

*Chapter 7*  
*Park*  
*Ordinance*

*March 15, 2011*

## CHAPTER 7. PARK ORDINANCE

### SECTION 1. PURPOSE, AUTHORITY, & DEFINITIONS

#### Subsection 1.1: Purpose

The purpose of this Ordinance is to provide rules and regulations for the use of and conduct in

Swift County Parks. This Ordinance shall apply in all County Parks:

- A. Appleton OHV Park.
- B. Swift Falls Park.
- C. Pomme de Terre Wayside Park.

#### Subsection 1.2: Authority

Minnesota Statute Section 398.34 authorizes the County to enact Ordinance relating to the County Park System; and said Ordinance may prescribe regulations, not inconsistent with law, for the protection and use of County parks or other units subject to and in accordance with Minnesota Statute 398.31 to 398.36. 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.

#### Subsection 1.3: Definitions

The following definitions shall apply in the interpretation and enforcement of this Ordinance.

- A. Alcoholic Beverage: Includes any intoxicating beverage as defined by Minnesota law and includes beer, 3.2 beer, and wine.
- B. Board: Shall indicate the Swift County Board of Commissioners.
- C. 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: snowmobiles, mini-bike, amphibious vehicle, motorcycle, go-cart, scooter, dune buggy, or all-terrain vehicles.
- D. Park: Any land or water area and all facilities thereon, including but not limited to trails, under the jurisdiction, control or ownership of Swift County devoted to active or passive recreation.
- E. Person: Is any person, firm partnership, association, corporation, company or organization of any kind.
- F. Pet: Any animal that is tamed and domesticated and kept as a companion.
- G. Vehicle: Is any conveyance, whether motor-powered, animal-drawn, or self-propelled, and also includes snowmobiles. The term shall include any trailer in tow of any size/description. Exceptions are made for wheelchairs, baby carriages, and vehicles in service of the County parks.

### SECTION 2. OPERATION REQUIREMENTS FOR ALL PARKS

#### Subsection 2.1: Prohibited Conduct

It shall be unlawful, except with express permission from the County Parks & Drainage

Supervisor or Board, for any person in a public park to:

- A. Mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railings, pavings or paving materials, water lines

or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts, or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.

- B. Dig or remove any soil, rock, sand, stones, trees, shrubs, plants, wood or materials; make any excavation by tool, equipment, blasting or other means or agency.
- C. Construct or erect any building or structure of whatever kind, whether permanent or temporary, or run or string any public service utility into, upon, or access such lands. —
- D. Damage, cut, carve, mark, transplant or remove any plant, or injure the bark, or pick powers or seed of any tree or plant, dig in or otherwise disturb grass areas, or in any other way injure the natural beauty or usefulness of any area.
- E. Climb any tree or walk, climb, stand, sit upon monuments, vases, planters, fountains, railings, fences or upon any other property not designated or customarily used for such purpose.
- F. Throw, discharge, or otherwise place or cause to be placed in the waters of any fountains, pond, lake, stream, or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such water, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.
- G. Take into, carry through, or put into any park, any rubbish, refuse, garbage or other materials. Such refuse and rubbish shall be deposited in receptacles so provided. Where receptacles are not provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.
- H. Leave any glass beverage container in any park or leave any broken glass in a park.
- I. Cause or permit to run loose any animal, unless under direct supervision or control.
- J. Hunt, molest, harm, frighten, kill, trap, pursue, chase, tease, shoot or throw missiles at any animal, wildlife, reptile or bird; nor shall he/she remove or have in his/her possession the young of any wild animal, or the eggs or nest, or young of any reptile or bird. Fishing is allowed within the Minnesota Game and Fish Regulations and Laws. —
- K. Offer items for sale, barter, or donation in any park.
- L. The use of fireworks in any park.

- M. Rules and regulations may be made from time to time by the Board governing the further use and enjoyment of parks, parkways, playgrounds, lakes, streams and canals, and the facilities thereof.

**Subsection 2.2: Amplified Music:**

- A. Generally. iPods, docking machines, radios, tape players, or televisions/computers may be used as long as they do not disturb other park users.
- B. Amplified Sound. It shall be unlawful except with express permission from the County Parks & Drainage Supervisor or Board, to operate any loudspeaker or amplifier or other device by which sounds are magnified and may be heard by persons other than a person using earphones or a hearing aid device.

**Subsection 2.3: Fires**

No person shall kindle, build, maintain or use a fire except in places provided for such purposes. Any fire shall be continuously under the care and direction of a competent person from the time it is kindled until it is extinguished. Every person who starts and/or uses a fire is hereby charged with the duty of completely extinguishing fire before leaving such park. No person shall throw away or discard any lighted match, cigar, cigarette, tobacco, paper or other material within or against any building, boat or vehicle, or under any tree or in underbrush.

**Subsection 2.4: Pets**

It shall be unlawful for any person to:

- A. Bring any dog, cat, or other pet into a park, unless caged or kept on a leash not more than six feet in length.
- B. Allow any dog, cat or other pet to enter a beach area, picnic area, park building, or other unauthorized area within a park.
- C. Permit a pet under his/her control to disturb, harass or interfere with any park visitor, a park visitor's property, or a park employee.
- D. Tether any animal to a tree, plant, building or park equipment.
- E. Have custody or control of any domestic pet in a designated area of a park without possessing an appropriate device for cleaning up pet feces and disposing of it in a sanitary manner.

**Subsection 2.5: Prohibited Conduct Regarding Vehicles**

It shall be unlawful for any person in a public park to:

- A. Drive any vehicle on any area except the park roads or parking areas, or marked trails such areas may on occasion be specifically designated as temporary areas.
- B. Park a vehicle anywhere except in a designated parking area.

- C. Leave a vehicle standing or parked in established parking areas or elsewhere in the park during hours when parks are closed.
- D. Cause or allow a vehicle's tires to make a squealing noise upon acceleration or operation of the vehicle.

**Subsection 2.6: Public Nuisance**

It shall be unlawful for any person to engage in fighting or exhibit threatening, violent, disorderly or indecent behaviors; make unreasonable noise or coarse utterance, gesture or display; or address abusive language to any person present; or disturb or interfere unreasonably with any person or party occupying any area. —

**Subsection 2.7: 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.

**Subsection 2.8: Weapons**

It shall be unlawful for any person to bring into or have in his/her possession in any park:

- A. Any pistol or revolver or objects upon which loaded or blank cartridges may be used.
- B. Any rifle, shotgun, BB gun, air gun, spring gun, slingshot, bow, or other weapon in which the propelling force is gunpowder, a spring or air. Said items may be allowed if properly cased and stored in a vehicle in the parking area.