

PARKS ORDINANCE #174

**An ordinance governing parks
under the jurisdiction of
Washington County, Minnesota**

May, 2006



Washington County Parks
1515 Keats Avenue North
Lake Elmo, Minnesota 55042

(651) 430-8368

BOARD OF COUNTY COMMISSIONERS
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2006-077

Transportation & Physical

Development

DATE May 23, 2006

DEPARTMENT Development

MOTION BY COMMISSIONER Peterson

SECONDED BY COMMISSIONER Hegberg

WASHINGTON COUNTY, MINNESOTA
PARK ORDINANCE NO. 174

WHEREAS, Minnesota Statute section 398.34 authorizes the County to enact ordinance relating to the County Park System; and

WHEREAS, said ordinance may prescribe regulations, not inconsistent with law, for the protection and use of County parks or parks or other units subject to and in accordance with MINN. STAT. §§ 398.31 to 398.36; and

WHEREAS, this ordinance is enacted in order to establish rules and regulations for the safe and peaceful use of parklands; the recreation and education of the public; the protection and preservation of property and natural resources; and the general welfare of the public; and

WHEREAS, this ordinance was enacted following a public hearing on the matter; and

WHEREAS, this ordinance is intended to repeal and replace Washington County Parks Ordinance Nos. 93, 129 and 155 which was enacted in May of 1992.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Commissioners hereby adopts Washington County Parks Ordinance No. 174 to take effect upon the passage of this resolution and its publication according to law.

BE IT FURTHER RESOLVED, that Washington County Parks Ordinance Nos. 93, 129 and 155 is hereby repealed, said repeal to take effect on the date Washington County Parks Ordinance No. 174 becomes effective.

ATTEST:

James R. Selby

COUNTY ADMINISTRATOR

Will Pulkhabek

CHAIRMAN, COUNTY BOARD

YES

NO

PETERSON

X

KRIESEL

X

HEGBERG

X

PULKRABEK

X

STAFFORD

X

**WASHINGTON COUNTY PARKS DIVISION
ORDINANCE NO. 174**

Table of Contents

CHAPTER I - PURPOSE/AUTHORITY/ DEFINITIONS

- Section 1 - Purpose1
- Section 2 - Authority1
- Section 3 - Definitions.....2

CHAPTER II - REGULATION OF GENERAL PUBLIC USE

- Section 1 - Park Hours5
- Section 2 - Use Permits.....5
- Section 3 - Use Fee, Failure to Pay.....5
- Section 4 - Vehicle Permits6

CHAPTER III - REGULATION OF GENERAL CONDUCT –
PERSONAL BEHAVIOR

- Section 1 - Drug and Alcohol Use.....7
- Section 2 - Gambling7
- Section 3 - Public Nuisance/Personal Behavior.....8
- Section 4 - Tobacco Use8
- Section 5 - Property of Others8
- Section 6 - Littering.....8
- Section 7 - Possession/Use of Firearms/ Dangerous
Weapons/Fireworks.....9
- Section 8 - Interference with Employee Performance
of Duty.....9

CHAPTER IV - REGULATIONS PERTAINING TO GENERAL
PARKLAND OPERATION

Section 1 -	Commercial Use/Solicitation/ Advertising/Photography	10
Section 2 -	Pets in Parks	10
Section 3 -	Noise/Amplification of Sound.....	11
Section 4 -	Fires	12
Section 5 -	Aviation.....	12
Section 6 -	Assembly, Meetings, Speeches, Demonstrations, Religious Services, Parades.....	12
Section 7 -	Amusement Contraptions	12
Section 8 -	Engine Powered Models and Toys.....	12
Section 9 -	Unlawful Occupancy.....	13

CHAPTER V - PROTECTION OF PROPERTY, STRUCTURES AND
NATURAL RESOURCES

Section 1 -	Disturbance of Natural Feature	14
Section 2 -	Disturbance of Wildlife.....	14
Section 3 -	Destruction/Defacement of Park Property/Signs	14
Section 4 -	Release of Harmful or Foreign Substances.....	15

