

**SCOTT COUNTY
PARK ORDINANCE NO. 29**



Adopted by Scott County Board of Commissioners May 26, 2009

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CHAPTER 1: PURPOSE/AUTHORITY/DEFINITIONS

Section 1 - Purpose

The Scott County Board of Commissioners deem it reasonable, necessary, and desirable to provide an Ordinance specifying rules and regulations in order to provide for the safe and peaceful public use of Scott County Park areas and facilities; for the recreational benefit and enjoyment of the public; for the protection and preservation of the property, facilities, and natural resources of Scott County Parks; and for the safety and general welfare of the public.

Section 2 - Authority

The Scott County Board of Commissioners, under Minnesota State Statutes, Section 398.31 – 398.85 in performing its primary duty of the acquisition, development, operations, and maintenance of Scott County parks, trails, and related facilities and providing the means for public access to lakes, rivers, streams, and other natural features; is granted full power and authority to acquire and establish the above facilities and to operate, maintain, protect, and improve a park system and implement a recreational program. As aid to the accomplishment of these duties, the Board is granted the authority to enact ordinances and to declare that the violation thereof shall be a misdemeanor.

Section 3 - Definitions

The following words or terms, whenever they occur in this Ordinance, are defined as follows:

Alcoholic Beverage – includes any intoxicating beverage as defined by Minnesota law and includes beer, flavored alcoholic beverages, and wine as further defined in this ordinance.

Amusement Devices – means any contrivance, device, gadget, machine, or structure designed to test the skill or strength of the user or to provide the user with any sort of ride, lift, swing, or fall experience including, but not limited to, ball-throwing contest device, electronic videos, animal ride device, dunk tanks, ball and hammer devices, trampoline devices, and the like.

Area or Areas - means a specified place within a park.

Barrels – means any various units of volume or capacity, as a liquid measure of 31 to 42 gallons.

Beach – means that party of a body of water and shore designated for swimming.

Beer - is any beverage made from malt by fermentation and containing not less than one-half of one percent alcohol by volume.

Board - means the elected members of the Scott County Board of Commissioners.

Controlled substance - means any drug, substance, or immediate precursor in Schedules 1 through 5 of Minnesota Statutes Section 152.02.

County Employee or staff – means any full or part-time regular, temporary, authorized volunteer, seasonal worker, or agent in the employ of Scott County.

County Park – means those parks, park reserves, trails and other areas within the County of Scott under the control of the Board of Commissioners and designated by them as being part of the Scott County Park System.

Disc Golf - means a game played much like traditional golf. Instead of using a ball and clubs, players use a flying disc, or Frisbee from a tee area to an elevated target basket.

Flavored Alcoholic Beverage - means any beverage containing distilled alcohol and added ingredients such as fruit juices or other flavorings and containing not more than 14% alcohol by volume.

Geocaching – means an outdoor recreational activity that involves the use of a Global Positioning System (GPS) receiver to find an object or geocache placed at a predetermined location. The internet is often used to provide the directions and coordinates.

Glue - means any substance that releases vapors and which is used by a person for the purpose of inducing symptoms of intoxication, elation, excitement, confusion, dizziness, paralysis, irrational behavior, or in any manner changing, distorting, or disturbing the balance or coordination of a person's audio, visual, or mental processes.

Hiking - means traveling on foot, i.e., walking, running, or with an assistive mobility device.

Keg - means a small cask or barrel containing more than 288 ounces of an alcoholic beverage.

Law Enforcement Officer - means any "Peace Officer" licensed by the Board of Peace Officers Standards and Training and meeting the definition assigned to it in Minnesota Statutes, section 626.84, subdivision 1, clause (c).

Manager – means the person appointed by the Board to serve as the Parks Manager.

Motorized Recreation Vehicle - means any self-propelled, off the road or all-terrain vehicle including, but not limited to, snowmobile, mini-bike, amphibious vehicle, motorcycle, go-cart, trail bike, dune buggy, motorized skateboard or all-terrain vehicle.

Natural Resources – means all flora and fauna within parks and the physical factors upon which they depend, including air, water, soil, and minerals.

