

**SCOTT COUNTY
PARK ORDINANCE NO. 29**



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CHAPTER 1: PURPOSE/AUTHORITY/DEFINITIONS

Section 1 - Purpose

The Scott County Board of Commissioners deem it reasonable, necessary, and desirable to provide an Ordinance specifying rules and regulations in order to contribute to safe, healthy and livable communities and peaceful public use of Scott County Park areas and facilities; for the educational and recreational benefit and enjoyment of the public; for the protection and preservation of the property, facilities, and natural resources of Scott County Parks; and for the safety and general welfare of the public.

Section 2 - Authority

The Scott County Board of Commissioners, under Minnesota State Statutes, Chapter 398.31 – 398.37, in performing its primary duty of the acquisition, development, operations, and maintenance of Scott County parks, trails, wildlife sanctuaries, forests, and other reservations-related facilities and providing the means for public access to historic sites, lakes, rivers, streams, and other natural features; is granted full power and authority to acquire and establish the above facilities and to operate, maintain, protect, and improve a park system and implement a recreational program. As aid to the accomplishment of these duties, the Scott County Board of Commissioners is granted the authority to enact Ordinances and to declare that the violation thereof shall be a petty misdemeanor or misdemeanor.

Section 3 - Definitions

The following words or terms, whenever they occur in this Ordinance, are defined as follows:

Alcoholic Beverage - includes any intoxicating beverage as defined by Minnesota law and includes beer, flavored alcoholic beverages, and wine as further defined in this Ordinance.

Amusement Devices - 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 devices, electronic videos, animal ride devices, dunk tanks, ball and hammer devices, trampoline devices, and the like.

Area or Areas - means a specified place within a park.

Barrels - means any various units of volume or capacity, as a liquid measure of 31 to 42 gallons.

Beach - means that part of a body of water and shore designated for swimming.

Beer - is any beverage made from malt by fermentation and containing not less than one-half of one percent alcohol by volume.

Board - means the elected members of the Scott County Board of Commissioners.

Controlled substance - means any drug, substance, or immediate precursor in Schedules 1 through 5 of Minnesota Statutes Section 152.02.

County Employee or Staff - means any full or part-time regular, temporary, authorized volunteer, seasonal worker, or agent in the employ of Scott County or Three Rivers Park District.

County Park - means those parks, park reserves, trails and other areas within the County of Scott under the control of the Board of Commissioners and designated by them as being part of the Scott County Park System.

Disc Golf - means a game played much like traditional golf. Instead of using a ball and clubs, players use a flying disc, or Frisbee from a tee area to an elevated target basket.

Flavored Alcoholic Beverage - means any beverage containing distilled alcohol and added ingredients such as fruit juices or other flavorings and containing not more than 14% alcohol by volume.

Geocaching - means an outdoor recreational activity that involves the use of a Global Positioning System (GPS) receiver to find an object or geocache placed at a predetermined location. The internet is often used to provide the directions and coordinates.

Glue - means any substance that releases vapors and which 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.

Hiking - means traveling on foot, i.e., walking, running, or with an assistive mobility device.

Horse - includes a horse, mule, donkey, llama, alpaca or other ungulate or ruminant that is used to transport people, equipment, or materials.

Indoor Area - means all space between a floor and a ceiling that is bounded by walls, doorways, or windows, whether open or closed, covering more than 50 percent of the combined surface area of the vertical planes (wall space) constituting the perimeter of the area, whether temporary or permanent. A (standard) window screen or like building component is not considered a wall.

Keg - means a small cask or barrel containing more than 288 ounces of an alcoholic beverage.

Law Enforcement Officer - means any "Peace Officer" licensed by the Board of Peace Officers Standards and Training and meeting the definition assigned to it in Minnesota Statutes, Section 626.84, subdivision 1, clause (c).

Malt liquor - Any beer, ale, or other beverage made from malt by fermentation and containing not less than one-half of one percent alcohol by volume.

Metal detecting - To use an electronic or mechanical device to locate metals or other artifacts that are underground or under water.

Motorized Recreation Vehicle - means any self-propelled, off the road or all-terrain vehicle including, but not limited to, snowmobile, mini-bike, amphibious vehicle, motorcycle, go-cart, trail bike, dune buggy, motorized skateboard or all-terrain vehicle.