CHAPTER VI - REGULATION OF RECREATION ACTIVITY

Section 1 -	Camping	16
Section 2 -	Picnicking	16
Section 3 -	Swimming/Beaches	17
Section 4 -	Scuba Diving and Snorkeling	18
Section 5 -	Boating	18
Section 6 -	Fishing.....	19
Section 7 -	Horseback Riding	19
Section 8 -	Bicycling	20
Section 9 -	Snowmobiling	20
Section 10 -	Cross-Country Skiing.....	21
Section 11 -	Other Winter Activities	21
Section 12 -	Other Special Activity Use	22
Section 13 -	In-Line Skating	22

CHAPTER VII - REGULATION OF MOTORIZED VEHICLES, TRAFFIC AND PARKING

Section 1 - Motorized Off-Road Vehicles.....23
Section 2 - Motor Vehicles.....23
Section 3 - Parking Vehicles.....24
Section 4 - Maintenance of Personal Vehicles24

CHAPTER VIII - ENFORCEMENT

Section 1 - Officer Authority.....25
Section 2 - Fines and Penalties.....25
Section 3 - Additional Rules & Regulations25
Section 4 - Impoundment of Pets25
Section 5 - Use Permit Revocation.....25
Section 6 - Employee Performance of Duty.....25

CHAPTER IX - MISCELLANEOUS

Section 1 - Repealer.....26
Section 2 - Captions and Headings26
Section 3 - Severability.....26
Section 4 - Amendments26

CHAPTER X - EFFECTIVE DATE26

WASHINGTON COUNTY, MINNESOTA

ORDINANCE NO. 174

**AN ORDINANCE GOVERNING PARKS
UNDER THE JURISDICTION OF WASHINGTON COUNTY,
AND REPEALING ORDINANCE NUMBERS 93, 129 AND 155**

CHAPTER I - PURPOSE/AUTHORITY/DEFINITIONS

Section 1 – Purpose

The WASHINGTON COUNTY BOARD OF COMMISSIONERS deems it reasonable, necessary and desirable to provide an ordinance specifying rules and regulations in order to provide for the safe and peaceful use of park lands; for the education and recreation of the public; for the protection and preservation of the property, facilities, and natural resources; and for the safety and general welfare of the public.

Section 2 – Authority

The WASHINGTON COUNTY BOARD OF COMMISSIONERS, under Minnesota Statutes 398.31 – 398.35 in performing its primary duty of the acquisition, development and maintenance of parks, wildlife sanctuaries, forests and other reservations and providing the means for public access to historic sites, lakes, rivers, streams, and other natural phenomena; is granted full power and authority to acquire and establish parks and to operate, maintain, protect and improve a park system and conduct a recreational program. As an aid to the accomplishment of their duties, the Board is granted the authority to enact ordinances and to declare that the violation thereof shall be a misdemeanor.

Section 3 – Definitions

- a. “Alcoholic Beverage” includes any intoxicating beverage as defined by Minnesota law and includes beer and wine as further defined in this ordinance.
- b. “Amusement contraptions” means any contrivance, device, gadget, machine or structure designed to test the skill or strength of the user or to provide the user with any sort of ride, lift, swing, or fall experience including, but not limited to, ball throwing contest, pinball type device, electronic videos, animal rides, dunk tank, ball pit, moonwalk, ball and hammer device, trampoline, and the like.
- c. “Area” or “areas” means a specified place within a park.
- d. “Beach” means that part of a body of water and shore, natural or man-made, designated for swimming.
- e. “Beer” means any alcoholic malt beverage, including 3.2 beer.
- f. “Bicycle” means any non-motorized vehicle which is driven by means of pedaling. Such vehicles include, but are not limited to, road bicycles, mountain bicycles, recumbent bicycles, tricycles, and mopeds with the motor off.
- g. “Board” means the appointed and elected members of the Washington County Board of Commissioners.
- h. “Controlled Substance” means any drug substance or immediate precursor in schedules 1 through 5 of Minnesota Statutes Section 152.02.
- i. “Director” means the Director of the Parks Division of the Washington County Department of Transportation & Physical Development.
- j. “Glue” means any substance that releases vapors and is used by a person for the purpose of inducing symptoms of intoxication, elation, excitement, confusion, dizziness, paralysis, irrational behavior, or in any manner changing, distorting or disturbing the balance or coordination of a person’s audio, visual, or mental processes.
- k. “In-line Skating” means riding or propelling oneself by human power or gravity on wheeled devices that are worn on a person’s feet or stood upon by a person. Such devices specifically include, but are not limited to, roller skates, in-line skates, roller skis, skateboards and scooters.

