

CITY OF COON RAPIDS, MINNESOTA

CHAPTER 10-400

CONDUCT IN PUBLIC PARKS

10-401 Definitions.

(1) "Director" is a person immediately in charge of any park area and its activities, and to whom all park attendants of such area are responsible.

(2) "Park" is a park, reservation, playground, beach, golf course, recreation center, or any other area, owned or used by the City, and devoted to active or passive recreation.

(3) "Vehicle" is any wheeled conveyance, whether motor-powered, animal-drawn, or self-propelled. The term shall include any trailer in tow of any size, kind, or description. Exception is made for baby carriages and vehicles in the service of the City Parks.

10-402 Buildings and Other Property. No person in a park shall:

(1) Disfiguration and Removal. Willfully mark, deface, disfigure, injure, tamper with, or displace or remove, any building, bridges, tables, benches, fireplaces, railings, paving or paving material, water lines, or other public utilities or parts or appurtenances thereof, signs, notices, or placards whether temporary or permanent, monuments, stakes, posts, or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.

(2) Restrooms and Washrooms. Fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition. No person over the age of five years shall use the restrooms and washrooms designated for the opposite sex.

(3) Removal of Natural Resources. Dig, remove, or damage any beach sand, whether submerged or not, or any soil, rock, stones, golf links or trees, shrubs or plants, down-timber or other wood or materials, or make any excavation by tool, equipment, blasting, or other means or agency.

(4) Erection of Structures. Construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon, or across such lands, except on special written permit issued hereunder.

10-403 Trees, Shrubbery, Lawns. No person in a park shall:

(1) Injury and Removal. Damage, cut, carve, transplant, or remove any tree or plant or injure the bark, or pick the flowers or seeds of any tree or plant, attach any rope, wire, other contrivance to any tree plant, dig in or otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area.

(2) Climbing Trees, etc. Climb any tree or walk, stand, or sit upon monuments, vases, fountains, railing, fences or gun carriages, or upon any other property not designated or customarily used for such purposes.

(3) Hitching of Animals. Tie or hitch a horse or other animal to any tree or plant.

10-404 Wildlife. No person in a park shall:

(1) Hunting. Hunt, molest, harm, frighten, kill, trap, chase, tease, shoot, or throw missiles at any animal, reptile or bird; remove or have in his possession the young of any wild animal, or the eggs or nest, or young of any reptile or bird; collect, remove, have in his possession, give

away, sell or offer to sell, or buy or offer to buy, or accept as a gift, any specimen alive or dead of any of the group of tree snails. Nothing contained herein shall prohibit the killing of snakes known to be deadly, such as rattle snakes, or other deadly reptiles.

(2) Feeding. Give or offer, or attempt to give to any animal or bird any tobacco, alcohol, or other known noxious substances.

10-405 Sanitation. No person in a park shall:

(1) Pollution of Waters. Throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay, or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance, matter, or thing, liquid or solid, which will or may result in the pollution of said waters.

(2) Refuse and Trash. Bring in or dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, or refuse, or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any park, or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided; where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.

(3) Garbage Cans. Deposit or leave garbage cans or other such containers on park property.

10-406 Traffic. No person in a park shall:

(1) State Motor Vehicle Laws Apply. Fail to comply with all applicable provisions of the State motor vehicle traffic laws in regard to equipment and operation of vehicles together with such regulations as are contained in this and other chapters.

(2) Enforcement of Traffic Regulations. Fail to obey all traffic officers and park employees, such persons being hereby authorized and instructed to direct traffic whenever and wherever needed in the parks and on the highways, streets, or roads immediately adjacent thereto in accordance with the provisions of these regulations and such supplementary regulations as may be issued subsequently by the Director.

(3) Obey 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.

(4) Speed of Vehicles. Ride or drive a vehicle at a rate of speed exceeding 15 miles an hour, except upon such roads as the Director may designate, by posted signs, for speedier travel.

(5) Operation Confined to Roads. Drive any vehicle on any area except the paved park roads or parking areas, or such other areas as may on occasion be specifically designated as temporary parking areas by the Director.

10-407 Parking. No person in a park shall:

(1) Designated Areas. Park a vehicle in other than an established or designated parking area, and such use shall be in accordance with the posted directions there at and with instructions of any attendant who may be present.

(2) Full-Parking. Full-park on the road or driveway at any time. In order to enjoy some special natural scenic feature, vehicles may be parked with the two left wheels near the right edge of the paving for not more than 15 minutes. No stopping or parking is permitted even briefly on the left-hand side of any road or driveway.

(3) Night Parking. Leave a vehicle standing or parked at night without lights clearly

visible for at least 75 feet from both front and rear on any driveway or road area except legally established parking areas.