Motor vehicle - means every device in, upon or by which any person or property is or may be transported or drawn upon a roadway except devices moved by human power or used exclusively upon stationary rails or tracks.

Natural Resources - means all flora and fauna within parks and the physical factors upon which they depend, including air, water, soil, and minerals.

Park - means any land or water area and all facilities thereon, and all trails under the jurisdiction, control or ownership of Scott County and designated by the Board as a unit of the Scott County Parks System.

Park District - means Three Rivers Park District, established pursuant to Minnesota Statutes, Chapter 398.

Park Service Officer/Liaison - means any regular, seasonal, or intermittent employee vested with the legal authority to enforce the Park Ordinances.

Permit - means the written permission that must be obtained from the Board or its designee to carry out a given activity.

Pet - means a domestic dog or cat that is accompanied by a competent person in the immediate vicinity of the animal and who is responsible for the animal.

Pest - means any plant, animal or microorganism that is determined to be undesirable because it conflicts with park management objectives, creates an annoyance to park guests, or has the potential to create a health hazard.

Person or persons - means individuals, firms, corporations, societies, or any group or gathering whatsoever.

Pesticide - means a chemical or biological substance intended to prevent or destroy a pest, and/or a substance to be used as a plant regulator, defoliant, or desiccant. Repellants are not considered pesticides.

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

Possession - *Physical Possession*: Having a controlled substance on one's person with knowledge of the nature of the substance; or *Constructive Possession*: Having once possessed a controlled substance, continuing to exercise dominion and control over the substance up to the time of arrest, or aiding and abetting another in possessing a controlled substance.

Property - means any land, waters, trails, facilities or possessions of Scott County designated by the Board as a component of the Scott County Parks System.

Responsible person - means the parent, guardian or person having lawful custody and control of a juvenile.

Roller Skater or Roller Skating - is any person 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.

Smoking - means inhaling or exhaling smoke from any lighted or heated cigar, cigarette, pipe, or any other lighted tobacco or plant product, inhaling or exhaling vapor from any electronic delivery device. Smoking shall include carrying a lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product intended for inhalation.

Special Use – means any entertainment, tournament, exhibition, race, practice, or any other organized activity which can reasonably be expected to have 12 or more persons involved or potentially have a detrimental effect on park property or other park users.

Theft - Whoever does any of the following commits theft: intentionally and without claim of right takes, uses, transfers, conceals or retains possession of movable property of another without the other's consent and with intent to deprive the owner permanently of possession of the property.

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

Tobacco Use - means the act of smoking any cigarette, pipe, cigar, cigarillo, electronic cigarette, hookah, or other smoking equipment, the use of smokeless tobacco, and the use of any other tobacco product in any form.

Vehicle - means every device in, upon, or by which any person or property is or may be transported or drawn upon a roadway except devices moved by human power or used exclusively upon stationary rails or tracks.

Watercraft - means any contrivance used or designed for navigation on water.

Weapon - means any device including, but not limited to, firearms, bows, paint-ball guns, 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, elastic, compressed air or other means. An electronic weapon means a portable device which is designed, used, or intended to be used, offensively or defensively, to immobilize or incapacitate persons by the use of an electric current.

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, insects, reptiles, crustaceans, and mollusks.

Wine - means a vinous beverage containing not more than 14 percent alcohol by volume.

Section 4 - Specification of Offenses

a. Administrative Offenses

Administrative offenses are actions or inactions prohibited by this Ordinance which have a monetary penalty for violations.

b. Petty Misdemeanors

Petty misdemeanor offenses are actions or inactions prohibited by state statute and carry the designated penalties set forth by the respective County Court System. The following violations of the Ordinance, if not cited as an administrative offense, shall be deemed petty misdemeanors.