- l. “Motor Vehicle” means a self-propelled vehicle intended to be driven on a roadway. Such vehicles include, but are not limited to, cars, trucks, motorcycles, scooters, recreational vehicles, or mopeds under motor power.
- m. “Motorized Off-Road Vehicle” means any self-propelled, off the road or all terrain vehicle, designed to be driven off a roadway. Such vehicles include, but are not limited to, snowmobile, mini-bike, amphibious vehicle, motorcycle, go-cart, scooter, dune buggy, or all terrain vehicle (ATV).
- n. “Natural Resources” means all flora and fauna within Parks and the physical factors upon which they depend; including air, water, soil, and minerals.
- o. “Park” means any land or water area and all facilities thereon, including but not limited to trails, under the jurisdiction, control or ownership of Washington County.
- p. “Parks Division” means an operating unit of the Department of Transportation & Physical Development responsible for the operation and maintenance of Washington County Parks.
- q. “Person” or “Persons” means individuals, firms, corporations, societies or any group or gathering whatsoever.
- r. “Pet” means any animal that is tamed and domesticated and kept as a companion.
- s. “Pollutant” means any substance, liquid, or gas which could cause contamination of air, land, or water so as to create or cause a nuisance or render unclean or noxious or impure so as to be actually or potentially harmful, or detrimental or injurious to public health, safety, or welfare.
- t. “Possession”

Physical Possession:

Having a controlled substance on one’s person with knowledge of the nature of the substance.

Constructive Possession:

Having once possessed a controlled substance, continuing to exercise dominion and control over the substance up to the time of arrest, aiding and abetting another in possessing a controlled substance.

- u. "Property" means any land, waters, facilities, or possessions of Washington County.
- v. "Use Permit" means the written permission that must be obtained from the Parks Division to carry out a given activity.
- w. "Watercraft" means any contrivance used or designated for navigation on water other than (a) duck boat during the duck hunting season, (b) rice boat during the harvest season, or (c) seaplane
- x. "Weapon" means any device including, but not limited to, firearms, bows, electronic weapons, slings, and pellet or B-B guns from which a shot or projectile of any type is discharged or propelled by means of an explosive, gas, compressed air, or other means. An electronic weapon means a portable device, which is designated, used or intended to be used, offensively or defensively, to immobilize or incapacitate persons by the use of an electric current.
- y. "Wildlife" means any living creature, not human, wild by nature, endowed with sensation, power of voluntary motion, including but not limited to mammals, birds, fish, amphibians, reptiles, crustaceans and mollusks.
- z. "Wine" means a vinous alcoholic beverage.

CHAPTER II - REGULATION OF GENERAL PUBLIC USE

Section 1 – Park Hours

- a. Parks shall be open to the public daily from 7:00 a.m. until ½ hour after sunset, unless otherwise designated by the Board. It shall be unlawful for any person to enter or remain in a park at any other time without a use permit.
- b. The Director or designee is authorized to close any park or portion thereof at any time for the protection of park property or for public health, safety or welfare.

Section 2 – Use Permits

- a. Use Permits shall be required for an exclusive or special use of all or portions of park areas, buildings or trails or for use of park areas and facilities when the park is otherwise closed to the public.
- b. It shall be unlawful for a person to violate any provisions of a use permit.
- c. Use Permits shall be required for any entertainment, tournament, exhibition or any other special use, which can reasonably be expected to have fifty (50) or more persons involved.
- d. Issuance of use permits for park facilities shall be established through regulations established by the Director.
- e. Issuance of a use permit for firewood cutting shall be established through regulations established by the Director.

Section 3 – Use Fee, Failure to Pay

It shall be unlawful for any person to use, without payment, any facility or area for which a user fee is charged, unless the payment is waived by a use permit.

