

Section 815 - Parks and Recreation Areas

815.01. Definitions. Subdivision 1. For the purposes of this section the terms defined in this subsection have the meanings given them.

Subd. 2. "Park" means an area reserved, designated or used for active or passive recreation and owned, operated or controlled by the city or which is located within the city but owned, operated or controlled by another governmental unit.

Subd. 3. "Intoxicating liquor" and "non-intoxicating malt liquor" or "beer" have the meanings given by chapter XII.

Subd. 4. "Structure" includes any building/temporary fabrication/amusement apparatus set up, constructed or inflated. (Amended, Ord. No. 18-14, Sec. 1)

815.02 Interim Rule and Regulation Changes. The City Manager shall have authority to make and establish additional rules and regulations concerning the use of any park or park facilities for either emergency or temporary situations. (Added, Ord. No. 18-14, Sec. 1)

815.03. Prohibitions. It is unlawful to:

- (a) willfully mark, deface and disfigure, injure, tamper with, or displace or remove property or facilities in a park, or break, cut, mutilate, injure, remove or carry away a tree, plant, flower, shrub, rock, soil, sand, fence, bench, sign, table or other property or facilities in a park;
- (b) fail to cooperate in maintaining rest rooms and wash rooms and portable restrooms in a neat and sanitary manner; (Amended, Ord. No. 18-14, Sec. 1)
- (c) throw, discharge or otherwise place or cause to be placed in the waters of a fountain, pond, lake, stream or other body of water in or adjacent to a park or tributary, stream, storm sewer or drain flowing into such water, any substance, matter or object, liquid or solid, which may result in the pollution of said water;
- (d) have brought in and dump, deposit or leave any bottles, broken glass, ashes, hot coals, paper boxes, cans, dirt, leaves, grass clippings, rubbish, waste, garbage or refuse or other trash unless placed in the proper receptacles where these are provided; where receptacles are not so provided, the material must be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere; (Amended, Ord. No. 18-14, Sec. 1)
- (e) bring into a park, or possess, display, consume or use intoxicating liquor or beer without obtaining a permit in advance. Permits for the consumption of wine or beer will only be issued as an addition to an approved reserved event and must be approved by City Clerk. A deposit of \$100 is required to obtain a permit, the deposit to be returned when the City determines that the person obtaining the permit has fulfilled the obligations stated in the permit, state statutes and city code; (Amended, Ord. No. 18-14, Sec. 1)
- (f) display or offer for sale any article in a park unless specifically authorized by the City Clerk and in compliance with city licensing; (Amended, Ord. No. 18-14, Sec. 1)

- (g) paste or affix or inscribe a handbill or poster or sign on a structure or property in a park, unless authorized; (Amended, Ord. No. 18-14, Sec. 1)
- (h) engage in golfing practice in a park outside of authorized areas within a park and only light, plastic, hollow balls are allowed; regulation golf balls may not be used; (Amended, Ord. No. 18-14, Sec. 1)
- (i) 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; (Amended, Ord. No. 18-14, Sec. 1)
- (j) engage in any course of conduct or participate in any activity in any park after he or she is advised by police officer or other park employee, that such conduct or participation is unreasonably and unnecessarily hazardous to the personal safety of said person or another person; or impairs or limits the lawful use and enjoyment of the facility or area by other persons; (Added, Ord. No. 18-14, Sec. 1)
- (k) park or leave a vehicle standing except in a designated hard surface area and then only in a manner so as not to restrict normal traffic flow; leave a vehicle standing after posted closing hours without written permission; leave a vehicle in a park for the purpose of offering it for sale; park or leave a vehicle in an area designated for drop-off/pick-up/loading only; (Added, Ord. No. 18-14, Sec. 1)
- (l) operate a vehicle within a park in violation of posted regulations, county or municipal traffic codes, or orders or directions of traffic officers or park employees authorized to direct traffic; (Added, Ord. No. 18-14, Sec. 1)
- (m) allow any animals on play fields, picnic or playground areas; or (Added, Ord. No. 18-14, Sec. 1)
- (n) fail to follow related regulations (pets, noise, signs, etc.) stated in other sections of City Code. (Added, Ord. No. 18-14, Sec. 1)