Chapter 2 Section 1 - Park Hours

Chapter 2 Section 2 - Permits

Chapter 2 Section 3 - Failure to Pay Use Fee/Display Permit

Chapter 3 Section 1 - Drug and Alcohol

Chapter 3 Section 2 - Smoking and Tobacco Use

Chapter 4 Section 1 - Commercial Use/Solicitation/Advertising/Photography

Chapter 4 Section 2 - Pets in Parks

Chapter 4 Section 3 - Noise/Amplification of Sound

Chapter 4 Section 4 - Fires

Chapter 4 Section 5 - Aviation

Chapter 4 Section 6 - Assembly, Meetings, Speeches, Demonstrations, Religious Services, Parades

Chapter 4 Section 7 - Amusement Devices

Chapter 4 Section 8 - Engine-Powered Toys

Chapter 5 Section 1 - Disturbance of Natural Features

Chapter 6 Section 1 - Camping

Chapter 6 Section 2 - Picnicking

Chapter 6 Section 3 - Swimming/Beaches

Chapter 6 Section 4 - Scuba Diving and Snorkeling

Chapter 6 Section 5 - Boating

Chapter 6 Section 6 - Fishing

Chapter 6 Section 7 - Horseback Riding

Chapter 6 Section 8 - Bicycling

Chapter 6 Section 10 - Cross-Country Skiing

Chapter 6 Section 11 - Other Winter Activities

Chapter 6 Section 12 - Other Special Activity Use

Chapter 6 Section 13 - Roller-Skating/In-line Skating

Chapter 6 Section 14 - Geocaching

Chapter 6 Section 15 - Disc Golfing

Chapter 6 Section 16 - Hiking

Chapter 7 Section 3 - Parking Vehicles

Chapter 7 Section 4 - Maintenance of Personal Vehicles

c. Misdemeanors

All remaining violations of the Ordinance, if not cited as an administrative offense, shall be deemed misdemeanor offenses unless circumstances warrant a more serious offense.

CHAPTER 2: REGULATION OF PUBLIC USE

Section 1 - Park Hours

- a. Parks shall be open to the public daily from 5 a.m. until 10 p.m. It shall be unlawful for any person to enter or remain in a park at any other time without a permit or except when the park area or facility is otherwise designated by the Scott County Board or its designee.
- b. The Scott County Board or designee is authorized to close any park or portion thereof at any time for the protection of park property or for the health, safety or welfare of the public.
- c. It shall be unlawful for any person to knowingly, or through negligent supervision, permit a juvenile to be in any park or park facility 30 minutes or more after the facility is closed.

Section 2 - Permits

- a. Permits shall be required for the exclusive or special use of all or portions of park areas, buildings or trails or for use of park areas and facilities when they are closed to the public. Permit applications must be received at least 48 hours in advance of date of activity.
- b. It shall be unlawful for a person to violate any provisions of a permit.
- c. Permits shall be required for any entertainment, tournament, exhibition or special use, or potentially have a detrimental effect on park property or other park users.

Section 3 - Failure to Pay Use Fee/Display Permit

It shall be unlawful for any person to use or park in those areas where a permit is required without paying for and/or appropriately displaying a valid permit.

CHAPTER 3: 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, except beer, flavored alcoholic beverages and wine, within a park, unless in an area designated by the Board or designee, or authorized by permit.
- b. Sell, buy, give, receive, or consume any beer, flavored alcoholic beverages, or wine on Scott County Park properties set aside or designated by the Board or designee as a parking area, park road, or trail.
- c. Consume or display any alcoholic beverage at sites where Scott County or its agent is a licensed vendor of alcoholic beverages, unless purchased at that site, or authorized by permit.
- d. Possess or bring beer, flavored alcoholic beverages, or wine into a park in kegs, barrels or other bulk tap quantities without a permit.
- e. Inhale, breathe, or drink or be or become intoxicated by reason of inhaling, breathing or drinking any substance defined as glue.

Section 2 - Smoking and Tobacco Use

It shall be unlawful for any person to:

- a. Use any tobacco products in County park property and recreational facilities except in parking lots, on roadways, individually rented campsites in County owned or operated campgrounds, and use of tobacco as part of a traditional Native American spiritual or cultural ceremony.
- b. Smoke or use any tobacco product in any other area prohibited by law or by County Ordinance specific to smoking or tobacco use.

