



PARKS ORDINANCE

**Parks/Fairgrounds Department
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MURRAY COUNTY PARK ORDINANCE

SECTION 1. PURPOSE

The purpose of this Ordinance, which is enacted pursuant to Minnesota Statutes, is to secure the quiet, orderly, and suitable use and enjoyment of public parks, county recreation areas, county-wide trail systems, wildlife sanctuaries, forest, historical sites, and public access to lakes, rivers, and streams in parks established by Murray County, and to further the safety, health, comfort, and welfare of all persons in the use thereof and to preserve the natural environment for future generations.

SECTION 2. DEFINITIONS

1. **Advisory Commission** – Murray County Parks and Recreation Advisory Commission.
2. **Agent/Campground Host** - Any unpaid volunteers and any person employed or hired by a contractor, concessionaire, or other person or firm to perform in a park or on other open-space property at the request or under contract with the County of Murray.
3. **Board** - The Murray County Board of County Commissioners.
4. **Camping Unit** – Any tent, trailer, cabin, lean-to, recreational vehicle, or similar structure established or maintained and operated in a campground as temporary living quarters for recreation, or vacation purposes.
5. **Controlled Substance** - Any drug, substance, or immediate precursor in schedules 1 through 5 of Minnesota Statutes, Section 152.02.
6. **Department** - The Murray County Parks Department.
7. **Director** - The Director of the Murray County Parks Department authorized by the Board to direct and administer the Murray County Parks Department and the Murray County Parks Ordinance.
8. **Employee, Department** - Any full-time, part-time, permanent, or temporary worker in the employ of the Department.
9. **Intoxicating Liquor** – Any liquor which is intoxicating as defined by Minnesota Law.
10. **Misdemeanor** - A crime for which a sentence of not more than 90 days or a fine of not more than \$1,000, or both, may be imposed.
11. **Motorized Vehicle** – Any self-propelled vehicle except snowmobiles. The term shall include, but not be limited to automobiles, trucks, dunebuggies, minibikes, motorcycles, trail bikes, amphibious vehicles, all-terrain vehicles, golf carts, and go-carts.
12. **Ordinance** – Murray County Parks Ordinance.
13. **Park** - Any land or water designated as a park by Murray County, and includes all facilities located therein.
14. **Person** or **Persons** - Individuals, firms, corporations, societies, or any group or gathering whatsoever.
15. **Pet** - Any animal owned by or under the control of any person.
16. **Petty Misdemeanor** - A petty offense which does not constitute a crime and for which a sentence of not more than 30 days or a fine of not more than \$300, or both, may be imposed.

17. **Special Event** - Exhibitions, celebrations, training exercises, parades, gatherings, solicitations, concerts, speeches, pageants, entertainment, ceremonies, and other such related uses of the buildings, grounds, and roads in the Murray County park system.
18. **Special Event, Large** – Gatherings as defined as a Special Event with more than 50 people, not to exceed the parking limitation of the park.
19. **Special Event Permit** - The written permission that must be obtained from the Department to carry out certain activities such as camping, use of all or portions of specific areas, buildings, and other park system facilities for conducting special events.
20. **Weapon** – Any firearm or gun from which shot or a projectile is discharged by means of an explosive gas, or compressed air. This definition includes bows and arrows, slingshots, and switch-blade knives.
21. **Wildlife** - Any living creature, not human, wild by nature, including but not limited to mammals, birds, fish, amphibians, insects, reptiles, crustaceans, and mollusks.

SECTION 3. REGULATION OF PUBLIC USE

1. Park Hours.
 - A. Occupancy and use of areas affected by this Ordinance shall be posted and allowed by the Board.
 - B. Quiet hours shall be enforced in all designated County Campgrounds from the hours of 11:00 pm to 7:00 am. Any conduct which will adversely affect the stay of other campers within the campground during that time will be considered in violation of this Ordinance.
 - C. Any section or part of any park may be declared closed to the public by the Director at any time and for any interval of time, either temporarily or at regular and stated intervals, and either entirely or for certain uses as the Director shall find necessary.
2. Special Event Permits.
 - A. Special Event Permits shall be required for camping and for the exclusive use of all or portions of specific areas, buildings, and other system facilities for conducting special events.
 - B. Any persons, group, or association of persons required to obtain any park permit shall file an application for the permit with the Director.
 - C. Permittee shall be bound by this Ordinance and any Department regulations in force as though the same were inserted in the permit.
 - D. Permittee shall be liable for any loss, damage, or injury sustained by the system or any person by reason of the negligence of the person or persons to whom the permits are issued.
 - E. Permittee shall not transfer or relinquish the permit to another person or group of persons without written authorization from the Director.
 - F. The Director or the Board shall have the authority to revoke a permit.
 - G. It shall be unlawful for any person to use, without payment, any facility or area for which a permit is required or user fee charged unless the payment is waived by permit.
 - H. It shall be unlawful for any person to disturb, harass, or interfere with the grantee of a valid permit, or with any of the grantee's property or equipment.
 - I. Permittee may be required to provide portable bathroom facilities during their special event.