815.05. Permits Required. Subdivision 1. Reservations. If a person wishes to reserve a park facility for a particular purpose the person shall obtain a permit from Recreation Services. Fees and deposits may be required depending on the reservation request and such fees shall be provided in Appendix B. (Amended, Ord. No. 19-01, Sec. 1)

Subd. 2. Gatherings. A permit shall be required for any gathering which can reasonably be expected to have 25 or more persons involved or which may have a potentially detrimental effect on park property or the safety of other park users. Security, insurance and/or security bonds may be required and paid by the permit holder prior to usage. This includes tournaments, entertainment, and exhibitions. (Added, Ord. No. 19-01, Sec. 1)

815.06. (Added, Ord. No. 98-11) Parks and recreation areas. Subdivision 1. Closing hours. Except as otherwise provided, parks shall be closed between the hours of 10:00 p.m. and 6:00 a.m. of the following day, no person shall be upon city park property during these hours. The fact that any person not engaged in official city business as authorized or delegated by the city manager is present in a posted park and open space during said hours shall be prima facie evidence that said person is there unlawfully.

Subd. 2. Exemptions. It shall not be a violation to be in a city park under the following circumstances: (Amended, Ord. No. 18-14, Sec. 1)

- (a) persons shall be allowed upon city park property after closing hours if they have a permit from Recreation Services; (Amended, Ord. No. 18-14, Sec. 1)
- (b) if a person is in Lakeview Terrace Park between 10:00 p.m. and 11:00 p.m.; (Amended, Ord. No. 18-14, Sec. 1)
- (c) if the City Council has by resolution modified the closing hours and directed posting of such modified hours; (Amended, Ord. No. 18-14, Sec. 1)
- (d) City personnel may be in the parks at any time if acting in the course of their official duties;
- (e) City personnel may assign special hours of use by posting at park site;
- (f) if a person is walking through city park property on park pathways after closing hours; and (Amended, Ord. No. 18-14, Sec. 1)
- (g) dogs are allowed to be unleashed in designated dog parks as long as owner complies with rules stated at the park. (Added, Ord. No. 18-14, Sec. 1)

Subd. 3. A person violating the provisions of this subsection or a resolution enacted in accordance with subsection 815.06, subdivision 2(c) is guilty of a misdemeanor or required to pay an administrative fee. (Amended, Ord. No. 18-14, Sec. 1)

815.07. Speed and operation of watercraft; regulation of docks. Subdivision 1. Application. It is unlawful to navigate, operate, dock or anchor a boat, motor boat, or watercraft (excluding canoes) on Crystal Lake, Twin Lakes or Ryan Lake (the lakes) except in accordance with the provisions of this subsection. This subsection applies to the operation of boats, motorboats and watercraft in the lakes.

Subd. 2. Mufflers required. It is unlawful to use a boat propelled in whole or in part by gas, gasoline or naphtha unless the same is provided with a stock factory muffler, underwater exhaust or other modern device capable of adequately muffling the sound of the exhaust of the engine. The phrase "adequately muffling" means that the motor's exhaust must be so muffled or suppressed as not to create excessive or unusual noise. The discharge of cooling water through the exhaust of an inboard engine is considered an adequate muffling device. Motorboats may be operated with cut-outs or mufflers open while actually competing in a race licensed to be held by the city.

Subd. 3. Speed and operation of motorboats.