Section 4 – Vehicle Permits

It shall be unlawful for any person to bring a motor vehicle into the following parks without appropriately displaying an approved annual or daily vehicle permit, attached with its own adhesive, unless exempted by a use permit: Big Marine Park Reserve, Cottage Grove Ravine Regional Park, Lake Elmo Park Reserve, Pine Point Regional Park, St. Croix Bluffs Regional Park, or Square Lake Park.

CHAPTER III - REGULATION OF GENERAL CONDUCT – PERSONAL BEHAVIOR

Section 1 – Drug and Alcohol Use

It shall be unlawful for any person to:

- a. serve, possess or consume any alcoholic beverage within a park in a manner that would violate state statutes;
- b. serve, possess, or consume any beer, wine or other alcoholic beverage within a park, except beer and wine in reserved picnic shelters, campsites, and meeting facilities; unless otherwise authorized by use permit;
- c. possess in an unsealed container or consume any beer or wine on park property set aside or designated as a parking area, road or parkway;
- d. use, manufacture, possess, constructively possess, sell, give away, barter, exchange, distribute, or otherwise transfer any controlled substance, except for the use of a lawful prescription prescribed by a person licensed by law to prescribe and administer controlled substances;
- e. inhale, breathe, drink, or be or become intoxicated by reason of inhaling, breathing or drinking any substance defined as “glue”;
- f. possess or bring into a County Park, beer or wine in kegs, barrels, or case lot quantities without a use permit;
- g. be under the influence of drugs or alcohol to the point of intoxication, or loss of motor skills or consciousness, or other factors that may injure the party or adversely affect other park visitors, or
- h. have a blood alcohol level higher than .08 at anytime when within the boundaries of any park.

Section 2 – Gambling

It shall be unlawful for any person to gamble or participate in any game of chance for a consideration of items of value; excepting private social bets not incidental to organized, commercialized or systematic gambling.

Section 3 – Public Nuisance/Personal Safety

It shall be unlawful for any person to:

- a. engage in fighting or exhibit threatening, violent, disorderly or indecent behaviors;
- b. make unreasonable noise or coarse utterance, gesture or display;
or
- c. address abusive language to any person present.

Section 4 – Tobacco Use

It shall be unlawful for any person to use any form of tobacco product within 100 feet of any beach or playground, or in other locations as designated by the Director.

Section 5 – Property of Others

It shall be unlawful for any person to:

- a. intentionally disturb, harass or interfere with a park visitor's property; or
- b. leave or store personal property over 24 hours on park property without a use permit, unless the activity is authorized by the Board.

Section 6 – Littering

It shall be unlawful for any person to deposit, scatter, drop or abandon in a park; bottles, cans, glass, hot coals, ashes, sewage, waste or other material, except in receptacles provided for such purpose.

Section 7 – Possession and Use of Firearms/Dangerous Weapons/Fireworks

It shall be unlawful for any person to:

- a. have in their possession, fire, discharge, or cause to be discharged across, in, or into any portion of a park, any weapon, except in areas and at times designated by the Director for such use, or with a use permit; or
- b. set off or attempt to set off or ignite any firecrackers, fireworks, smoke bombs, rockets, black powder guns or other pyrotechnics without authorization from the Board.

Section 8 – Interference with Employee Performance of Duty

It shall be unlawful for any person to impersonate an employee of the Parks Division or interfere with, harass, or hinder an employee in the lawful discharge of their duties.

CHAPTER IV - REGULATIONS PERTAINING TO GENERAL PARKLAND OPERATION

Section 1 – 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 permission granted by a use permit;
- b. operate a still, motion picture, video or other camera for commercial purposes in a park without a use permit; or
- c. expose, distribute or place any sign, advertisement, notice, poster or display in a park without authorization from the Director.

Section 2 – Pets In Parks

It shall be unlawful for any person to:

- a. allow a pet, except a certified assistance dog, to enter or be in a park except in parking lots, designated pet exercise and training areas, trails (other than interpretive trails or cross-country ski trails in season), and any other area designated by the Director;
- b. bring a pet into an authorized area of a park, unless caged or kept on a leash not more than 6 feet in length, except in a pet exercise or training area designated by the Director;
- c. allow a pet under his/her control to disturb, harass, or interfere with any park visitor or a park visitor's property;
- d. allow a pet to disturb, harass, or interfere with wildlife or wildlife nesting areas;
- e. tether any animal to a tree, plant, building, or park equipment;
- f. lead or control a pet while on in-line skates, skis, bicycle, or any other means of locomotion, except while on foot, or in areas designated by the Director for such use, unless authorized by use permit; or
- g. operate a dog sled except on designated trails for dog sleds at dates and times designated by a use permit.