Park - means any land or water area and all facilities thereon, and all trails under the jurisdiction, control or ownership of Scott County and designated by the Board as a unit of the Scott County Parks System.

Permit/Special Use Permit - means the written permission that must be obtained from the Parks Department to carry out a given activity.

Pet - means any animal that is tamed and domesticated and kept as a companion.

Possession – *Physical Possession*: Having a controlled substance on one’s person with knowledge of the nature of the substance; or *Constructive Possession*: Having once possessed a controlled substance, continuing to exercise dominion and control over the substance up to the time of arrest, or aiding and abetting another in possessing a controlled substance.

Property - means any land, waters, trails, facilities or possessions of Scott County designated by the Board as a component of the Scott County Parks System.

Roller Skater or Roller Skating – is any person riding or propelling oneself by human power or gravity on wheeled devices that are worn on a person’s feet or stood upon by a person. Such devices specifically include, but are not limited to, roller skates, in-line skates, roller skis, skateboards, and scooters.

Vehicle - means every device in, upon, or by which any person or property is or may be transported or drawn upon a roadway except devices moved by human power or used exclusively upon stationary rails or tracks.

Watercraft - means any contrivance used or designed for navigation on water.

Weapon - means any device including, but not limited to, firearms, bows, paint-ball guns, electronic weapons, slings, and pellet or B-B guns from which a shot or projectile of any type is discharged or propelled by means of an explosive, gas, elastic, compressed air or other means. An electronic weapon means a portable device which is designed, used, or intended to be used, offensively or defensively, to immobilize or incapacitate persons by the use of an electric current.

Wildlife – means any living creature, not human, wild by nature, endowed with sensation, power of voluntary motion, including, but not limited to, mammals, birds, fish, amphibians, insects, reptiles, crustaceans, and mollusks.

Wine - means a vinous beverage containing not more than 14 percent alcohol by volume.

CHAPTER 2: REGULATION OF PUBLIC USE

Section 1 – Park Hours

- a. Parks shall be open to the public daily from 5 a.m. until 10 p.m. It shall be unlawful for any person to enter or remain in a park at any other time without a use permit or except when the park area or facility is otherwise designated by the Board or Manager.
- b. The Manager or designee is authorized to close any park or portion thereof at any time for the protection of park property or for the health, safety or welfare of the public.
- c. Open hours for specific areas or facilities within a Scott County Park may be set by the Park Manager and may vary from those listed in subdivision a.

Section 2 - Permits

- a. Permits shall be required for the exclusive or special use of all or portions of park areas, buildings or trails or for use of park areas and facilities when they are closed to the public.
- b. It shall be unlawful for a person to violate any provisions of a permit.
- c. Permits shall be required for any entertainment, tournament, exhibition or special use.
- d. Issuance of permits for park facilities shall be established through regulations established by the Manager.

Section 3 – Failure to Pay Use Fee/Display Permit

It shall be unlawful for any person to use, without payment and/or appropriately displaying a valid permit, any facility for which a fee is charged or a permit is required, excluding picnic shelters when not otherwise reserved, unless the payment/permit is waived by the Manager or designee.

Section 4 – Vehicle Entry Permits

It shall be unlawful for any person to enter a park (where a vehicle entry permit is required) with a motor vehicle without appropriately displaying a valid annual or daily entry permit unless exempted by special permit by the Manager or Designee.

CHAPTER 3: REGULATION OF GENERAL CONDUCT/PERSONAL BEHAVIOR

Section 1 – Drug and Alcohol Use

It shall be unlawful for any person to:

- a. Serve, possess or consume any alcoholic beverage within a park in violation of Minnesota Statutes; or
- b. Serve, possess or consume any alcoholic beverage, except beer, flavored alcoholic beverages, and wine, within a park, unless in an area designated by Scott County or by a licensed vendor under contract with Scott County; or
- c. Sell, buy, give, receive, or consume any beer, flavored alcoholic beverages, or wine on Scott County Park properties set aside or designated by the Manager as a parking area, park road, or trail. Consume or display any alcoholic beverage at sites where the Parks Department or its agent is a licensed vendor of alcoholic beverages, unless purchased at that site, or authorized by special permit.
- d. Use, manufacture, possess, constructively possess, sell, give away, barter, exchange, distribute or otherwise transfer any controlled substance, except on a lawful prescription by a person licensed by law to prescribe and administer controlled substances; or
- e. Inhale, breathe, or drink or be or become intoxicated by reason of inhaling, breathing or drinking any substance defined as "glue"; or
- f. Sell, barter, furnish or give alcoholic beverages to a person under 21 years of age; or
- g. Purchase or attempt to purchase any alcoholic beverage, if under the age of 21; or
- h. Induce a person under of 21 years of age to purchase or procure any alcoholic beverage; or
- i. Possess or bring beer, flavored alcoholic beverages, or wine into a park in kegs, barrels or other bulk tap quantities without a permit; or

Section 2 – Smoking and Tobacco Use

It shall be unlawful for any person to:

- a. Smoke or use any tobacco product in or within 25 feet of any indoor area; or
- b. Smoke or use any tobacco product inside the designated perimeter of any creative play area, beach, swimming area, or water play area; or
- c. Smoke or use any tobacco product in any other area prohibited by law or by County Ordinance specific to smoking or tobacco use.

Section 3 - Gambling

It shall be unlawful for any person to gamble or participate in any game of chance for a consideration of items of value; excepting private social bets or chance drawings not incidental to organized, commercialized or systematic gambling.

Section 4 – Public Nuisance/Personal Conduct

It shall be unlawful for any person to:

- a. For purposes of this ordinance, Minnesota Statutes 609.715, 609.72 and 609.74 are incorporated by reference and are listed as follows:
 - 1) Engage in fighting or exhibit threatening, violent, disorderly, or indecent behavior; or
 - 2) Make unreasonable coarse utterance, gesture, or display; or
 - 3) Address abusive language tending to incite a breach of the peace or to be inimical to peace and good order to any person present; or
 - 4) Otherwise create a hazardous or physically offensive condition to any person present; or
 - 5) Engage in any course of conduct, or participate in any activity in any park, after he or she is advised by a law enforcement officer or park employee or agent having authority to regulate or manage the area, that such conduct or participation is unreasonable and unnecessarily hazardous to the personal safety of said person or another person, or impairs or limits the lawful use and enjoyment of the facility or area by other persons; or
- b. Intentionally expose his or her genitals, pubic area, buttocks or female breast below the top of the areola, with less than a fully opaque covering while wading, swimming or using any beach or other areas within a park, if ten (10) years of age or older; or

Section 5 - Property of Others

It shall be unlawful for any person to:

- a. Intentionally disturb, harass or interfere with a park visitor's property; or
- b. Leave or store personal property in any park outside of park hours without a permit.

Section 6 - Littering/Dumping

It shall be unlawful for any person to:

- a. Deposit, scatter, dispose or abandon in a park: bottles, cans, broken glass, hot coals, ashes, sewage, waste or other material, except in receptacles provided for such purposes; or
- b. Dispose of any household or yard waste or commercial waste in a park, except at Scott County designated compost sites, in accordance with compost site rules and regulations.

Section 7 – Possession/Use of Firearms/Dangerous Weapons/Fireworks/Hunting

It shall be unlawful for any person to:

- a. Have in their possession, fire, discharge or cause to be fired or discharged across, in or into any portion of a park, any gun or firearm, spear, bow and arrow, crossbow, sling shot, air or gas weapon, or any other dangerous weapon or projectile, except in areas and at times designated by the Board or Manager for such use, or with a permit; or
- b. Possess, set off or attempt to set off or ignite any firecracker, fireworks, smoke bombs, rockets, black powder guns or other pyrotechnics without authorization from the Board or Manager; or
- c. Engage in hunting or the taking of wild animals as defined in Minnesota Statute 97A, within

any park, without having a permit from the Board.

Section 8 – Interference with Employee Performance of Duty

It shall be unlawful for any person to impersonate any employee of Scott County or interfere with, harass or hinder any employee, contractor, or agent in the lawful discharge of their duties.