Section 3 - Public Nuisance/Personal Conduct

It shall be unlawful for any person to:

- a. Engage in fighting or exhibit threatening, violent, disorderly, or indecent behavior.
- b. Address abusive language tending to incite a breach of the peace or to be inimical to peace and good order to any person present.
- c. Otherwise create a hazardous or physically offensive condition to any person present.
- d. Engage in any course of conduct, or participate in any activity in any park, after he or she is advised by a Law Enforcement Officer, Park Service Officer or park employee or agent having authority to regulate or manage the area, that such conduct or participation is unreasonable 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.
- f. Throw items from, jump from, hang from, climb upon, or engage in any other unsafe or disruptive behavior on any bridge within the county park and trail system.
- h. Knowingly or intentionally urinate or defecate in a public place or setting.

Section 4 - Child Safety

It shall be unlawful for any person to:

- a. Permit a child age 10 or under to be in a creative play area unless under the supervision of a responsible person.
- b. Permit a child age 10 or under to swim or wade at beaches within a park, unless under the supervision of a responsible person. Swimming is not permitted in other areas.
- c. Permit a child age 10 or under to be in a winter recreation area unless under the supervision of a responsible person.
- d. Permit a child age 10 or under to be in park areas, buildings or trails unless under the supervision of a responsible person.

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 in any park outside of park hours without a permit.

Section 6 - Littering/Dumping

It shall be unlawful for any person to:

- a. Deposit, scatter, dispose or abandon in a park: bottles, cans, broken glass, hot coals, ashes, sewage, waste or other material, except in receptacles provided for such purposes.
- b. Dispose of any household or yard waste or commercial waste generated outside Scott County park property into garbage receptacles provided by Scott County in a park, except at Scott County designated compost sites, in accordance with compost site rules and regulations.

Section 7 - Possession/Use of Firearms/Dangerous Weapons/Fireworks/Hunting

It shall be unlawful for any person to:

- a. Have in their possession, fire, discharge or cause to be fired or discharged across, in or into any portion of a park, any gun or firearm, spear, bow and arrow, crossbow, sling shot, air or gas weapon, or any other dangerous weapon or projectile, except in areas and at times designated by the Board or designee for such use, or with a permit. Persons who possess a valid Minnesota permit or a valid permit from another state which is recognized in Minnesota; may carry, hold, keep, store, or possess a pistol within the Scott County park lands, facilities, and buildings to the extent permitted by Minnesota law. Employees or volunteers, when acting in the course and scope of their employment or duties, are prohibited from carrying, holding, keeping, storing, or possessing a pistol within Scott County park lands, facilities, and buildings. Licensed Peace Officers are exempt from the provisions of this subdivision.
- b. Possess, set off or attempt to set off or ignite any firecracker, fireworks, smoke bombs, rockets, black powder guns or other pyrotechnics without authorization from the Board or designee.

Section 8 - Interference with Employee Performance of Duty

It shall be unlawful for any person to impersonate any employee of Scott County or the Park District or interfere with, harass or hinder any employee, contractor, or agent in the lawful discharge of their duties.

CHAPTER 4: 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 permit from the Board, or designee.
- b. Operate a still, motion picture, video or other camera for commercial purposes in a park without permission granted by the Board, or designee.
- c. Expose, distribute or place any sign, advertisement, notice, poster or display in a park without authorization from the Board or designee.

Section 2 - Pets in Parks

It shall be unlawful for any person to:

- a. Permit a pet, except service dogs trained and certified to assist persons with disabilities, to enter or be in a park except in areas that may be designated by the Board or designee, including campgrounds, approved trails, dog parks, and exercise areas.
- b. Bring a pet into a park, unless in a designated area and controlled on a leash, not to exceed 6 feet, or unless in a dog park established for off-leash uses.
- c. Permit a pet to disturb, harass or interfere with any park visitor or a park visitor's property, property of a park employee, contractor of Scott County, or park wildlife.
- d. Tether any animal to a tree, plant, building or park equipment.
- e. Have custody or control of any dog or domestic pet in a park without possessing an appropriate device for cleaning up pet feces and disposing of the feces in a sanitary manner.
- f. Operate a dog sled, skijoring device or any other sled/ski equipment pulled by a pet or other animal except on designated trails for dog sleds at dates and times designated by permit.
- g. Use dog off-leash areas without having a valid permit in their possession and without having appropriately displayed a valid permit on their vehicle if parked in designated dog off-leash area parking lot.
- h. For any person to intentionally abandon or release any animal, living or deceased, within the boundaries of Scott County Parks.
- i. For any person to intentionally leave any animal in circumstances likely to endanger the health and safety of the animal or to disturb, anger, alarm or annoy other park users.