Any person having the authorized custody or control of any dog or domestic animal shall have the responsibility for cleaning up the feces of the animal and to dispose of such feces in a sanitary manner.

Section 3 – Noise/Amplification of Sound

It shall be unlawful for any person to:

- a. operate or allow the use or operation of any loud speaker, sound amplifier or other device for the production or reproduction of sound without authorization by use permit; and except for special programs at dates and times as authorized by the use permit.;
- b. use, operate, or allow the use or operation of any radio, phonograph, television set or other machine or device for the production or reproduction of sound in such a manner as to be disturbing or a nuisance to reasonable persons of normal sensitivity within the area of audibility; or
- c. willfully make or continue, or cause to be made or continued, any loud, unnecessary or unusual noise which disturbs the peace and quiet within any park or which causes discomfort or annoyance to any reasonable park visitor of normal sensitivity.

These standards shall be used to determine whether a violation of the provisions of this section has occurred, and shall include, but not be limited to, the following:

- a. level of the noise;
- b. the intensity of the noise;
- c. whether the nature of the noise is usual or unusual;
- d. the level and intensity of the background noise, if any;
- e. the type of area within which the noise emanates;
- f. the intensity of human use of the area during the time at which the noise emanates;
- g. the time of the day or night the noise occurs;
- h. the duration of the noise; and
- i. interpretation of this criteria by assigned staff of the Parks Division shall allow, deny or control level of sound amplifying equipment by park users.

Section 4 – Fires

It shall be unlawful for any person to:

- a. start a fire in a park, except in a designated area, and then only in a permanent fire ring or grill, in a portable grill located at least 25 feet away from any structure or combustible material, or in a camp stove;
- b. leave a fire unattended or fail to fully extinguish a fire; or
- c. scatter or leave unattended lighted matches, burning tobacco, paper or other combustible material.

Section 5 – Aviation

It shall be unlawful to use park property as a starting or landing field for aircraft, hot air balloons, parachutes, hang gliders or other flying apparatus, unless otherwise authorized by use permit.

Section 6 – Assembly, Meetings, Speeches, Demonstrations, Religious Services, Parades

It shall be unlawful for any person to conduct public meetings, assemblies, worship services, entertainment, parades or demonstrations within a park without a use permit.

Section 7 – Amusement Contraptions

It shall be unlawful to bring in, set up, construct, manage or operate any amusement or entertainment contraption, device or gadget without a use permit.

Section 8 – Engine Powered Models and Toys

It shall be unlawful for any person to start, fly or use any fuel powered model aircraft, model boat, model car, or rocket or like powered toy or model, except at those areas or waters designated by the Director for such use, or with a use permit.

Section 9 – Unlawful Occupancy

It shall be unlawful for any person to enter in any way any building, installation, or area that may be under construction or locked or closed to public use; or to enter or be upon any building, installation or area after the posted closing time or before the posted opening time, or contrary to posted notice in any park.

CHAPTER V - PROTECTION OF PROPERTY, STRUCTURES AND NATURAL RESOURCES

Section 1 – Disturbance of Natural Features

It shall be unlawful for any person to:

- a. intentionally remove, alter, injure or destroy any tree, other plant, rock, soil or mineral;
- b. dig trenches, holes or other excavations in a park without a use permit; or
- c. introduce any plant or other agent within a park without a use permit.

Section 2 – Disturbance of Wildlife

It is unlawful for any person to:

- a. kill, trap, hunt, remove, harass, annoy, pursue or in any manner disturb or cause to be disturbed, any species of wildlife, except as permitted in designated areas; or
- b. release or abandon any animal within a park without a use permit.