(4) Emergency Procedure. Fail to immediately notify an attendant of an emergency in the nature of a breakdown requiring the assistance of a tow-truck, mechanic, or other person.

(5) Double-Parking. Double-park any vehicle on any road or parkway unless directed by a park official.

(6) Muffler Required. Fail to use a muffler adequate to deaden the sound of the engine in a motor vehicle.

10-408 Bicycles, Snowmobiles, and Go-Carts. No person in a park shall:

(1) Confined to Roads. Ride a bicycle, snowmobile, or go-cart on other than a paved vehicular road, or path designated or area designated for that purpose. A bicyclist shall be permitted to wheel or push a bicycle by hand over any grassy area or wooded trail or on any paved area reserved for pedestrian use.

(2) Operation. Ride a bicycle, snowmobile, or go-cart other than on the right-hand side of the road paving as close as conditions permit, and they shall be kept in single file when two (2) or more are traveling as a group. They shall at all times operate their machines with reasonable regard to the safety of others, signal all turns, pass to the left of any vehicle they are overtaking, and pass to the right of any vehicles they may be meeting.

(3) Rider Prohibited. Ride any other person on a bicycle.

(4) Designated Racks. Leave a bicycle in a place other than a bicycle rack when such is provided and there is a space available.

(5) Immobile. Leave a bicycle, snowmobile, or go-cart lying on the ground or paving, or set against trees, or in any place or position where other persons may trip over or be injured by them.

(6) Night Operation. Ride a bicycle or snowmobile on any road, path, or area between 30 minutes after sunset and 30 minutes before sunrise without an attached headlight plainly visible at least 200 feet from the rear of such bicycle or snowmobile.

(7) Other Vehicles. Ride any other vehicles any place in the parks, except as may be designated; provided, however, that city maintenance equipment may be used, and ranger carts and registered golf carts may be used on the golf course in accordance with regulations for the golf course.

10-409 Bathing and Swimming. No person in a park shall:

(1) Designated Areas. Swim, bath, or wade in any waters or waterways in or adjacent to any park, except in such waters and at such places as are provided therefor, and in compliance with such regulations as are herein set forth or may be hereafter adopted. Nor shall any person frequent any waters or places customarily designed for the purpose of swimming or bathing, or congregate thereat when such activity is prohibited by the Director upon a finding that such use of the water would be dangerous or otherwise inadvisable.

(2) Certain Hours. Frequent any waters or places designated for the purpose of swimming or bathing, or congregate thereat, except between such hours of the day as shall be designated by the Director for such purposes for each individual area.

(3) Structure on Beach. Erect, maintain, use, or occupy on or in any beach or bathing area any tent, shelter, or structure of any kind unless there shall be an unobstructed view into said tent, shelter, or structure from at least two sides; nor shall any guy wire, rope or extension or exterior brace or support be connected or fastened from any such structure to any other structure,

stake, rock, or other object outside thereof.

(4) Costume. Allow himself to be so covered with a bathing suit as to indecently expose his person. No person shall appear in bathing costume at any place in the parks except within the limits of designated bathing places or areas, and all bathing costumes shall conform to commonly accepted standards.

(5) Bathhouses. Dress or undress on any beach, or in any vehicle, toilet, or other place, except in such bathing houses or structures as may be provided for that purpose.

10-410 Golf. No person in a park shall be upon a golf course except as a registered player and after paying green fees; and except recreation officers and City employees in the performance of their duties.

(1) Exception. Spectators may be upon the golf course during tournaments, but only after paying prescribed fees. Such spectators must remain in places designated for spectators and they shall not interfere with any game in progress.

(2) Rules, Regulations, and Fees. The City Council shall, by resolution, from time to time establish rules and regulations for use of the Municipal Golf Course, including rates and fees for play thereon. Such rules and regulations shall be posted prominently in at least five places on the golf course; and no one shall enter, be or do anything on the golf course except in compliance with such rules and regulations.

10-411 Hunting and Firearms. No person in a park shall hunt, trap, or pursue wildlife; use, carry, or possess firearms of any description, or air rifles, spring guns, bows and arrows, slings, or any other forms of weapons potentially inimical to wildlife and dangerous to human safety, or any instrument that can be loaded with and fire blank cartridges, or any kind of trapping device; except that, weapons may be used in specific areas in accordance with rules therefor. Shooting into park areas from beyond park boundaries is forbidden.

10-412 Picnic Areas and Use. No person in a park shall:

(1) Regulated. Picnic or lunch in a place other than those designated for that purpose. Attendants shall have the authority to regulate the activities in such areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. Visitors shall comply with any directions given to achieve this end.

