ORDINANCE 17- 03

WHEREAS, the Parks of Olmsted County have been governed by a set of Rules and Regulations originally dating back to 1967; and,

WHEREAS, the Parks Rules and Regulations were last updated in 1995 and since that time, Oronoco Park has been transferred from the County Parks to the City of Oronoco and Root River Park has been added to the Olmsted County Parks; and,

WHEREAS, there are a number of issues now affecting park management which were not concerns in 1995 that need to be addressed now, including for example, the impact of emerald ash borer infestation on firewood use, curtailing the spread of invasive species, potential use of e-cigarettes and drones in the parks, the handling of permits to carry firearms in the parks, etc.; and,

WHEREAS, there have been a number of issues with the existing Parks Rules and Regulations where County Parks staff have found the current rules to be either unclear or inadequate to address a problem including for example, use of fireworks, noise or conduct that disturbs other park patrons, dogs which pose a health/safety risk to other patrons and animals, managing picnicking in the campgrounds, restricting golf cart and moped use in the parks, etc. These revisions are intended to address those issues.

WHEREAS, as these revisions are being made, it is also important to acknowledge that the Parks Rules and Regulations are a county ordinance which ought to be assigned a proper location in the Olmsted County Code of Ordinances where they can be accessed by the public along with the other county ordinances; and,

NOW, THEREFORE, the Olmsted County Board of Commissioners does ordain as follows:

CHAPTER 3900 OF THE OLMSTED COUNTY CODE OF ORDINANCES

OLMSTED COUNTY PARKS DIVISION
RULES AND REGULATIONS

3901. **APPLICATION AND PENALTY** - The following rules and regulations shall apply to Olmsted County Parks. Any person who shall willfully violate any of the same shall be guilty of a misdemeanor punishable by a fine of not more than $1000 and/or a jail term of not more than 90 days. A conviction for a violation of these rules and regulations may also be grounds for being barred from County park property for a period of time at the discretion of park staff to the extent needed to insure public health and safety.

3902. **DISORDERLY CONDUCT** - is prohibited. This includes 1) engaging in brawling or fighting; 2) disturbing a lawful assembly or meeting, not unlawful in its character; 3) engaging in offensive, obscene, abusive, boisterous, or noisy conduct or language tending reasonably to arouse alarm, anger, or resentment in others, 4) harassing wildlife or captive wild animals cared for by Parks staff, or 5) refusing to comply with Parks rules and regulations as directed by Parks staff or campground hosts in a manner which threatens to provoke a breach of the peace.

3903. **EXCESSIVE NOISE** - The use of amplified speakers and public address systems are prohibited without advance permission of the park manager or his/her designee. Making noise which is loud enough to disturb others in the vicinity is prohibited after 10:00 p.m. and prior to 7:00 a.m.

3904. **VANDALISM** - The destruction, alteration, injury or removal of any real or personal property, vegetation, geological formation or molestation of wildlife is prohibited.

3905. **SANITATION** - Garbage and recyclables shall be separated and disposed of by placing in the containers provided. Disposal of solid waste within a park which was generated outside of that park is prohibited. Emptying the waste holding tanks of campers and recreational vehicles in the parks when the vehicle owner or operator is not renting a campsite at the park is also prohibited.

3906. **FIRES** - Permitted only in fireplaces and other designated sites. Only wood sold by the park itself, pre-bundled firewood which contains DNR certification it is free of invasive species and diseases and clean, untreated lumber is permitted in the parks; use of all other wood is prohibited. Scavenging of downed wood within the parks for fires is also prohibited.

3907. **PICNICKING** - Picnic shelters and grounds cannot be reserved nor be used to the exclusion of others. Picnicking in the campgrounds of the parks without previously reserving a campsite is prohibited.

3908. **CAMPING** - is restricted to the sites specified. Installation of permanent facilities, and digging into sites is prohibited. All campers must register with the park staff. All campers under the age of 18 must be accompanied by an adult who is responsible for them. Occupancy of campsites is limited to ten (10) consecutive days.