Section 3 – Noise/Amplification of Sound

It shall be unlawful for any person to:

Install, use or operate or permit the use or operation within park boundaries of any of the following devices:

- a. Loudspeaker or sound amplifying equipment without authorization by permit.
- b. Radios, compact disc players, audio or video devices, tape players, phonographs, television sets, musical instruments 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 without authorization by permit.
- 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.

The standards that shall be considered in determining whether a violation of the provisions of this section exists shall include, but not be limited to, the following:

1. Level of the noise.
2. The intensity of the noise.
3. Whether the nature of the noise is usual or unusual.
4. The level and intensity of the background noise, if any.
5. The type of area within which the noise emanates.
6. The intensity of human use of the area during the time at which the noise emanates.
7. The time of the day or night the noise occurs.
8. The duration of the noise.
9. Interpretation of this criteria by assigned Park staff 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 fire rings, portable stoves or grills; or any other use exclusively allowed by permit.
- b. Leave a fire unattended or fail to fully extinguish a fire.
- c. Scatter or leave unattended lighted matches, ashes, burning tobacco, paper or other combustible material.

Section 5 - Aviation

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

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

- a. It shall be unlawful for any person to conduct public meetings, assemblies, worship services, entertainment, parades or demonstrations within a park without a permit that has been secured at least 48 hours in advance of the date of activity.
- b. Conduct public meetings, assemblies, worship services, entertainment, parades, or demonstrations that unreasonably interfere with the enjoyment of the park by other park users, damage park property, block entrances or exits of structures, interfere with the safe use of park facilities, tend to cause a disturbance, or fail to abide by other Ordinance regulations.

Section 7 - Amusement Devices

It shall be unlawful to bring in, set up, construct, manage or operate any amusement or entertainment device or gadget without a 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 or model car or rocket or like-powered toy or model except at those areas or waters designated by the Board or designee for such use, or with a permit.

Section 9 - Unlawful Occupancy

It shall be unlawful for any person to:

- a. Enter any building, installation or area that may be under construction, locked or closed to public use.
- b. Enter or be upon any building, installation or area after the posted closing time, before the posted opening time, or contrary to posted notice in any park without a permit.
- c. Enter in any way any building, installation, or area after receiving a permit revocation or unlawful occupancy notification during the time period specified.

CHAPTER 5: PROTECTION OF PROPERTY, STRUCTURES, & NATURAL RESOURCES

Section 1 - Disturbance of Natural Features

It shall be unlawful for any person to:

- a. Intentionally remove, alter, injure, eat, or destroy any tree, plant, rock, soil or mineral without a permit.
- b. Dig trenches, holes or other excavations in a park without a permit.
- c. Introduce any plant or other agent within a park without a permit.
- d. Cut or gather wood without a permit.
- e. Engage in metal detecting without a permit.
- f. Transport, possess, or burn firewood in Scott County parks unless the firewood is purchased from the parks operations, or Minnesota Department of Natural Resources-approved firewood vender within 100 miles of the Park facility.

Section 2 - Disturbance of Wildlife

It shall be 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 by permit.
- b. Release or abandon any animal within a park without a permit.
- c. Feed any wildlife in a park without permission of the Board or designee.
- d. Remove any animal, living or dead, from a park without a 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.
- 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 Department.
- c. Have in their possession any aerosol paint can without a permit.
- d. Remove any cultural artifacts from any park by any means, except by permit.

Section 4 - Release of Harmful or Foreign Substances

It shall be unlawful for any person to:

- a. Place any debris, illegal substance, or pollutant in or upon any lands or body of water in or adjacent to a park or any tributary, stream, and storm sewer or drain flowing into such waters.
- b. Release any pesticide in or upon any park land except as permitted by the Board or designee.
- c. Discharge waste water or any other wastes in a park, except into designated containers, drain or dumping stations.