(2) Availability. Except when an exclusive use permit has been issued pursuant to Section 10-425, violate the regulation that use of the individual fireplaces together with tables and benches follows generally the rule of "first come, first served." [Revised 6/22/93, Ordinance 1455]

(3) Nonexclusive. Except when an exclusive use permit has been issued pursuant to Section 10-425, use any portion of the picnic area or of any of the buildings or structures therein for the purpose of holding picnics to the exclusion of other persons, nor shall any person use such area and facilities for an unreasonable time if the facilities are crowded. [Revised 6/22/93, Ordinance 1455]

(4) Duty of Picnicker. Leave a picnic area before the fire is completely extinguished and before all trash in the nature of boxes, papers, cans, bottles, garbage, and other refuse is placed in the disposal receptacles where provided. If no trash receptacles are available, then refuse and trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.

10-413 Camping. No person in a park shall camp, nor set up tents, shacks, or any other temporary shelter for the purpose of overnight camping, in any place except as such place may be designated specifically for camping; nor, except as may be designated, leave in a park after closing hours any movable structure or special vehicle to be used or that could be used for such purpose, such as house trailer, camp trailer, camp wagon, or the like.

10-414 Games. No person in a park shall take part in or abet the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins, or model airplanes, except in areas set apart for such forms of recreation. The playing of rough or comparatively dangerous games as football or baseball is prohibited except on the fields and courts or areas provided therefor. Roller skating shall be confined to those areas specifically designated for such pastime.

10-415 Horseback Riding. No person in a park shall ride a horse except on designated bridle trails. Horses shall be thoroughly broken and properly restrained, and ridden with due care, and shall not be allowed to graze or go unattended, nor shall they be hitched to any rock, tree, or shrub.

10-416 Alcoholic Beverages.

(1) No person shall bring, have in his possession, or consume alcoholic beverages at any time in any park, except as provided in Subsection 2.

(2) Consumption of 3.2 percent malt beverages is permitted in parks if purchased from a person licensed to sell in such park, pursuant to the provisions of City Code Section 5-209. All sales shall be in individual drinks and shall be served for consumption on the licensed premises.

10-417 Fireworks and Explosives. No person in a park shall bring or have in his possession, or set off or otherwise cause to explode or discharge or burn, any firecrackers, torpedo, rocket, or other fireworks or explosives of inflammable material, or discharge them or throw them into any such area from land or highway adjacent thereto; nor any substance, compound, mixture, or article that in conjunction with any other substance or compound would be dangerous from any of the foregoing standpoints, unless licensed by the City Council pursuant to Minnesota Statutes Chapter 624.

10-418 Domestic Animals. No person in a park shall bring a dog or other domestic animal into areas other than automobile parking concourses and walks immediately adjacent thereto, and in such other areas as may be clearly marked by signs bearing the words "Domestic Animals Permitted in this Area." Nothing herein shall be construed as permitting the running of dogs at large. All dogs in those areas where such animals are permitted shall be restrained at all times on adequate leashes not greater than eight feet in length.

10-419 Fires. No person in a park shall build or attempt to build a fire except in such areas and under such regulations as may be designated by the Director. No person shall drop, throw, or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco, paper, or other inflammable material, within any park area or on any highway, road, or street abutting contiguous thereto.

10-420 Other Unlawful Behavior. No person in a park shall:

(1) Reservation of Facilities. Occupy a seat or bench, or enter into or loiter or remain in any pavilion or other park structure or section thereof which may be reserved and designated by the Board for the use of the opposite sex. Children under the age of 12 years may accompany their parents or guardian in all such places except bathrooms.

(2) Alms. Solicit alms or contributions for any purpose, whether public or private.

(3) Closed Areas. Enter an area posted as "Closed to the Public," nor shall any person use or abet the use of any area in violation of posted notices.

(4) Games of Chance. Gamble or participate in or abet any game of chance.

(5) Going onto Ice. Go onto the ice on any of the waters except such areas as are designated as skating fields, and provided a safety signal is displayed.

(6) Loitering and Boisterousness. Sleep or protractedly lounge on the seats, or benches, or other areas, or engage in loud, boisterous, threatening, abusive, insulting, or indecent language or engage in any disorderly conduct or behavior tending to a breach of the public peace.

(7) Exhibit Permits. Fail to produce and exhibit any permit from the Director he claims to have upon request of any authorized person who shall desire to inspect the same for the purpose of enforcing compliance with any ordinance or rule.

(8) Interference with Permittees. Disturb or interfere unreasonably with any person or party occupying any area, or participating in any activity, under the authority of a permit.

(9) Audio Devices. No person shall operate or play any musical instrument, radio, television, record or tape player, loud speaker, public address system or sound amplifying equipment of any kind in any open space site in such a manner that the sound emanating therefrom is audible beyond the immediate vicinity of the set or instrument, and subsequently interferes with the use of the open space site by other users or disturbs the residents of adjacent property.