CHAPTER 4: REGULATIONS PERTAINING TO GENERAL PARKLAND OPERATION

Section 1 – Commercial Use/Solicitation/Advertising/Photography

It shall be unlawful for any person to:

- a. Solicit, sell or otherwise peddle any goods, wares, merchandise, services, liquids or edibles in a park except by authorized concession or written permission granted by permit from the Board, the Manager or designee; or
- b. Operate a still, motion picture, video or other camera for commercial purposes in a park without permission granted by the Board, the Manager or designee; or
- c. Expose, distribute or place any sign, advertisement, notice, poster or display in a park without authorization from the Manager or designee.

Section 2 – Pets in Parks

It shall be unlawful for any person to:

- a. Permit a pet, except service dogs trained and certified to assist persons with disabilities, to enter or be in a park except in areas that may be designated by the Manager, including campgrounds, approved trails, dog parks, and exercise areas; or
- b. Bring a pet into a park, unless in a designated area and controlled on a leash, or unless in a dog park established for off-leash uses; or
- c. Permit a pet to disturb, harass or interfere with any park visitor or a park visitor's property, property of a park employee, contractor of Scott County, or park wildlife; or
- d. Tether any animal to a tree, plant, building or park equipment; or
- e. Operate a dog sled, skijoring device or any other sled / ski equipment pulled by a pet or other animal except on designated trails for dog sleds at dates and times designated by special use permit; or
- f. Have custody or control of any dog or domestic pet in a park without possessing an appropriate device for cleaning up pet feces and disposing of the feces in a sanitary manner; or
- g. For any person to intentionally abandon or release any animal, living or deceased, within the boundaries of Scott County Parks; or
- h. For any person to intentionally leave any animal in circumstances likely to endanger the health and safety of the animal or to disturb, anger, alarm or annoy other park users.

Section 3 – Noise/Amplification of Sound

It shall be unlawful for any person to:

- a. Install, use or operate or permit the use or operation within park boundaries any of the following devices:
 - a. Loudspeaker or sound amplifying equipment without authorization by permit; or
 - b. Radios, compact disc players, audio or video devices, tape players, phonographs, television sets, musical instruments or other machine or device for the production or

reproduction of sound in such a manner as to be disturbing or a nuisance to reasonable persons of normal sensitivity within the area of audibility without authorization by permit; or

- c. Willfully make or continue, or cause to be made or continued, any loud, unnecessary or unusual noise which disturbs the peace and quiet within any park or which causes discomfort or annoyance to any reasonable park visitor of normal sensitivity.

The standards which shall be considered in determining whether a violation of the provisions of this section exists shall include, but not be limited to, the following:

1. Level of the noise.
2. The intensity of the noise.
3. Whether the nature of the noise is usual or unusual.
4. The level and intensity of the background noise, if any.
5. The type of area within which the noise emanates.
6. The intensity of human use of the area during the time at which the noise emanates.
7. The time of the day or night the noise occurs.
8. The duration of the noise.
9. Interpretation of this criteria by assigned Parks Department staff shall allow, deny, or control level of sound amplifying equipment by park users.

Section 4 – Fires

It shall be unlawful for any person to:

- a. Start a fire in a park, except in a designated area, and then only in fire rings, portable stoves or grills; or any other use exclusively allowed by permit; or
- b. Leave a fire unattended or fail to fully extinguish a fire; or
- c. Scatter or leave unattended lighted matches, ashes, burning tobacco, paper or other combustible material.

Section 5 - Aviation

It shall be unlawful to use park property for a starting or landing field for aircraft, hot air balloons, parachutes, hang gliders or other flying apparatus, unless otherwise authorized by permit.

Section 6 – Assembly, Meetings, Speeches, Demonstrations, Religious Services, Parades

It shall be unlawful for any person to conduct public meetings, assemblies, worship services, entertainment, parades or demonstrations within a park without a permit.

Section 7 – Amusement Devices

It shall be unlawful to bring in, set up, construct, manage or operate any amusement or entertainment device or gadget without a permit.

