

ARTICLE III. USE OF FACILITIES REGULATED

Sec. 15-12. Purpose. The purpose of this section is to secure the quiet, orderly and suitable use and enjoyment of city parks, recreation areas, trail systems, and access to bodies of water as established by the City Council.

Sec. 15-13. Definitions. The following words and terms, whenever they occur in this section, are defined as follows:

- **Beer** means any alcoholic malt beverage containing not more than 3.2 percent alcohol by weight.
- **City Council** means the appointed and elected members of the City Council.

- **Disorderly Conduct** as defined in Minnesota Statutes Section 609.72 and also meaning to disturb or annoy the recreational enjoyment of park lands and waters by other members of the public.
- **Drug** means any drug, the use, possession, or sale of which is in violation of Federal or State law.
- **Intoxicating Liquor** means any liquor that is intoxicating pursuant to Minnesota law and includes ethyl alcohol, distilled, fermented, spirituous, vinous, and malt beverages containing in excess of 3.2 percent of alcohol by weight.
- **Park** means any land or water area, and all facilities thereon, established by the City Council as a park recreation area, trail system, and access to bodies of water pursuant to Minnesota Statutes, Chapter 398.
- **Park Visitor** means any person, firm, partnership, association, corporation, governmental unit, company or organization or any kind within a park.
- **Vehicle** means any motorized, self-propelled, animal or human powered conveyance, including but not limited to all-terrain conveyance, snowmobile, mini-bike, amphibious vehicle, motorcycle, go-cart, trail bike or dune buggy.
- **Weapon** means any device from which shot or a projectile of any type can be propelled by means of an explosive, gas or compressed air, or otherwise propelled, including but not limited to, firearms, bows and arrows, slings and spring-guns.
- **Wildlife** means all living creatures, not human, wild by nature, endowed with sensations and power of voluntary motion, including quadrupeds, mammals, birds, fish, amphibians, reptiles, crustaceans, and mollusks.
- **Wine** means any product made from the normal alcoholic fermentation of grapes, including still wine, sparkling and carbonated wine, wine made from condensed grape must, wine made from other agricultural products than sound, ripe grapes, imitation wine, compounds sold as wine, vermouth, cider, perry and sake, in each instance containing not more than 24 percent alcohol by volume.

Sec. 15-14. General Conduct. It shall be unlawful for any person to:

- (a) Engage in any violent, loud or other disorderly conduct creating or tending to create a breach of the peace, including excessive and annoying noises from all sources within city parks;
- (b) Throw, discharge or place in or upon any lake, stream, creek, pond or other body of water in or adjacent to a park, or any tributary, stream, storm sewer or drain flowing into such water, any substance, liquid, solid or gas;
- (c) Deposit, scatter, drop or abandon in a park, any bottles, cans, broken glass, sewage, waste or other material, except in receptacles provided for such purposes;
- (d) Drop, throw or otherwise leave unattended in a park, lighted matches, burning cigars, cigarettes, tobacco, paper or other combustible material;
- (e) Destroy, deface, damage, or remove any property of the city, including but not limited to, signage, equipment, trees, vegetation, ruins, relics, and geological formations, except by written consent of the City Council.
- (f) Gamble or participate in any game of chance in a park, as defined by Minnesota Statutes Section 609.75;
- (g) Possess or sell any controlled substance in a park, as defined in Minnesota Statutes Section 152.01;
- (h) Sell intoxicating liquor, wine or beer, unless authorized by permit from the City Council, and only at locations designated by the City Council;
- (i) Consume intoxicating beer, malt beverages, wine or liquors in the parks where prohibited;

- (j) Bring beer into a park in kegs, barrels, or other bulk tap quantities unless authorized by the City Clerk;
- (k) Sell, solicit, or carry on any business or commercial enterprise or service in a park unless authorized by the City Council or its authorized representative;
- (l) Distribute or disseminate leaflets, pamphlets, or written or printed material, or conduct public meetings; or to post unauthorized signs on any lands, waters, structures, or property in a park except with written permission from the City Council or its authorized representative;
- (m) Use any land or body of water within a park as a starting or landing field for aircraft, balloons, or parachutes, unless authorized by the City Council;
- (n) Enter a posted restricted area.
- (o) Hunt, injure, trap, or molest any wildlife within a city park, unless so authorized by the City Council;
- (p) Shoot or discharge any weapon, fireworks, or explosives into a park from beyond park boundaries, or possess any weapon (as defined in Section 15-13) without a legal permit, fireworks, or explosives within a park unless authorized by the City Council. Any weapon, fireworks, or explosive shall be subject to seizure, to be disposed of in the same manner as items confiscated by the Police Department;
- (q) Picnic in any open space except in those areas specifically designated and equipped for such use;
- (r) Bring a dog, cat, or other pet into a park unless caged or kept on a leash not more than six (6) feet in length, or tether any animal to a tree or other plant. Dogs can only be unleashed within a designated dog park; (Ord. 819, 03/28/17)
- (s) Permit any dog, cat, or other pet to enter a beach area, Discovery Center Building, park building, or other unauthorized area within a park;
- (t) Permit a dog, cat, or other pet to disturb or interfere with any park visitor;
- (u) Release within a park, any insect, fish, or other wildlife, or introduce within a park any plant, chemical, or other agent potentially harmful to the vegetation or wildlife of the park;
- (v) Remove any wild animal or plant, living or dead, from a park.

