

## CHAPTER XX

### PARK CONDUCT AND USE REGULATIONS

#### Section 2000 - Park and Recreational Areas

2000.01 Short Title. This Ordinance shall be known and may be cited as the "Park Ordinance".

2000.03 Definitions. Subdivision 1. For the purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. Words used in the present tense include the future. The masculine gender shall include the feminine, and the words of the singular number shall include the plural number and vice versa. The word "shall" is always mandatory.

Subd. 2 "At Large" means off the premises of the owner and not under the control of the owner, or other competent person, either by leash not exceeding 6 feet in length or otherwise restrained.

Subd. 3 "City" is the City of Rice, Minnesota.

Subd. 4 "Land adjacent to a park" refers to all public alleys, streets, highways, or any other public lands which border on a park.

Subd. 5 "Park" as a park, reservation, playground, recreation center, shelter house, or any other area in the City, owned or used by the City and devoted to active or passive recreation.

Subd. 6 "Person" is any person, firm, partnership, association, corporation, company, or organization of any kind.

Subd. 7 "Vehicle" is any conveyance on wheels or tracks, whether motor powered, animal drawn or self-propelled. The term shall include any trailer of any kind or description. Exception is made for baby carriages.

2000.05 Park Hours. Subdivision 1. Ball Park. The normal hours of operation shall be sunrise to sunset except where a person has entered a lease with the City for the park. In the event a person has leased the facility the terms of the lease shall determine the hours of use.

Subd. 2 All Other Parks. The opening times and closing times for all parks other than those specifically described in Subdivision 1 above, shall be as follows: Opening time shall be 6:00 a.m., closing time shall be 11:00 p.m.

Subd. 3 Special Events. Ball games or other special events which extend beyond

the normal opening and closing times may be granted special permission to use the park facilities by the City. A written permit must be obtained from the City for functions extended beyond normal opening and closing times at park facilities.

2000.07 Standards of Insurance and Issuance. Subdivision 1. The City may issue a permit or lease hereunder when it finds that all of the requirements of the subdivisions which follow have been met or complied with.

Subd. 2 That the proposed activity or use of the park will not unreasonably interfere with or detract from the enjoyment of the park.

Subd. 3 That the proposed activity or use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety, and recreation.

Subd. 4 That the proposed activity or use is not reasonably anticipated to invite violence, crime, or disorderly conduct.

Subd. 5 That the proposed activity will not entail unusual, extraordinary, or burdensome expense or policy operation by the City.

Subd. 6 That the facility desired has not been reserved for other use at the day and hour required in the application.

2000.09 Effect of Permit. A permittee shall be bound by all park rules and regulations and all applicable ordinances as fully as though the same were inserted in said permit.

2000.11 Liability of Permittee. A person or persons to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person whatsoever by reason of negligence of the person or persons to whom such permit shall have been issued.

2000.13 Revocation. The City shall have the authority to revoke any permit upon the finding of violation of any rule or Ordinance or upon cause shown.

2000.15 Rental Fee. A rental fee shall be paid prior to receipt of permit or lease obtained pursuant to this section. Said fees shall be set by the City Council.

2000.17 Park Property. Subdivision 1. No person in the park shall do any of the acts prohibited in the subdivisions which follow:

Subd. 2 Disfiguration and/or Removal. Willfully mark, deface, disfigure, injure, tamper with, displace, or remove any building, bridge, tables, benches, fireplaces, railing, paving or paving materials, water lines or other public utilities or parts of appurtenances thereof, signs, notices of placards whether temporary or permanent, monuments, stakes, posts, or other boundary

markers, or other structures or equipment, facilities, or park property or appurtenances whatsoever, whether real or personal.

Subd. 3 Removal of Natural Resources. Make any excavation in any park without written permission from the Director of Parks and Recreation.

Subd. 4 Erection of Structure. Construct, erect, or place any building or structure, including tents, of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon or across such lands, except on special written permit issued hereunder.

Subd. 5 Trees, Shrubbery, and Lawns.

(a) Injury and Removal of Trees. Damage, cut, carve, transplant, or remove any trees or plant or injure the bark or pick the flowers or seeds, of any tree or plant. Nor shall any person attach rope, wire or other contrivance to any tree or plant.

(b) Climbing Trees, Etc. Climb, walk, stand or set upon any trees, monuments, fountains, railings, fences or upon any other property not designed or customarily so used or dead.

2000.19 Prohibitions. Subdivision 1. No person in the park shall do any of the acts prohibited in the subdivisions which follow.

Subd. 2 Pollution of Waters. Place or cause to be placed in the waters of any body of water or fountain in or adjacent to any park or any tributary, stream, storm sewer or drain flowing into such waters, any substance which will or may result in the pollution of said waters.

Subd. 3 Refuse and Trash. Dump deposit, or leave refuse or other trash. All waste generated by use of the park shall be placed in the proper receptacles where provided. All such waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.