Section 8 – Unlawful Occupancy

It shall be unlawful for any person to enter any building, installation or area that may be under construction, locked or closed to public use; or to enter or be upon any building, installation or area after the posted closing time, before the posted opening time, or contrary to posted notice in any park without a permit.

Section 9 – Engine-Powered Models and Toys

It shall be unlawful for any person to start, fly or use any fuel-powered model aircraft, model boat or model car or rocket or like-powered toy or model except at those areas or waters designated by the Manager for such use, or with a permit.

CHAPTER 5: PROTECTION OF PROPERTY, STRUCTURES, & NATURAL RESOURCES

Section 1 – Disturbance of Natural Features

It shall be unlawful for any person to:

- a. Intentionally remove, alter, injure or destroy any tree, plant, rock, soil or mineral without a permit; or
- b. Dig trenches, holes or other excavations in a park without a permit; or
- c. Introduce any plant or other agent within a park without a permit; or
- d. Harvest/grow/cultivate a controlled substance; or
- e. Cut or gather wood; or
- f. Engage in metal detecting.

Section 2 – Disturbance of Wildlife

It shall be unlawful for any person to:

- a. Kill, trap, hunt, remove, harass, annoy, pursue or in any manner disturb or cause to be disturbed, any species of wildlife, except as permitted in designated areas; or
- b. Release or abandon any animal within a park without a permit; or
- c. Feed any wildlife in a park without permission of the Manager or Designee; or
- d. Remove any animal, living or dead, from a park without a permit and any animal so removed or taken contrary to the provision of this Ordinance or laws of the State of Minnesota, shall be considered contraband and subject to seizure and confiscation.

Section 3 – Destruction/Defacement of Park Property/Signs

It shall be unlawful for any person to:

- a. Intentionally deface, vandalize or otherwise cause destruction to park property; or
- b. Intentionally deface, destroy, cover, damage or remove any placard, notice or sign, or parts thereof, whether permanent or temporary, posted or exhibited by the Parks Department; or
- c. Have in their possession any aerosol paint can without a special use permit; or
- d. Remove any cultural artifacts from any park by any means, except by permit.

Section 4 – Release of Harmful or Foreign Substances

It shall be unlawful for any person to:

- a. Place any debris, illegal substance, or pollutant in or upon any lands or body of water in or adjacent to a park or any tributary, stream, storm sewer or drain flowing into such waters; or
- b. Release any pesticide in or upon any park land except as permitted by the Board or Manager; or
- c. Discharge waste water or any other wastes in a park, except into designated containers, drain or dumping stations.

Section 5 – Interference of Park Property

It shall be unlawful for any person to cause or permit physical encroachment upon park property including, but not limited to actions such as mowing of grasses, and/or placement of personal property, debris, materials, buildings, sheds, other structures, or signs on park lands.

CHAPTER 6: REGULATION OF RECREATIONAL ACTIVITY

Section 1 – Camping

It shall be unlawful for any person to:

- a. Camp in a park except in areas provided and designated for that purpose; or
- b. Camp without a permit issued by the Parks Department; or
- c. Occupy camp sites in a park contrary to a permit or otherwise violate provisions of a permit; or
- d. Operate any vehicle within a campground during posted curfew hours, except in emergencies; or
- e. Camp overnight in a park, if under 18 years of age, unless accompanied by parent or legal guardian, or possess written authorization from a parent or guardian, or by special permit issued by the Manager.

Section 2 – Picnicking

It shall be unlawful for any person to:

- a. Assume use of a picnic shelter if the area is reserved by a permitted group; or
- b. Conduct picnic activities at reservation picnic sites contrary to a permit or otherwise violate provisions of a permit; or
- c. Grill or have open fire intended for cooking except in areas provided and designated for that purpose; or
- d. Conduct picnic activities at a Scott County campground or any designated campsite without the intention of camping and obtaining a permit to camp; or
- e. Set up shelters, tents, tarps, canopies and other such devices without authorization by the Manager or designee, except temporary personal shade providers and insect structures; or
- f. Destroy or remove a permit posted at a park facility.