Sec. 15-15. Swimming. It is unlawful for any person to:

- (a) Wade or swim within a park except at Tanner's Lake beach at such hours designated by authorized personnel;
- (b) Use air mattresses and other inflatable floating devices in a designated swimming area;
- (c) Take glass bottles or glass receptacles of any kind into a designated beach area;
- (d) Hurl or throw balls, Frisbees, or any other things on the beach or in the water which could cause injury to others.

Sec. 15-16. Boating. It is unlawful for any person to:

- (a) Operate a watercraft in a park in violation of Minnesota Statutes, Chapter 86B, 'Water Safety and Watercraft';
- (b) Launch or land any boat, yacht, canoe, raft, or other watercraft upon any body of water in the city, except at locations and times designated for that purpose by the City Council;
- (c) Operate any watercraft in a designated swimming area or other prohibited area;
- (d) Water ski in a designated swimming area or other prohibited area.

Sec. 15-17. Fishing. It is unlawful for any person to:

- (a) Fish in a park in violation of any provision of Minnesota Statutes, Chapter 97A, 'Game and Fish';
- (b) Fish in a prohibited area;
- (c) Leave any structure or shelter upon a frozen body of water in a park after one-half hour after sunset, except in such areas and at times as may be designated by the City Council;
- (d) Clean fish or dispose of the remains except within a city park.

Sec. 15-18. Bicycling.

- (a) Bicycles shall be operated as closely to the right-hand curb or right-hand side of the path, trail, or roadway as conditions will permit and not more than two bicycles shall be operated abreast;
- (b) No person shall operate a bicycle in any city park faster than is reasonable and safe, with regard to the safety of the operator and other persons in the immediate area;
- (c) Whenever provided, bicycles shall be parked in locations set aside specifically for their storage.

Sec. 15-19. Skate Park. The city's skate park is designated for the use of skateboards, in-line skates, roller skates, and scooters. Due to safety concerns, it is unlawful for any person to:

- (a) Operate any other recreational equipment, specifically bicycles, in the skateboard park;
- (b) Operate skateboards, in-line skates, roller skates, or scooters inside the Richard Walton Park Bandshell/Pavilion complex.
- (c) Operate skateboards, in-line skates, and scooters in the Oakdale City Hall.
- (d) Deposit, throw, or drop in the skate park any bottles, cans, broken glass, waste, or other material, except in receptacles provided for such purposes.

Sec. 15-20. Vehicles. It shall be unlawful for any person to:

- (a) Operate any vehicles within a park except upon roadways, parking areas, or other designated locations therefore;
- (b) Operate a vehicle within the park in violation of posted regulations, Minnesota Statutes, Chapter 169, Motor Vehicle Law, Minnesota Statutes, Chapter 84.81, and sections herein contained dealing with the operation of a snowmobile, County and Municipal Traffic codes, or orders or directions of traffic officers, or park employees authorized to direct traffic;
- (c) Park or leave a vehicle standing within a park except in a designated parking area;
- (d) Grease, change oil, or repair any vehicle in a park.

Sec. 15-21. Snowmobiling. It shall be unlawful for any person to:

- (a) Operate a snowmobile in a park except on trails and areas posted and designated for such use;
- (b) Operate a snowmobile on a designated ski trail.

Sec. 15-22. Winter Activities. It shall be unlawful for any person to:

- (a) Skate, sled, coast, snowshoe, snowmobile, or ski in a park at such times and at such places as may be posted as a prohibited area;

- (b) When utilizing a park for the purpose of scuba diving or any recreational water activity, to remove portions of ice, greater in area than one foot square, and leaving the same unattended, unless such area is clearly marked by means of brightly colored flags;
- (c) To permit a dog, cat, horse, or other pet on designated cross-country trails.

Sec. 15-23. Special Use. No erection, relocation, construction, or maintenance shall be made above or below ground, across or beneath the property of any park by any person, firm, or corporation without first obtaining a Special Event Permit issued by the City of Oakdale.

Sec. 15-24. Park Operation.

- (a) Any person may be granted a permit for use of space within a park. Permits for such use may be issued by the Recreation Department. Applications for a permit shall be made upon forms to be furnished by the authorized representative. In the event more applications for reserved space are received than space available, applications shall be considered in the order received. Nothing herein contained shall exempt the users of reserved space from full compliance with this section;
- (b) It shall be unlawful for any person to loiter, loaf, or idle in, remain in, or leave any vehicle in any park or upon any parkway, or pathway between one-half hour after sunset and one-half hour before sunrise of the following day. Nothing in this section shall apply to persons traveling, without delay, upon established pathways of parks or upon parkways.
- (c) The provisions of subsection (b) of this section do not apply to anyone in certain areas such as lighted tennis courts, softball fields, ice skating areas, organized sports, and/or activities as recognized by or under permit by the Recreation Department;
- (d) Any permit granted pursuant to this section shall become immediately invalid upon the violation by the permittee of any city ordinance;
- (e) The city shall not be liable for any loss, damage, or injury sustained by a park visitor;
- (f) Any park or portion thereof may be declared closed to the public by the City Council at anytime and for any interval of time, or to certain uses, as the City Council shall find reasonable necessary.

Sec. 15-25. Enforcement and Penalties.

- (a) This article may be enforced by duly designated law enforcement officers of the city or any authorized city employees;
- (b) A violation of this article shall be a misdemeanor and any person convicted of violating any provision of this article shall be subject to a fine of not more than \$500 or imprisonment for a term not to exceed ninety (90) days, or both.

Sec. 15-26 to 15-29. Reserved.