park except in areas provided and designated for that purpose.
2. Camp in a park without a written permit from the Park Caretaker or Park Superintendent or his authorized representative.
3. Cause, create or make any noise which disturbs the peace, quiet and tranquility of the camping area.
4. Discharge water or any other wastes in a park except into designated containers, drains, or dumping stations.
5. Dig trenches or make any other excavations in a park.
6. Occupy camp sites in a park contrary to a written permit, or otherwise violate provisions of a permit.

B. Picnicking

It shall be unlawful for any person to:

1. Assume exclusive use of a reservation picnic site without a permit
2. Set up temporary shelters, tents, tarps, canopies, and other such devices without authorization by permit.

C. Swimming

It shall be unlawful for any person to:

1. Wade or swim within a park except at beaches designated for that purpose, and then only between sunrise and sunset, or such hours as may be designated by the Park Superintendent, and park visitors shall swim or wade at their own risk when lifeguards are not on duty.
2. Wade, swim, or use any beach in a park without proper bathing attire.
3. Take cans, bottles, or glass of any kind, except eye glasses, into a designated beach area.

4. Use air mattresses, inner tubes, or other inflatable devices except in designated beach areas.

D. Boating

It shall be unlawful for any person to:

1. Launch or land any boat, yacht, canoe, raft, or other watercraft upon any water, lagoon, lake, pond or slough within a park except at locations and times designated for that purpose.
2. Leave unattended any boat or other watercraft except in areas designated for that purpose.
3. Operate any watercraft in a designated swimming area or other prohibited area.
4. Operate any watercraft in a park in violation of Minnesota Statute 361, "Waters and Watercraft Safety".

E. Fishing

It shall be unlawful for any person to:

1. Fish in a park in violation of any provision of Minnesota Statute 101.
2. Fish in a park area designated as a "no-fishing area".
3. No person shall leave, store, abandon or otherwise cause to remain on any Meeker County Park access site, any fish house, shelter or dark house.

F. Horseback Riding

It shall be unlawful for any person to:

1. Ride, lead, or permit a horse to be within a park except in designated riding areas and at designated hours.
2. Ride a horse in a reckless manner or in a manner to create a nuisance or to likely endanger the safety or property of any park visitor.

G. Bicycling

It shall be unlawful for any person to:

Operate a bicycle except on park designated bikeways and roadways, and except as close to the right-hand side thereof as conditions will permit.

H. Snowmobiling

It shall be unlawful for any person to:

Operate a snowmobile in a park except in such areas and times as designated by the Park Superintendent.

I. Motorized Recreation Vehicle

It shall be unlawful for any person to:

Operate a motorized vehicle within a park except in such areas and at times as designated by the Park Superintendent.

SECTION 8: REGULATIONS OF MOTORIZED VEHICLES, TRAFFIC AND PARKING

It shall be unlawful for any person to:

1. Operate any vehicle within a park except upon roadways, parking areas or other designated locations thereof.
2. Operate a vehicle in a park at a speed in excess of posted speed limits.
3. Park or leave a vehicle standing within a park except in a designated parking area.
4. Park or leave a vehicle standing after posted closing hours without a valid camping permit or other special use permit.
5. Operate a vehicle which emits excessive or unusual noise, noxious fumes, dense smoke or other polluting matter.
6. Operate a vehicle in a reckless or careless manner in a park.
7. Wash, polish, grease, change oil, or repair any vehicle in a park.

SECTION 9: ENFORCEMENT AND PENALTIES

1. A person guilty of violating any provision of this Ordinance shall be guilty of a misdemeanor; a misdemeanor is punishable by a fine of not more than \$700.00, or by imprisonment for a period not to exceed 90 days, or both.
2. Designated Park Department employees, in addition to law enforcement officers may, in connection with their duties imposed by law, diligently enforce the provisions of this Ordinance, and eject from parks, persons acting in violation of this Ordinance.

3. The Park Superintendent shall have the authority to revoke for good cause any permit or reservation issued by the Park Superintendent.
4. The Meeker County Board or Park Superintendent shall have the right to issue administrative rules and regulations.
5. Nothing in this Ordinance shall prevent employees or agents of the Park Department from performing their assigned duties.
6. No person shall impersonate any employee of the Park Department, nor interfere with, harass, or hinder any employee in the discharge of his/her duties.
7. If any provision of this Ordinance is held to be invalid, such invalidity shall not affect the validity of any other provision of this Ordinance.

SECTION 10: PERMITS

1. Any permits required hereunder shall be obtained by making application to the Park Superintendent on a form to be provided by the Park Superintendent. Said application shall be delivered to the Park Superintendent at least ten (10) working days prior to the event the application is for.
2. Upon receipt of the application, the Park Superintendent shall review it and either approve or deny the application. In considering approval or denial, the Park Superintendent shall base his decision upon the terms, conditions, and purpose of this Ordinance, and upon the preservation of the County Parks.
3. The Superintendent may impose conditions upon use in connection with the granting of a permit. Said conditions shall be based upon the terms, conditions, and purpose of this Ordinance, and upon the preservation of the County Parks. Any person, whether the applicant or not, who is using a County Park in accordance with a permit that has been granted for said use shall comply with the conditions of said permit.

SECTION 11:

Upon passage hereof, all prior inconsistent ordinances are hereby repealed.

SECTION 12: EFFECTIVE DATE

1. This ordinance shall be effective on August 15, 1991.

ENACTING CLAUSE:

1. This ordinance is approved and recommended for passage by the Meeker County Park Board.

MEEKER COUNTY PARK BOARD

Date: June 20, 1991

By: /s/ Harold L. Turck
Its Chairman

2. Date of Public Hearing before Meeker County Board of Commissioners: July 10, 1991.
3. Passed this 10th day of July, 1991, by the Meeker County Board of Commissioners.

MEEKER COUNTY BOARD OF COMMISSIONERS

By: /s/ Roney Kutzke
Its Chairman

ATTEST:

/s/ Darlene Groskreutz
Meeker County Auditor

Ordinance Amended:

It be resolved that according to Meeker County Parks Ordinance Section 4, A1, any use or possession of alcohol at the Lake Manuella County Park is prohibited.

Dated: February 5, 2002

MEEKER COUNTY BOARD OF COMMISSIONERS

By its Chairman: David Gabrielson

Attest: Darlene Groskreutz
Clerk of the County Board