10-421 Merchandising, Advertising, and Signs. No person in a park shall:

(1) Vending and Peddling. Expose or offer for sale any article or thing, nor shall he station or place any stand, cart, or vehicle for the transportation, sale, or display of any such article or thing. Exception is here made as to any regularly licensed concessionaire acting by and under the authority and regulation of the Director.

(2) Advertising. Announce, advertise, or call the public attention in any way to any article or service for sale or hire.

(3) Signs. Paste, glue, tack, or otherwise post any sign, whatever on any public lands or highways or roads adjacent to a park.

10-422 Hours. Except for unusual and unforeseen emergencies, community parks, athletic complexes and parks with lighted tennis courts shall be open to the public every day of the year during the hours of 5:00 a.m. to 12:00 midnight. Neighborhood parks shall be open to the public everyday of the year during the hours of 5:00 a.m. to 10:00 p.m. The opening and closing hours for each individual park shall be posted therein for public information. A permit for use of the park during other than the above hours may be obtained in accordance with City Code Section 10-425 through 10-428. [Revised 8/25/92, Ordinance 1426]

10-423 Closed Areas. Any section or part of any park may be declared closed to the public by the Director at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise) and either entirely or merely to certain uses, as the

Director shall find reasonably necessary.

10-424 Lost and Found Articles. The finding of lost articles by park attendants shall be reported to the Director, who shall make every reasonable effort to locate the owners. The Director shall make every reasonable effort to find articles reported as lost.

10-425 Permits Required.

(1) After Hours Permit. A permit shall be obtained from the Public Services Director for use of the park between the hours of 12:00 midnight and 5:00 a.m. [Revised 6/22/93, Ordinance 1455]

(2) Exclusive Use Permit. Whenever any group, association or organization desires to use park facilities or the community center for a particular use, such as picnics, sporting activities, parties or theatrical or entertainment performances, the representative of said group, association or organization shall first obtain an exclusive use permit from the Public Services Director for such purposes. The application for such permit may contain a requirement for an indemnity bond to protect the City from any liability of any kind or character and to protect City property from damage. The Public Services Director shall require that, where group activities require extra police protection or other special facilities or expense to the City, the group, association or organization requesting the permit shall, at its sole expense, provide an indemnity bond to cover such services.[Revised 6/22/93, Ordinance 1455]

(3) Rules, Regulations and Fees. The City Council may from time to time establish rules and regulations for use of City park facilities, and may, by resolution, establish a fee schedule for exclusive use permits. Such rules and regulations shall be provided to the applicant with the issuance of a permit. No one shall use facilities except in compliance with the rules and regulations.[Revised 6/22/93, Ordinance 1455]

10-426 Application. A person seeking issuance of a permit hereunder shall file an application with the Public Services Director. The application shall be on a form provided by the City and shall contain:

- (1) The name and address of the applicant.
- (2) The name and address of the person sponsoring the activity, if different than the applicant.
- (3) The days and hours for which the permit is desired.
- (4) The park or portion thereof for which such permit is desired.
- (5) An estimate of the anticipated attendance.
- (6) Any other information which the Public Services Director shall find reasonably necessary to a fair determination as to whether a permit should be issued hereunder. The application shall be accompanied by the appropriate fee, if any, as contained in a fee schedule adopted by resolution of the City Council.[Revised 6/22/93, Ordinance 1455]

10-427 Standards for Issuance. The Public Services Director shall issue a permit hereunder when it is found:

- (1) That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park.
- (2) That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety, and recreation.
- (3) That the proposed activity or use is not reasonably anticipated to incite violence,

crime, or disorderly conduct.

(4) That the proposed activity will not entail unusual, extraordinary, or burdensome expense or Police operation by the City.

(5) That the facilities desired have not been reserved for other use.

(6) All required fees and bonds have been provided.[Revised 6/22/93, Ordinance 1455]

10-428 Appeal. Within 20 days after receipt of an application, the Director shall issue the permit or apprise an applicant in writing of the reasons for denying the permit. Any aggrieved person shall have the right to appeal to the City Council.

Such appeal shall be in writing and shall be filed with the City Manager within 10 days after receipt of the Director's decision. The Manager shall place the appeal on the agenda for the next regular Council meeting, at which time the applicant may appear in support of his appeal. The Council may affirm, deny, or alter the terms of the permit. The decision of the Council shall be final.

10-429 Liability of the Permittee. The permittee shall be liable for any loss, damage, or injury sustained by any person or whatever by reason of the negligence of the permittee or his agents.

10-430 Revocation. The Director shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance, or upon good cause shown.

10-431 Ejectment. The Director and any park attendant shall have the authority to eject from the park any person acting in violation of this Chapter.

10-432 Seizure of Property. The Director and any park attendant shall have the authority to seize and confiscate any property, thing, or device in the park used in violation of this Chapter.