Section 5 - Interference of Park Property

It shall be unlawful for any person to cause or permit physical encroachment upon park property including, but not limited to actions such as mowing of grasses, and/or placement of personal property, debris, materials, buildings, sheds, other structures, or signs on park lands.

CHAPTER 6: REGULATION OF RECREATIONAL 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 permit.
- c. Occupy camp sites in a park contrary to a permit or otherwise violate provisions of a permit.
- d. Operate any vehicle within a campsite unless authorized by the Board or designee.
- e. Camp overnight in a park, if under 18 years of age, unless accompanied by parent or legal guardian, or possess written authorization from a parent or guardian, or authorized by permit issued by the Board or designee.

Section 2 - Picnicking

It shall be unlawful for any person to:

- a. Assume use of a picnic shelter if the area is reserved by a permitted group.
- b. Conduct picnic activities at reservation picnic sites contrary to a permit or otherwise violate provisions of a permit.
- c. Grill or have open fire intended for cooking except in areas provided and designated for that purpose.
- d. Set up shelters, tents, tarps, canopies larger than 10' x 10' and other such devices without authorization by permit, except temporary personal shade providers and insect structures.
- e. Destroy or remove a permit posted at a park facility.
- f. Operate any vehicle within a picnic area unless authorized by the Board or designee.

Section 3 - Swimming/Beaches

It shall be unlawful for any person to:

- a. Fail to obey posted safety rules established by the Board or designee at any swimming area/beach.
- b. Wade or swim within a park except in such areas specifically designated by signs and buoys for such use; and only between dates and hours posted.
- c. 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 in a park, if 10 years of age or older.
- d. Take glass containers, or glass of any kind, except eye glasses, into designated swimming areas or beach without approval by the Board or designee.
- e. 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, which may be used when it is properly secured, of the proper size, and undamaged. Persons with disabilities who require use of a flotation device in order to participate in swimming may be exempted from Section 3, paragraph e., by special permission from the Board or park staff.
- f. Throw sand, mud, rocks, or any other dangerous objects on the beach or in the water which could cause injury to others.
- 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 designated swimming area unless authorized by permit.
- b. Scuba dive or snorkel within 100 feet of a watercraft access point.
- c. Conduct scuba diving instruction from a park without a 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 permit.
- b. Leave any watercraft unattended except in designated areas.
- c. Operate any watercraft in a designated swimming area or other prohibited area.
- d. Tow a person on water skis, inner tube or any other device; or use a surfboard, kneeboard, or other water recreation device in a designated swimming area, boat launching area or other unauthorized area.
- e. Operate a watercraft in such a manner that its wash or wake will endanger, harass or interfere with any person or property.
- f. Leave a boat or trailer parked beyond the posted time limit.
- g. Park a vehicle with a boat trailer except in designated boat trailer parking areas.

Section 6 - Fishing

It shall be unlawful for any person to:

- a. Fish in a prohibited area.
- b. Leave any structure, shelter or ice house upon a frozen body of water in a park after 10:00 p.m. except in such areas and times as may be designated by the Board or designee.
- c. Clean fish and dispose of the remains except at a facility provided by the Board or designee.

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 trails at designated hours, and without payment of required fee or permit.
- b. Ride, lead or allow a horse on any hard surface, roadway or trail except at designated trail crossings.
- c. Ride a horse in a reckless manner so as to create a nuisance or endanger the safety or property of any person.
- d. Tether a horse to a tree, other plant, building or park equipment in situations likely to endanger natural habitat.
- e. Allow a horse to graze on growing grasses or browse on seedlings, trees, shrubs or bushes, except at designated horse camp areas or as authorized by a permit.

Section 8 - Bicycling

It shall be unlawful for any person to:

- a. Operate any type of bicycle including mountain bicycle, except on paved trails, roadways, and designated mountain-bike trails at dates and times authorized by the Board or designee.
- b. Operate any type of bicycle except as close to the right-hand side of the authorized trail or roadway as conditions permit, or to cross to the left of a solid yellow center line.
- c. 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 on a trail, or in the immediate area.
- d. Park or leave a bicycle on any beach, play area, in any Scott County building, or in any picnic shelter, or in any other area where likely to endanger the health and safety of the public.