- (a) General rule. The operator of a motorboat must navigate the same in a careful and prudent manner and at a safe speed and along a safe course. It is unlawful to operate a motorboat at a rate of speed greater than that which will permit the motorboat to be brought to a stop within the assured clear distance ahead. It is unlawful to operate a motorboat in a careless or reckless manner. Reckless navigation of a motorboat includes operating the same in a manner which unnecessarily interferes with the free and proper use of the navigable waters of the state or unnecessarily endangers other boats therein, or the life, limb or property of any person. It is unlawful to exceed the speed limit of five miles per hour while going under bridges or through channels. (Amended, Ord. No. 19-01, Sec. 2)

- (b) Slow-no wake speed regulations during high water levels. Refer to Section 2040. (Added, Ord. No. 19-01, Sec. 2)

Subd. 4. Operating distances. It is unlawful to run, operate, navigate or direct a boat, motorboat or watercraft within 75 feet of an area in which a person is fishing or within 100 feet of an area in which a person is swimming or within 200 feet of any area designated as a public swimming beach or within 150 feet of a shoreline, except when the craft is entering or leaving the lake. An area designated as a public swimming beach will be clearly marked with buoys.

Subd. 5. Time.

- (a) Crystal and Ryan Lakes. A mechanical powered boat, motorboat, or watercraft may not be operated from sunset to sunrise the following day.
- (b) South Twin Lake: Gasoline-powered watercraft. Watercraft which is powered by means of an internal combustion engine may not be operated: (a) between the hours of 12:00 (noon) and 6 o'clock P.M. on any day: unless such watercraft is operated for the limited purpose of traveling on South Twin Lake to or from Middle or Upper Twin Lake, and at a no wake speed (not greater than five miles per hour); or (b) from sunset to sunrise of the following day. (Amended, Ord. No. 90-14, Sec. 1)

Subd. 6. Channels. It is unlawful to obstruct a channel. It is unlawful for a person to swim or dive from a bridge that crosses a channel.

Subd. 7. Water skiing. For the purpose of this section, the term "other similar devices" means any device such as knee boards or inner tubes which are towed or dragged behind a watercraft and upon or in which a person can be carried. The term does not include watercraft which is being towed.

- (a) Crystal and Ryan Lakes. Water skiing and the use of other similar devices are prohibited in the primary harbor, which is defined as 150 feet from shoreline. Water skiing and the use of other similar devices are permitted from the hours 10 o'clock A.M. to 7:30 o'clock P.M., and it is unlawful to ski or use other similar devices at any other time.
- (b) South Twin Lake. Water skiing and the use of other similar devices are prohibited in the primary harbor which is defined as 150 feet from shoreline. Water skiing and the use of other similar devices are prohibited from the hours of 12 noon to 6 o'clock P.M., and from sunset to sunrise of the following day. (Amended, Ord. No. 90-14, Sec. 2)

Subd. 8. (Repealed, Ord. No. 90-14, Sec. 3)

Subd. 8. Duties of operator in case of accident. The operator of a boat involved in an accident resulting in injury or death to a person or in damage to property must immediately stop the boat at the scene of the accident and give to the person struck or the operator or occupants of the boat collided with, the person's name and address and full identification of the boat, together with the name and address of the owner and render to any person injured in such an accident reasonable assistance, and report such accident to the nearest or most convenient law enforcement agency or office. (Renumbered, Ord. No. 90-14, Sec. 4)

- (a) Hennepin County Sheriff's Department; and
- (b) Conservation officers of the Department of Natural Resources of the State of Minnesota.

Provided, however, that all such enforcement activities shall be deemed to be under the exclusive supervision and control of the agency employing such personnel and the city shall have no responsibility or control over such activities. (Added, Ord. No. 90-14, Sec. 5)

Subd. 11. Exemption. All authorized resource management, emergency and enforcement personnel, while acting in the performance of their assigned duties are exempt from the foregoing restrictions. (Added, Ord. No. 90-14, Sec. 6)

Subd. 12. Signs. The city shall erect and maintain signs at each public launching facility on South Twin Lake, and at other locations if deemed necessary by the city, notifying the public of the essential requirements of subsections 815.07, subd. 5(b) and 815.07, subd. 7(b). (Added, Ord. No. 90-14, Sec. 7)