Section 3 – Swimming/Beaches

It shall be unlawful for any person to:

- a. Fail to obey posted safety rules established by the Board or Manager at any swimming area/beach; or
- b. Wade or swim within a park except in such areas specifically designed by signs and buoys for such use; and only between dates and hours posted; or
- c. Take glass containers, or glass of any kind, except eye glasses into designated swimming areas or beach without approval by the Manager or their designee; or
- d. Use within a designated swimming beach area, any inner tube, life raft or other inflatable or buoyant object or flotation device intended to support a person, except a United States Coast Guard approved Type I, II, III, or V personal flotation device may be used when it is properly secured, of the proper size, and undamaged. Persons with disabilities who require use of a flotation device in order to participate in swimming may be exempted from Section 3, paragraph e., by special permission from the

- Manager or park staff; or
- e. Throw sand, mud, rocks, or any other dangerous objects on the beach or in the water which could cause injury to others; or
 - f. Swim beyond boundary buoys or markers; or
 - g. Fish in an area designated for swimming.

Section 4 – Scuba Diving and Snorkeling

It shall be unlawful for any person to:

- a. Scuba dive or snorkel in a park in violation of Minnesota Statutes, Chapter 86B "Water and Watercraft Safety;" or
- b. Scuba dive or snorkel in a designated swimming area unless authorized by permit; or
- c. Scuba dive or snorkel within 100 feet of watercraft access point; or
- d. Conduct scuba diving instruction from a park without a permit.

Section 5 – Boating

It shall be unlawful for any person to:

- a. Launch or land any watercraft upon any waters within a park except at designated locations and times or by permit; or
- b. Leave any watercraft unattended except in designated areas; or
- c. Operate any watercraft in a designated swimming area or other prohibited area; or
- d. To launch or operate a watercraft in a park in violation of Minnesota Statutes, Chapter 86B "Waters & Watercraft Safety" or Minnesota Rules, Chapter 6216 "Invasive Species"; or
- e. Tow a person on water skis, inner tube or any other device; or use a surfboard, kneeboard, or other water recreation device in a designated swimming area, boat launching area or other unauthorized area; or
- f. Launch or operate any watercraft in violation of rules and regulations controlling surface water use as established by the Board or Minnesota Department of Natural Resources; or
- g. Operate a watercraft in such a manner that its wash or wake will endanger, harass or interfere with any person or property; or
- h. Leave a boat or trailed parked beyond the posted time limit.
- i. Park a vehicle with a boat trailer except in designated boat trailer parking areas.

Section 6 – Fishing

It shall be unlawful for any person to:

- a. Fish in a park in violation of any provisions of Minnesota Statutes, Chapter 97C; or
- b. Fish in a prohibited area; or
- c. Leave any structure, shelter or ice house upon a frozen body of water in a park after 11:00 p.m., except in such areas and times as may be designated by the Manager; or
- d. No person shall clean fish and dispose of the remains except at a facility provided by the Parks Department.

Section 7 – Horseback Riding

It shall be unlawful for any person to:

- a. Ride, lead or allow a horse within a park except in designated areas or trails at designated hours; or
- b. Ride, lead or allow a horse on any hard surface, roadway or trail except at designated trail crossings; or
- c. Ride a horse in a reckless manner so as to create a nuisance or endanger the safety or property of any person; or
- d. Tether a horse to a tree, other plant, building or park equipment in situations likely to endanger natural habitat; or
- e. Allow a horse to graze on growing grasses or browse on seedlings, trees, shrubs or bushes.

Section 8 – Bicycling

It shall be unlawful for any person to:

- a. Operate any type of bicycle including mountain bicycle, except on paved trails, roadways, and designated mountain-bike trails at dates and times authorized by the Board; or
- b. Operate any type of bicycle except as close to the right-hand side of the authorized trail or roadway as conditions permit, or to cross to the left of a solid yellow centerline; or
- c. Operate a bicycle in violation of Minnesota Statutes, Chapter 169, "Minnesota Traffic Code"; or
- d. Ride or operate a bicycle except in a prudent and careful manner or at a speed faster than is reasonable and safe with regard to the safety of the operator and other persons on a trail, or in the immediate area; or
- e. Park or leave a bicycle on any beach, in any Scott County building, or in any picnic shelter, or in any other area where likely to endanger the health and safety of the public.