Section 3 – Destruction/Defacement of Park Property/Signs

It shall be unlawful for any person to:

- a. intentionally deface, vandalize, or otherwise cause destruction to park property; or
- b. intentionally deface, destroy, cover, damage, or remove any placard, notice or sign, or parts thereof, whether permanent or temporary, posted or exhibited by the Parks Division.

Section 4 – Release of Harmful or Foreign Substance

It shall be unlawful for any person to:

- a. place any debris or other pollutant in or upon any body of water in or adjacent to a park, or any tributary, stream, storm sewer, or drain flowing into such waters; or
- b. discharge waste water or any other wastes in a park, except into designated containers, drain, or dumping stations.

CHAPTER VI - REGULATION OF RECREATION ACTIVITY

Section 1 – Camping

It shall be unlawful for any person to:

- a. camp in a park, except in areas provided and designated for that purpose;
- b. camp without a use permit from the Parks Division;
- c. occupy camp sites in a park contrary to a use permit or otherwise violate provisions of a use permit;
- d. operate any vehicle within a campground during posted curfew hours, except in emergencies; or
- e. camp overnight in a park, if under 18 years of age, unless accompanied by parent or legal guardian or as part of a sponsored outing conducted by a scout, church, or other youth organization where the leader of the organized outing is age 21 or older.

Section 2 – Picnicking

It shall be unlawful for any person to:

- a. assume exclusive use of a reservation picnic site without a use permit or a portion of a reservation picnic area without a use permit if the area is reserved by a group with a valid use permit;
- b. conduct picnic activity at reservation picnic sites contrary to a use permit, or otherwise violate provisions of a use permit;
- c. set up temporary shelters, tents, tarps, canopies and other such devices without authorization;
- d. destroy or remove a use permit posted at a park facility; or
- e. slaughter a farm animal, anywhere in a park.

Section 3 – Swimming/Beaches

It shall be unlawful for any person to:

- a. wade or swim within a park, except in such areas specifically designated by signs and buoys for such use and only during the hours of 9:00 am to 9:00 pm, starting on the Saturday preceding Memorial Day through July 31, and 9:00 am to 8:00 pm, August 1 through Labor Day;
- b. intentionally expose his or her own genitals, pubic area, buttocks, or female breast below the top of the areola, with less than a fully opaque covering while wading, swimming or using any beach or other areas within a park;
- c. take glass bottles, or glass of any kind, except eye glasses into designated beach areas;
- d. use within a designated swimming beach area, any inner tube, life raft or other inflatable or buoyant object or flotation device intended to support a person, except a United States Coast Guard approved Type I, II, III, or V personal flotation device. These devices may be used when properly secured, of the proper size and undamaged. Use of such personal flotation devices shall be limited to specific sections of a swimming beach and any use outside these specific sections is prohibited. Handicapped persons who require use of a flotation device in order to participate in swimming may be exempted from Section 3, paragraph d., by use permit from the Director or designee;
- e. throw sand, mud, rocks, or any other dangerous objects on the beach or in the water;
- f. swim beyond boundary buoys or markers; or
- g. fish in an area designated for swimming.

Section 4 – Scuba Diving and Snorkeling

It shall be unlawful for any person to:

- a. scuba dive or snorkel in a park in violation of Minnesota Statutes, Chapter 86B “Water Safety, Watercraft and Watercraft Titling”;
- b. scuba dive or snorkel in a pool or man-made structure, unless authorized by use permit;
- c. scuba dive or snorkel within 100 feet of any watercraft access point;
or
- d. conduct scuba diving instruction in or from a park without a use permit.

Section 5 – Boating

It shall be unlawful for any person to:

- a. launch or land any watercraft upon any waters within a park except at designated locations and times, or by use permit;
- b. leave any watercraft unattended, except in designated areas;
- c. operate any watercraft in a designated swimming area or other prohibited area;
- d. operate watercraft in a park in violation of Minnesota Statutes, Chapter 86B “Water Safety, Watercraft and Watercraft Titling”; or Minnesota Statutes, Chapter 84D “Invasive Species”;
- e. tow a person on water skis, inner tube or any other device; or use a surfboard, kneeboard, or jet ski in designated swimming areas, boat launching areas or other unauthorized areas;
- f. launch or operate any watercraft in violation of rules and regulations controlling surface water use as established by the Minnesota Department of Natural Resources; or
- g. operate a watercraft in such a manner that its wash or wake will endanger, harass, or interfere with any person or property.