3909. **SWIMMING** - Lakes and rivers located within the boundaries of county parks may be used at the individual's own risk. Lifeguards are not provided. Swimming in lakes and rivers within the parks is prohibited between the hours of 10:00 p.m. and 5:00 a.m. If a body of water is declared unsafe for swimming by the Public Health Department, such notice shall be posted and swimming shall be prohibited while posted.

3910. **LICENSED MOTORIZED VEHICLES** - of all types are permitted only on improved roads and designated parking areas, except as needed by Parks staff in connection with maintenance activities. Temporary exceptions to this requirement may be permitted with the advance permission of Parks staff as needed in order to provide access for disabled visitors to specific areas of the park not served by improved roads.

3911. **MOTORIZED RECREATIONAL VEHICLES** - including, but not limited to trail bikes, all-terrain vehicles, etc., are prohibited. Usage of golf carts and mopeds in the parks is prohibited. Temporary exceptions to this requirement may be permitted with the advance permission of Parks staff as needed in order to provide access for disabled visitors to specific areas of the park not served by improved roads. Use of bicycles and in-line skates is permitted on improved roads and designated trails only and their use is specifically prohibited in any playgrounds or playscapes in the parks.

3912. **SNOWMOBILES** - must be operated in accordance with state statutes and on trails designated for such use only, except as needed by Parks staff in connection with park operations or maintenance activities.

3913. **HORSEBACK RIDERS** - are required to purchase and display a current daily or seasonal bridle permit for each mount. Horseback riding is permitted on designated trails only and horses shall travel no faster than a walk. Trail ride groups are limited to no more than ten horses. Horseback riding will be permitted from May 1 through November 1 of each year. Trails may be closed any time trail conditions are deemed unfit or unsafe by the park manager or his/her designee. Visitors are urged to call ahead for information on trail conditions. Horseback riding is not permitted in Oxbow Park except within public road right of ways and therefore this rule shall not apply within Oxbow Park.

3914. **DOMESTIC PETS** – Pets are permitted only when confined on a leash not exceeding 6 feet long. Pets are permitted only in designated areas of the park. However, service pets on a leash are permitted with their owners in all areas of the parks. Pet owners are expected to clean up after their animals and properly dispose of any feces deposited in the parks.

Dogs found running at large must be removed from the parks upon a request by Parks staff.

Dangerous Dogs are prohibited in the parks. A "Dangerous Dog" means any dog that has:

(1) when unprovoked, inflicted bites on a person, domestic animal, or captive wild animal; or

(2) when unprovoked, chased or approached a person, domestic animal, or captive wild animal in the parks in an apparent attitude of attack; or

(3) has a known propensity, tendency, or disposition to attack unprovoked, causing injury or otherwise threatening the safety of persons, domestic animals, or captive wild animals.

If a dog is determined to be "dangerous" by Parks staff or by another government entity, the dog must be immediately removed from the park by the owner or person in possession and control of the dog, and the dog will be permanently barred from returning to the County Parks. This includes any dogs that are designated service animals.

It shall be a violation for any dog brought into a park which barks, whines, howls, bays, cries or makes other noise excessively so as to cause annoyance, disturbance or discomfort to any individual provided that such noise lasts for a period of more than five minutes continuously or intermittent barking that continues for more than one hour and is plainly audible outside the campsite, motor vehicle or other area where the dog is kept. It shall not be a violation of this section if the dog was barking, crying or making other noise due to harassment or injury to the dog or a trespass upon the park premises where the dog is located such as a campsite or motor vehicle. Any dogs found to be in violation of this requirement must be removed from the park by the owner or person in possession and control of the dog upon request by Parks staff.

3915. **PARK HOURS** - The parks may be accessed by the public from 5:00 a.m. to 10:00 p.m. daily. However, in the campground areas of the parks, registered guests are permitted to be present at all times, but visitors of campground guests may not be present in the parks between the hours of 10:00 p.m. and 5:00 a.m. daily.