Section 9 – Snowmobiling

It shall be unlawful for any person to:

- a. Operate a snowmobile in a park except on designated trails and then only on the right-hand side of the trail; or
- b. Operate a snowmobile in a park contrary to rules and regulations established by the Board; or
- c. Operate a snowmobile in a park in excess of posted speed limits, at a rate of speed greater than reasonable or proper under current condition, or in a careless, reckless, or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto; or
- d. Operate a snowmobile in violation of Minnesota Statutes, Section 84.81 - 84.90 "Snowmobile Laws" and Minnesota Rule 6100 "Snowmobile Rules and Regulations" (all rules and regulations therein pertaining to 'public land and water' shall apply on park property); or
- e. Tow another person or thing except through the use of a rigid tow bar attached to the rear of the snowmobile, except in emergencies; or
- f. Operate a snowmobile in violation of any posted trail sign.

Section 10 – Cross-Country Skiing

It shall be unlawful for any person to:

- a. Conduct a race, meet, or event with over 12 participants on park cross-country ski trails without a permit; or
- b. Cross-country ski in a park in violation of Minnesota Statutes, 1983 Supplement, Section 85 - "Cross-Country Ski License;" or
- c. Use a designated cross-country ski trail for any purpose such as snowboarding, kick-sleds, sliding, and skijoring other than cross-country skiing except by special permit or on those trails and times so designated by the Manager ; or
- d. Operate a dog sled or any motorized recreation vehicle on cross-country ski trails except by special permit from the Manager or their designee; or
- e. Cross-country ski on park trails contrary to rules and regulations issued by the Manager or in violation of any posted trail sign.

Section 11 – Other Special Activity Use

It shall be unlawful for any person to participate in or conduct any activity, except those uses for which a park area or facility has been planned or promoted by Scott County, without a permit.

Section 12 – Roller Skating/In-Line Skating

It shall be unlawful for any person to:

- a. Roller skate in a park, including the activities of skateboarding and in-line skating except on paved bike/hike trails unless posted otherwise; or
- b. Roller skate / in-line skate or skateboard in a park except in a prudent and careful manner and at a speed that is reasonable and safe with regard to the safety of the operator and other persons in the immediate area; or
- c. Roller skate / in-line skate or skateboard except as close to the right-hand side of the authorized trail as conditions permit or cross to the left of a center line; or
- d. Intentionally cause damage to any park facility in the act of roller skating or in-line skating; or
- e. Roller-skate, including activities of skateboarding, in-line skating, and roller-skiing, in a park building, stairway, railing, picnic table, or other park structure.

Section 13 – Geocaching

It shall be unlawful for any person to geocache in a park except in areas and at times designated by the Board or Manager.

Section 14 – Disc Golfing

It shall be unlawful for any person to play disc golf in a park except in areas and at times designated by the Board or Manager.

Section 15 – Hiking

It shall be unlawful for any person to hike in a park except in recreation and nature-center use areas, and on designated trails and roadways, unless authorized by special use permit.

CHAPTER 7: REGULATION OF MOTOR VEHICLES, TRAFFIC, & PARKING

Section 1 – Motorized Recreational Vehicles

It shall be unlawful for any person to operate a self-propelled vehicle, including, but not limited to, motor vehicles as defined in Minnesota Statutes, Chapter 169, other self-propelled vehicles, motorized skateboards and scooters, go-carts, golf carts, snowmobiles and all-terrain vehicles (ATVs), or travel within Scott County parks, except on established roadways, trails or other areas designated for such purpose within said parks except by permit from the Manager or designee. These regulations do not apply to people with disabilities.

Section 2 – Vehicle Operation

It shall be unlawful for any person to:

- a. Operate a vehicle at a speed in excess of 25 miles per hour or posted speed limits; or
- b. Operate any vehicle within a park except upon roadways, parking areas or other designated locations; or
- c. Operate a vehicle within a park in violation of posted regulations, Minnesota Statutes, Chapter 169, or municipal traffic codes, or orders or directions of traffic officers or park employees authorized to direct traffic; or
- d. Operate a vehicle in a careless or reckless manner; or
- e. Operate a vehicle which emits excessive or unusual noise, noxious fumes, dense smoke or other pollutants; or
- f. Fail to yield right-of-way to pedestrians and other trail users.