Section 6 – Fishing

It shall be unlawful for any person to:

- a. fish in a park in violation of any provisions of Minnesota Statutes, Chapter 97C “Fishing”;
- b. fish in a prohibited area;
- c. leave any structure, shelter or ice house upon a frozen body of water in a park after sunset, except in such areas and times as may be designated by the Director; or
- d. clean fish and dispose of the remains, except at a place provided and designated by the Director.

Section 7 – 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 on designated trails and only at designated hours;
- b. ride, lead or allow a horse on any hard surface, roadway, or trail except at designated trail crossings;
- c. ride, lead or allow a horse on any trail when snow is present, except on designated winter horse trails;
- d. ride a horse in a reckless manner so as to create a nuisance or endanger the safety or property of any park visitor;
- e. tether a horse to a tree, other plant, building or park equipment not intended for such purpose; or
- f. allow a horse to graze or browse.

Section 8 – Bicycling

It shall be unlawful for any person to:

- a. operate a bicycle, except on bike trails and roadways and except as close to the right hand side of bike trail or roadway as conditions permit;
- b. operate a mountain bike or similar cycle, except on bike trails and roadways as permitted in Section 8a., and at areas and times authorized by the Director;
- c. operate a bicycle in violation of Minnesota Statutes, Chapter 169, "Traffic Regulations";
- d. ride or operate a bicycle except in a prudent and careful manner or at a speed faster than is reasonable and safe with regard to the safety of the operator and other persons in the immediate area; or
- e. park a bicycle on any beach in a park except at a bicycle rack, if such rack is provided.

Section 9 - Snowmobiling

It shall be unlawful for any person to:

- a. operate a snowmobile in a park except on designated trails and then only on the right hand side of the trail;
- b. operate a snowmobile in a park contrary to rules and regulations established by the Director;
- c. operate a snowmobile in a park in excess of posted speed limits or at a rate of speed greater than reasonable or proper under current condition, or in a careless, reckless, or negligent manner;
- d. operate a snowmobile in violation of Minnesota Statutes, Section 84.81 – 84.90 "Snowmobile Laws" and Chapter Five: Natural Resources 51-59 "Snowmobile Rules and Regulations" (all rules and regulations therein pertaining to 'public land and water' shall apply on park property);
- e. tow another person or thing except through the use of a rigid tow bar attached to the rear of the snowmobile, except in emergencies;
- f. operate a snowmobile in violation of any posted trail sign;

- g. operate a snowmobile with metal traction devices, including, but not limited to, carbide studs, on any Washington County trail, or any paved or unpaved portion of the Washington County Regional Railroad Authority Corridor (Hardwood Creek Trail); or
- h. operate a snowmobile on the bituminous paved surface of the trail, excepting bridge crossings, within the Washington County Regional Railroad Authority Corridor (Hardwood Creek Trail).

Notwithstanding any provision to the contrary, it shall be permissible for law enforcement officers in the performance of their duties to use metal traction devices on all Washington County trails.

Section 10 - Cross-Country Skiing

It shall be unlawful for any person to:

- a. cross-country ski in any park except on designated trails and at designated times;
- b. conduct a race or meet on park cross-country ski trails without a use permit;
- c. cross-country ski in a park in violation of Minnesota Statutes, Section 85.40 – 85.45 “Cross-Country Ski Passes”;
- d. operate a dog sled or motorized off-road recreation vehicle; or skijor, walk, or hike on cross-country ski trails; or
- e. Cross-country ski on park trails contrary to rules and regulations issued by the Director or in violation of any posted trail sign.

Section 11 - Other Winter Activities

It shall be unlawful for any person to ice skate, sled, coast, snowshoe, ski, skijor or operate a dog sled in a park, except at designated times and places.

Section 12 – Other Special Activity Use

It shall be unlawful for any person to participate in or conduct any activity without a use permit, except those uses for which a park area or facility has been planned or promoted by the Parks Division.