SECTION 4. GENERAL CONDUCT

1. Destruction/Defacement of Park Property/Signs. It shall be unlawful for any person to intentionally deface, vandalize, or remove park property, buildings, equipment, or facilities; or intentionally deface, destroy, cover, damage, or remove any placard notice, or sign or parts thereof, whether permanent or temporary, posted or exhibited by the Department. Violation of this provision shall be punishable as a misdemeanor.
2. Disturbance of Natural Resources.
 - A. No person shall remove, damage, or destroy any park facilities, trees, vegetation, ruins, relics, historical features, geological formations, rocks, minerals, wildlife, or soil.
 - B. No person shall 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.
3. Littering. It shall be unlawful for any person to deposit, scatter, drop, or abandon in any park any paper, bottles, cans, sewage, waste, trash, or other debris, except in receptacles provided by the Department for such purpose. No person shall deposit in any receptacle in any park any accumulation of waste or trash generated outside the boundaries of the park. Violation of this provision shall be punishable as a misdemeanor.
4. Glass. No glass containers allowed in any area of any park affected by this Ordinance.
5. Personal Behavior.
 - A. No person shall engage in brawling or fighting or offensive, obscene, abusive, boisterous, or noisy conduct or in offensive, obscene, or abusive language tending reasonably to arouse alarm, anger, resentment in others, or to provoke an assault or breach of the peace, or disturb or annoy another park visitor in their recreational enjoyment of a park; or disturb or interfere with another park visitor's property.
 - B. No person shall solicit, sell, advertise, or carry on any business or commercial enterprise or service in a park.
 - C. No person shall advertise or engage in any private, for profit, activity or function in any park.
6. Alcohol and Controlled Substances.
 - A. No person shall use, possess, or sell any alcoholic beverages or controlled substances in violation of Minnesota Statutes.
 - B. No person shall possess or bring beer or wine into a park in kegs, barrels, or other tap quantities except by permit approved by the Board
 - C. Alcohol may only be allowed for Special Events through an approved permit. Although drinking of intoxicating liquor may be allowed, it is unlawful to be under the influence of alcohol or drugs or to be in possession of drugs. Minors cannot drink alcoholic beverages in any park.

7. Possession and Use of Firearms/Dangerous Weapons/Fireworks.
 - A. No person shall display or have in his or her possession any firearm or airgun unless unloaded in both barrel and magazine.
 - B. No person shall kill, trap, hunt, pursue, or in any manner disturb or cause to be disturbed, any species of wildlife within the confines of any park, except that fishing may be permitted subject to the laws and regulations as established by the State of Minnesota.
 - C. No person shall discharge any weapon from within a park or into a park from beyond park boundaries.
 - D. No person shall possess, set off or attempt to set off, or ignite any firecracker, fireworks, smoke bombs, rockets, or other pyrotechnics. Violation of this provision shall be punishable as a misdemeanor.
8. Fires.
 - A. Fires shall be permitted only in designated fireplaces or fire rings.
 - B. No person shall leave a fire unattended or fail to fully extinguish a fire.
 - C. No person shall scatter or leave unattended lighted matches, ashes, tobacco, paper, or other combustible material.
 - D. No person shall deposit, burn, or abandon garbage, refuse, sewage, bottles, cans, broken glass, or any other waste materials, except as has been accumulated by such person while making lawful use of the park and incidental to such use and unless such materials shall be placed in receptacles provided for that purpose.
 - E. Private grills, camp stoves, and heaters may be used provided that all ashes and residue therefrom are disposed of in designated fireplaces or fire rings.
9. Unlawful Occupancy. It shall be unlawful for any person to enter in any way any building, installation, or area that may be under construction, locked, or closed to public use; or to enter, remain in, or be upon any building, installation, or area after the posted closing time or before the posted opening time, or contrary to the posted notice in any park.
10. Pets in Parks.
 - A. No person shall permit any pet under his or her control to be brought into any park area unless the pet is caged or kept on a leash not more than six feet in length.
 - B. No person shall permit a pet to disturb, harass, or interfere with any park visitor, park visitor's property, or park employee.
 - C. No animal shall be tethered to a tree, plant, building, or park equipment.
 - D. No person shall have custody or control of any pet in a park without possessing and using an appropriate device for cleaning up pet feces and disposing of the feces in a sanitary manner.