Section 3 – Parking Vehicles

It shall be unlawful for any person to:

- a. Park or leave a vehicle standing except in a designated area and then only in a manner so as not to restrict normal traffic flow, unless authorized by Manager or designee; or
- b. Leave a vehicle standing after posted closing hours without a valid camping permit or other permit, except at a boat launch for the purpose of nighttime angling and only at those areas and times as so designated by the Manager; or
- c. Park in a space designated for handicapped parking only, except with handicapped license or permit; or
- d. Park a vehicle with a boat trailer except in designated boat trailer parking areas; or
- e. Park on the grass or sides of any park roads. Vehicles within the park must be parked in designated parking areas.

Section 4 – Maintenance of Personal Vehicles

It shall be unlawful for any person to wash, polish, grease, change oil or perform other maintenance on any vehicle on park property except in emergencies or when authorized by the Manager or designee.

CHAPTER 8: ENFORCEMENT

Section 1 – Park Patrol Authority/Peace Officer Authority

- a. Scott County park employees and their designees may enforce the provisions of this ordinance and eject from Scott County Parks any persons acting in violation of this ordinance.
- b. Scott County Sheriff, local police, and other peace officers shall have the authority to patrol and enforce the provisions of this ordinance, and any violation of state law or local laws which shall occur on Scott County Park property.

Section 2 – Fines and Penalties

A person guilty of violating any provision of this Ordinance shall be guilty of a misdemeanor and may be punished by a fine and/or by imprisonment as set forth in Minnesota Statutes 609.02, sub 3, as amended. All fines collected under this ordinance shall be deposited in the Scott County park fund to the extent authorized by the State of Minnesota or other legally designated authority. Convictions may be appealed pursuant to the Minnesota Rules of Criminal Procedure.

Section 3 – Additional Rules and Regulations

The Manager shall have the right to issue rules and regulations relative to this Ordinance.

Section 4 – Impoundment of Pets

Scott County Parks Department shall have the authority to impound pets found running at large and shall collect an impoundment fee plus the per diem fee specified in the contract for impounding of animals which may be in force between Scott County and the pound keeper at that time.

Section 5 – Permit Revocation

The Manager or his designee shall have the authority to revoke for good cause any permit. Any permit or reservation may be revoked upon violation by the permit holder of any ordinance, rule or regulation of Scott County.

Section 6 – Employee Performance of Duty

Nothing in this Ordinance shall prevent employees or agents of Scott County from performing their assigned duties.

CHAPTER 9: MISCELLANEOUS

Section 1 – Conflict

Existing Parks Ordinance and any rules and regulations in conflict with this Ordinance, or any parts thereof, are hereby repealed.

Section 2 – Enactment

This Ordinance shall be in full force and effect from and after its passage approval and publication by the Scott County Board of Commissioners

Section 3 – Exemptions

All Scott County employees, contractors, emergency and enforcement personnel while acting in the performance of their assigned duties are exempt from the provisions of this ordinance.

Section 4 – Severability

The provisions of this Ordinance shall be deemed to be severable and the invalidity or unenforceability of any provisions shall not affect the validity and enforceability of the other provisions hereof.

Section 5 – Amendments

This Ordinance may be amended from time to time by the Scott County Board and such amendment may be shown by either marking the section amended, attaching the amendment to this Ordinance, reprinting the Ordinance publication, or filling in the below schedule of information.

CHAPTER 10: EFFECTIVE DATE

This Ordinance shall be in full force and in effect upon passage by the Scott County Board of Commissioners.

Passed by the Board of Commissioners of Scott County, Minnesota, the 26th day of May 2009.

SIGNED:

By: _____
Chair of the Scott County Board

ATTEST:

By: _____
Scott County Administrator

By: _____
Scott County Attorney