Subd. 4 Consumption of Alcohol. Consume, possess, dispense, transport or carry any alcoholic beverage, including 3.2 beer, in or into any City park, except where specifically authorized in a lease between the City and then only under such conditions as specified in the lease.

Subd. 5 Kegs. Transport or carry a keg or more of beer into any City Park without first having obtained a permit.

Subd. 6 Professional Catering. The professional catering of food, pop and beer without first having obtained a permit.

Subd. 7 Glass Beverage Containers. Transport or carry in or possess glass beverage containers in any City Park.

2000.21 Traffic. Subdivision 1. No person in a park shall do any of the acts prohibited in the subdivisions which follow.

Subd. 2 Traffic Regulations. Fail to obey all law enforcement officers instructed by the Chief of Police to direct traffic whenever and wherever needed in the parks and parkways.

Subd. 3 Traffic Signs. Fail to obey the directions of all traffic and parking control signs in any City park.

Subd. 4 Areas of Vehicle Operation. Drive a vehicle on any area of a park except on a parkway, parking lot, path, or other roadway designated for a vehicle.

Subd. 5 Parking.

(a) Designated Area. Park a vehicle in other than an established or designated parking area. Such use shall be in accordance with posted directions or instructions attendant.

(b) Night Restrictions. Leave or park any vehicle in any park, parkway, or drive during those hours in which the City park in question is closed as set forth in Section 3 of this code, without written permission from the City.

Vehicles in violation of this section shall be subject to citation and removal at the owner's expense.

2000.23 Recreational Activities. Subdivision 1. No person in the park shall do any of the acts prohibited in the subdivisions which follow.

Subd. 2 Picnic Areas and Use.

(a) Fires. Build or maintain a fire except in a fireplace, charcoal burner, or stove.

(b) Cleanup. Leave the picnic area before the fire is completely extinguished and before all refuse or other trash is placed in the disposal receptacles where provided.

Subd. 3 Camping. No persons shall set up tents, shacks, or any other temporary shelter for the purpose of overnight camping nor shall any person leave in the park after closing hours any movable structure or any special vehicle to be used or that could be used for such purposes, such as house trailer, camp trailer, camp wagon, or the like, without written permission by the City.

Subd. 4 Games. Take part in or abet the playing or any games involving or throwing or otherwise propelling objects such as baseballs, golfballs, stones, arrows, javelins, model airplanes, snow and ice chunks or snowballs, except in the areas set apart for such forms of recreations. The playing or practicing of rough or comparatively dangerous games such as football, baseball, adult softball, and golf is permitted, except on the fields, courts, or areas provided

therefor. Use of ballfields shall be governed by the rule of first come, first served, except where prior reservations are made.

2000.25 Behavior. Subdivision 1. No person in the park shall do any of the acts prohibited in the subdivisions which follow.

Subd. 2 Picnic Tables. Stack or rearrange picnic tables in such a manner as to disrupt overall park use.

Subd. 3 Hours. (No person) shall be in a park, except as specifically permitted in Section 3 of this Ordinance.

Subd. 4 Domestic Animals. Having been responsible for the entry of a dog or other domestic animals into the park area, permit that animal to do any of the following acts:

- (a) To enter any area except those marked by signs bearing the words "Domesticated Animals Permitted in this Area".
- (b) To run at large.
- (c) To be housed on park property.

Subd. 5 Fire. Drop, throw, or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other material within any park area.

Subd. 6 Closed Areas. Enter an area posted as "Closed to the Public".

Subd. 7 Ice Rinks.

- (a) Go onto ice on any area except such as are designated and posted as being safe for skating.
- (b) Operate a motor vehicle, snowmobile, sled, bicycle, toboggan, or any other vehicle on any ice rink except those vehicles authorized for use by the Park and Recreation Department for purposes of maintaining the rinks.

Subd. 8 Exhibit Permits. Fail to produce or exhibit any permit or lease issued by the City upon request from any City official or Police officer who shall desire to inspect the same for the purpose of enforcing compliance with an Ordinance or rule.

Subd. 9 Interference with Permittee. Disturb or interfere unreasonably with any person or party occupying any are or participating in any activity under the authority of a permit issued pursuant to this Ordinance.

2000.27 Merchandising, Advertising, and Signs. Subdivision 1. No person in or adjacent to a park shall do any of the acts prohibited in the subdivisions which follow.

Subd. 2 Vending and Peddling. Expose or offer for sale any article or thing, nor shall he station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing. Exception is hereby made as to any regularly licensed concessionaire acting under the authority of the City.

Subd. 3 Advertising. Announce, advertise or call the public attention in any way to any article or service for sale or hire.

Subd. 4 Signs. Post, erect, or cause to be posted or erected by any means any sign, placecard, advertisement or inscription whatsoever.

2000.29 Violations. Any person violating any provisions of this Ordinance shall be guilty of a petty misdemeanor and subject to a fine of not more than \$200.00.

2000.31 Adoption and Effectiveness. This Ordinance becomes effective upon its passage and publication according to law.