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; or violate any posted trail sign.
- b. Operate a snowmobile in a park in excess of posted speed limits, at a rate of speed greater than reasonable or proper under current condition, or in a careless, reckless, or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto.
- c. Tow another person or thing except through the use of a rigid tow bar attached to the rear of the snowmobile, except in emergencies.

Section 10 - Cross-Country Skiing

It shall be unlawful for any person to:

- a. Conduct a race, meet, ski team practice or event with more than 12 participants on park cross-country ski trails without a permit.
- b. Use a designated cross-country ski trail for any purpose other than cross-country skiing except by permit or on those trails and times so designated by the Board or designee.
- c. Cross-country ski on park trails contrary to rules and regulations issued by the Board or in violation of any posted trail sign.
- d. Cross-country ski in any designated cross-country ski area without appropriately displaying a valid park ski pass unless exempted by the Board or by permit.

Section 11 - Other Winter Activities

It shall be unlawful for any person to enter an area marked by signs indicating thin ice.

Section 12 - Other Special Activity Use

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

Section 13 - Roller Skating/In-Line Skating

It shall be unlawful for any person to:

- a. Roller skate in a park, including the activities of skateboarding and in-line skating except on paved bike/walking trails unless posted otherwise.
- b. Roller skate/in-line skate or skateboard 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.
- c. Roller skate/in-line skate or skateboard except as close to the right-hand side of the authorized trail as conditions permit or cross to the left of a center line.
- d. Intentionally cause damage to any park facility in the act of roller skating/in-line skating or skateboarding.
- e. Roller skate, including activities of skateboarding, in-line skating, and roller-skiing, in a park building, stairway, railing, picnic table, or other park structure.

Section 14 - Geocaching

It shall be unlawful for any person to geocache in a park except in areas and at times designated by the Board or designee.

Section 15 - Disc Golfing

It shall be unlawful for any person to play disc golf in a park except in areas and at times designated by the Board or designee.

Section 16 - Hiking

It shall be unlawful for any person to:

- a. Hike in a park except in recreation and nature center use areas, and on designated trails and roadways, unless authorized by permit.
- b. Hike on designated packed or groomed cross-country ski trails.

CHAPTER 7: REGULATION OF MOTOR VEHICLES, TRAFFIC, & PARKING

Section 1 - Motorized Recreational Vehicles

It shall be unlawful for any person to operate a self-propelled vehicle, including, but not limited to, motor vehicles as defined in Minnesota Statutes Chapter 169, other self-propelled vehicles, motorized skateboards and scooters, go-carts, golf carts, snowmobiles and all-terrain vehicles (ATVs), or travel within Scott County parks, except on established roadways, trails or other areas designated for such purpose within said parks except by permit from the Board or designee. These regulations do not apply to people with disabilities.

Section 2 - Vehicle Operation

It shall be unlawful for any person to:

- a. Operate a vehicle within a park in violation of posted regulations.
- b. Operate any vehicle within a park except upon roadways, parking areas or other designated locations.
- c. Operate any vehicle within a park in violation of orders or directions of traffic officers or park employees authorized to direct traffic.
- d. Operate a vehicle on any lake designated by the Board or designee as a non-motorized lake.

Section 3 - Parking Vehicles

It shall be unlawful for any person to:

- a. Park or leave a vehicle standing except in a designated area and then only in a manner so as not to restrict normal traffic flow, unless authorized by the Board or designee.
 - b. Leave a vehicle standing after posted closing hours without a valid camping permit or other permit, except at a boat launch for the purpose of nighttime angling and only at those areas and times as so designated by the Board or designee.
 - c. Park in a space designated for handicapped parking only, except with handicapped license or permit.
 - d. Park or leave a vehicle without a boat trailer in a boat trailer parking space, unless authorized by the Board or designee.
 - e. Park a vehicle with a trailer except in designated trailer parking areas; or as permitted in campgrounds.
 - f. Park or leave a vehicle in an area designated for drop off only.
 - g. Park a boat trailer in a boat trailer parking space without a vehicle.
 - h. Launch more than one personal watercraft per boat trailer parking space occupied or designated.
 - i. Leave a vehicle unattended with keys in the ignition.
 - j. Park on the grass or sides of any park roads. Vehicles within the park must be parked in designated parking areas.
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Section 4 – Maintenance of Personal Vehicles

It shall be unlawful for any person to wash, polish, grease, change oil or perform other maintenance on any vehicle on park property except in emergencies or when authorized by the Board or designee.