Section 13 – In-line Skating

It shall be unlawful for any person to:

- a. in-line skate in a park, except on paved bike/hike trails unless posted otherwise;
- b. in-line skate in a park except in a prudent and careful manner and at a speed that is reasonable and safe with regard to the safety of the operator and other persons in the immediate area; or
- c. in-line skate on a roadway within a park.

**CHAPTER VII - REGULATION OF MOTORIZED VEHICLES,
TRAFFIC AND PARKING**

Section 1 – Motorized Off-Road Vehicles

It shall be unlawful for any person to operate a motorized off-road vehicle within a park, except in such areas and at times as designated by the Director

Section 2 – Motor Vehicles

It shall be unlawful for any person to:

- a. operate a motor vehicle at a speed in excess of the posted speed limit, or if not posted, in excess of 25 miles per hour
- b. operate any motor vehicle within a park except upon roadways, parking areas or other designated locations;
- c. operate a motor vehicle within a park in violation of posted regulations, Minnesota Statutes, Chapter 169 "Traffic Regulations" or municipal traffic codes, or orders or directions of traffic officers or park employees authorized to direct traffic;
- d. operate a motor vehicle in a careless or reckless manner;
- e. operate a motor vehicle which emits excessive or unusual noise, noxious fumes, dense smoke or other pollutants; or
- f. fail to yield right of way to pedestrians and other trail users.

Section 3 – Parking Vehicles

It shall be unlawful to:

- a. park or leave a vehicle standing except in a designated parking space or designated overflow parking area, and then only in a manner so as not to restrict normal traffic flow;
- b. leave a vehicle standing after posted closing hours without having a valid use permit for camping,
- c. park in a space designated for handicapped parking only unless the vehicle has a valid handicapped license or permit;
- d. park or leave a vehicle without a boat trailer in a parking space designated for vehicles with boat trailers;
- e. park or leave a vehicle to which an empty boat trailer is attached anywhere except in spaces designated for such purpose; or
- f. park or leave a boat trailer in a standard parking space at the boat launch.

Section 4 – Maintenance of Personal Vehicles

It shall be unlawful for any person to wash, grease, change oil, or perform other maintenance on any vehicle.

CHAPTER VIII - ENFORCEMENT

Section 1 – Officer Authority

Washington County Sheriff's Office, local police officers, other peace officers, and Washington County Park and Sheriff's Office employees shall have the authority to enforce the provisions of this ordinance.

Section 2 – Fines and Penalties

A person guilty of violating any provision of this Ordinance shall be guilty of a misdemeanor and punished by a fine of not more than \$700.00, together with taxable costs, or by imprisonment for a period not to exceed 90 days, or both. All fines collected under this Ordinance shall be deposited in the county park fund.

Section 3 – Additional Rules and Regulations

The Director shall have the right to issue rules and regulations relative to these Ordinances.

Section 4 – Impoundment of Pets

Washington County shall have the authority to impound pets found running at large and shall collect fees from the owner of the pet as follows: an impoundment fee plus any per diem fees specified in the contract for impounding of animals which may be in force between Washington County and the pound keeper at that time.

Section 5 – Use Permit Revocation

The Parks Division shall have the authority to revoke any use permit for good cause. Any permit or reservation may be revoked upon violation of any ordinance, rule, or regulation of Washington County by the permittee.

Section 6 – Employee Performance of Duty

Nothing in this Ordinance shall prevent employees or agents of the Parks Division from performing their assigned duties.

CHAPTER IX - MISCELLANEOUS

Section 1 – Repealer

The enactment of this Ordinance repeals and replaces Washington County Ordinance No. 93, 129, and 155.

Section 2 – Captions and Headings

The captions and headings used herein are for convenience of reference only and do not define or limit the contents of each paragraph.

Section 3 – Severability

The provisions of this Ordinance shall be deemed to be severable and the invalidity or unenforceability of the other provisions hereof.

Section 4 - Amendments

This Ordinance may be amended from time to time by the Board and such amendment may be shown by either marking the section amended, attaching the amendment to this Ordinance, reprinting the Ordinance publication, or filling in the below schedule of information.

Date	Chapter	Section	Title or Description

CHAPTER X - EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage by the Board of Commissioners and publication according to laws.

Passed by the Board of Commissioners of Washington County, Minnesota the 23rd day of May 2006.