3916. **FIREARMS AND WEAPONS** - Firearms, explosives, slingshots, bows and arrows, and other weapons are prohibited in the parks. Such unauthorized devices shall be registered and secured by the Parks staff for safekeeping while the owner is in the park. However, firearms are permitted in the parks for the duration of a specific hunt authorized by resolution of the County Board.

In addition, persons who possess a valid permit to carry a concealed firearm are also

authorized to carry a firearm while in County Parks consistent with the requirements set forth in Minnesota Statutes Section 624.714. Permit to carry holders must carry their permit with them and shall carry or secure their firearm at all times in the parks.

3917. **USE OF TOBACCO AND E-CIGARETTE TYPE PRODUCTS** – Use of tobacco and e-cigarette type products is prohibited inside all park buildings and within 15 feet of the entrances of all park buildings at all times, and in all areas of the parks when persons under the age of 18 are present. When persons under the age of 18 are not present, use of tobacco and e-cigarette type products is prohibited in the following locations within the county parks: the swimming beach at Chester Woods Park, Zollman Zoo at Oxbow Park, and in all playgrounds and playscapes in the parks.

3918. **FIREWORKS** – Use of fireworks is prohibited in the parks at all times.

3919. **HUNTING AND TRAPPING** - Hunting, trapping, and seining are prohibited except during a specific event authorized by resolution of the County Board. Fishing is permitted in season.

3920. **ADVERTISEMENTS** - Private notices or advertisements shall not be posted, distributed, or displayed on park property without the written consent of the Parks Superintendent, pursuant to the policy established by the Olmsted County Park Commission.

3921. **PRIVATE OPERATIONS** - No person, association, or corporation shall engage in or solicit business within the park without the express written consent of the Parks Superintendent, pursuant to the policy established by the Olmsted County Park Commission.

3922. **WATERCRAFT** - Watercraft including boats, canoes and kayaks may be hand launched in lakes or rivers at any convenient point within the parks. Those boats transported to the water by trailer must be launched at a boat-launching ramp. Electric trolling motors are permitted. However, with the exception of maintenance and law enforcement craft, use of in-board or mounted gasoline motors on boats is prohibited on Chester Lake. All watercraft users must remove aquatic invasive species from watercraft and trailers when exiting a lake or river in the parks as required by state law or regulation.

3923. **ALCOHOLIC BEVERAGES** - Use or possession of alcoholic beverages in containers having a capacity of two gallons or more is prohibited. This does not apply to persons or organizations properly licensed to sell such beverages in the parks, to employees and agents acting on behalf of such licensees, nor to persons delivering such beverages to such licensees.

3924. **ILLEGAL DRUGS** - Use or possession in the parks of controlled substances which are illegal under Minnesota law and which are not prescribed for use by a physician is prohibited.

3925. **PARK ENTRY PERMITS** - All vehicles entering Chester Woods Park are required to purchase and display a current daily or seasonal entry permit. Fees for camping, entry permits, and bridle permits may be changed from time to time by Resolution of the County Board.

3926. **DRONES** - Use of drones (unmanned aerial vehicles) within the parks or in the airspace above the parks is prohibited except by Parks staff in connection with park operations or maintenance activities or by law enforcement as authorized by law.

3927. **SEVERABILITY AND SAVINGS CLAUSE** - If any section or portion of this Ordinance is found unconstitutional or otherwise invalid or unenforceable by a court of competent jurisdiction, that section or portion shall be considered severable and the finding shall not serve as invalidation, or affect the validity or enforceability of any other section or provision of this Ordinance.

3928. **EFFECTIVE DATE** - The provisions of this revised Ordinance shall be in full force and effect after publication, and shall be enforceable on and after July 1, 2017.

July 1, 1967
Revised August 9, 1976
Revised March 28, 1995
Revised June 6, 2017

Dated: June 6, 2017

BOARD OF COUNTY COMMISSIONERS

Kenneth Brown

Ken Brown, Chairperson

ATTEST:

Heidi Welsch, Deputy Clerk-Administrator