CHAPTER 8: ENFORCEMENT

Section 1 – Park Patrol Authority/Peace Officer Authority

- a. Scott County Park employees and their designees may enforce the provisions of this Ordinance and eject from Scott County Parks any persons acting in violation of this Ordinance.
- b. Scott County Sheriff, local police, and other peace officers shall have the authority to patrol and enforce the provisions of this Ordinance, and any violation of state law or local laws which shall occur on Scott County Park property.
- c. Three Rivers Park Service Officers shall, in connection with their duties as prescribed by the Park District and Scott County Board, diligently enforce the provisions of the Ordinance and issue citations and warnings to persons acting in violation of the Ordinance.

Section 2 – Fines and Penalties

- a. Any person designated by the Board with authority to enforce this Ordinance shall, upon determining that there has been a violation of the Ordinance, notify the violator or person responsible for the violation, or in the case of a vehicular violation by attaching to said vehicle notice of the violation, said notice setting forth the nature, date, time of violation, the name of the official issuing the notice and the amount of the scheduled penalty.
- b. Once such notice is given, the person responsible for the violation shall, within 14 days of the time of issuance of the notice, pay in full satisfaction the amount of the specified penalty. Penalties shall be imposed for violation of the scheduled administrative offense established by the Board. Petty misdemeanors shall have a fine of \$65; misdemeanors shall have a fine of \$95. The penalty may be paid in person, by phone, or by mail and payment shall be admission of the violation.
- c. If a violator fails to pay the penalty imposed by this article within the established payment period, the matter may be processed as an Ordinance violation through the County Court System via the issuance of the appropriate citation. Violations of this Ordinance shall be subject to State Statute penalty.
- d. A person guilty of violating any provision of this Ordinance shall be guilty of a petty misdemeanor or misdemeanor and may be punished by a fine and/or by imprisonment as set forth in Minnesota Statutes 609.02, sub 3, as amended.
- e. All fines collected under this Ordinance shall be deposited in the Scott County Park Improvement Fund to the extent authorized by the State of Minnesota or other legally designated authority. Convictions may be appealed pursuant to the Minnesota Rules of Criminal Procedure.

Section 3 – Additional Rules and Regulations

The Scott County Board or designee shall have the right to issue rules and regulations relative to this Ordinance.

Section 4 – Impoundment of Pets

The Scott County Board shall have the authority to impound pets found running at large and shall collect an impoundment fee plus the per diem fee specified in the contract for impounding of animals which may be in force between Scott County and the animal control facility.

Section 5 – Permit Revocation

The Board or designee shall have the authority to revoke for good cause any permit. Any permit or reservation may be revoked upon violation by the permit holder of any Ordinance, rule or regulation of Scott County.

Section 6 – Employee Performance of Duty

Nothing in this Ordinance shall prevent employees or agents of Scott County from performing their assigned duties.

CHAPTER 9: MISCELLANEOUS

Section 1 – Conflict

Existing Park Ordinance and any rules and regulations in conflict with this Ordinance, or any parts thereof, are hereby repealed.

Section 2 – Enactment

This Ordinance shall be in full force and effect from and after its passage approval and publication by the Scott County Board of Commissioners.

Section 3 – Exemptions

All Scott County employees, contractors, emergency and enforcement personnel while acting in the performance of their assigned duties are exempt from the provisions of this Ordinance.

Section 4 - 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.

CHAPTER 10: EFFECTIVE DATE

This Ordinance shall be in full force and in effect upon passage by the Scott County Board of Commissioners.

Passed by the Board of Commissioners of Scott County, Minnesota, the 26th day of May 2009 and revised the 19th day of August, 2014..

SIGNED:

By: _____ Chair of the Scott County Board

ATTEST:

By: _____ Scott County Administrator

By: _____ Scott County Attorney