SECTION 5. REGULATION OF RECREATION ACTIVITY

1. Picnicking.
 - A. No person shall assume exclusive use of a reservation picnic site or shelter without a special events permit.
 - B. No person shall use a portion of a reservation picnic area or shelter without a special events permit if the area is reserved by a permitted group.
 - C. No person shall conduct picnic activity at reservation picnic sites contrary to a special events permit, or otherwise violate provisions of a special events permit.
 - D. No person shall set up temporary shelters, tarps, canopies, and other such devices without a special events permit.
2. Camping.
 - A. No person shall camp in a park except in areas provided and designated for that purpose.
 - B. No person shall camp overnight in a park if under 18 years of age unless accompanied by a parent or legal guardian or by permission of a parent or legal guardian.
 - C. A person may not camp in the same park site for more than 14 days in succession unless approved by the Advisory Commission. The Director may also allow camping for additional days when vacancies allow an extended stay.
 - D. Camping permits expire at 4:00 p.m., and the campsite shall be vacated by 4:00 p.m. On departure, the campsite shall be left in a neat and clean condition.
 - E. Campsites are on a first come basis. Any person putting a vehicle on a site to hold the site will be counted as using the site and will pay from then on.
 - F. A camping fee per campsite per night shall be charged. Camping fees shall be set to recoup the costs of developing, operating, and maintaining facilities or to prevent or mitigate resource impacts. Campers must pay the camping fee immediately upon vacating a campsite.
3. Swimming.
 - A. No person shall swim in any water within any park except at posted beaches in compliance with the quiet hours and regulations posted at the beach.
 - B. No person shall bring cans, bottles, or glass of any kind except eye glasses into any posted beach area.

SECTION 6. REGULATION OF MOTORIZED VEHICLES

1. Motorized Vehicle Operation.
 - A. It shall be unlawful for any person to operate a motor vehicle within a park, except on roadways, parking areas, parkways, or other areas designated for such use, except for vehicles operated by park staff for performing park related duties.
 - B. No motor vehicle shall be operated at a speed in excess of 10 miles per hour or the posted speed limit of the park.
 - C. Operation of all motorized vehicles shall be in conformity with State, Federal and Local Laws, Regulations, and Ordinances.
 - D. Individuals under the age of 16 are prohibited from operating a motorized vehicle on County property, including but not limited to: ATV's, mini-bikes, and golf carts.

SECTION 7. DUTIES/ENFORCEMENT AND PENALTIES

1. Duties/Enforcement.
 - A. Campground Host.
 - i. Contact Director or Law Enforcement personnel when emergencies or activities within the park warrant them.
 - ii. Understand and explain rules that apply to park users.
 - iii. Pick up litter, check restrooms and maintain a tidy host site.
 - iv. Other specific duties as agreed upon in Campground Host Contract.
 - B. Parks Director. The Parks Director shall enforce the provisions of this Ordinance, including the authority to eject from the parks any person acting in violation of this Ordinance.
 - C. Park Employees. Nothing in this Ordinance shall prevent employees or agents of the Department from performing their assigned duties.
 - D. Officers of the Murray County Sheriff's Department. Officers may, in connection with their duties imposed by law, diligently enforce the provisions of this Ordinance.
2. Fines and Penalties. A person who violates any of the provisions of this Ordinance or who fails to comply with any of the provisions of this Ordinance shall be subject to immediate removal from the park and/or face a fine and/or imprisonment as provided by law.

SECTION 8. LIABILITY AND SEPARABILITY

1. Liability. Neither the County of Murray nor any of its authorized agents shall be liable for any loss, damage, or injury sustained by any park visitor.
2. Separability. The provisions of this Ordinance shall be separable, and the invalidity of any section, paragraph, subparagraph, subdivision, or other part thereof shall not make void, impair, invalidate, or affect the remainder thereof.

SECTION 9. FEES

1. Fees. Camping and permit fees required by this Ordinance shall be established by the Murray County Board of Commissioners, from time to time, by separate resolution.

SECTION 10. REPEAL AND DATE OF EFFECT

1. Repeal. Any existing park ordinance and any rules and regulations in conflict with this Ordinance, or any parts thereof, are hereby repealed, except that such ordinances, rules, and regulations shall be deemed to be in force for the purpose of protecting any right vested, accrued, or arising therefrom.

SECTION 11. EFFECTIVE DATE

1. This Murray County Parks Ordinance shall be effective upon passage by the County Board and publication according to law.

Adopted this 19th day of April, 2011.

Bill Sauer, Chairman
Murray County Board of Commissioners

Attest:

Heidi E. Winter
Murray County Auditor/Treasurer