

ORDINANCE NO. 21

AN ORDINANCE REGULATING THE USE OF COUNTY PUBLIC PARKS IN THE COUNTY OF HUBBARD AND IMPOSING PENALTIES FOR VIOLATION THEREOF.

The County Board of Commissioners of the County of Hubbard, State of Minnesota, does hereby ordain as follows:

Section I. Definition.

Public parks or park when used herein shall mean real property owned or administered by Hubbard County, which is devoted to recreational use.

Section II. Defacing or Destroying Property Prohibited.

No person shall deface, destroy, diminish or impair the value of public or private property located within any public park in the County of Hubbard, including buildings, structures, signs or trees, shrubs or vegetation located thereon or growing therein.

No person shall litter or cast or allow to remain rubbish or trash of any kind or nature in a or about any public park in the County of Hubbard, including the surrounding water area.

Section III. Parking of Vehicles. (as amended 02/20/02)

No person shall park any motor vehicle in a park in an area not specifically posted with signs permitting the parking of motor vehicles, nor in areas posted with signs prohibiting such parking; nor shall any person park a motor vehicle or permit to remain parked a motor vehicle in a park between the hours as established by the County Board unless otherwise posted.

Section IV. Speed of Vehicles.

No person shall drive or operate a motor vehicle at a speed in excess of 15 MPH in any park.

Section V. Park Hours. (as amended 02/20/02)

No person shall enter or remain in a public park between the hours as established by the County Board, unless park regulations otherwise permit usage of property during said excepted hours.

Section VI. Open Fire Prohibited.

No person shall build a fire in any place in any park except in fireplaces or receptacles provided for the building of fires by the Park Department. All fires may be prohibited during extremely dry weather.

Section VII. Unleashed Pets Prohibited. (as amended 02/20/02)

No dog or other pet animal shall be allowed to run unleashed or untethered or at large in any park. Leashes shall not exceed 10 feet in length. Owner of pets must pickup & dispose of their pet's feces. No pets are allowed on the swimming beach or in the water at the swimming beach.

Section VIII. Swimming or Wading in Certain Areas Prohibited.

No person shall wade or swim in an area in which signs have been posted prohibiting swimming or wading. In all areas wherein swimming and wading is permitted, the Superintendent of Parks shall have the authority to prohibit the use of such equipment as he deems dangerous to persons engaged in swimming or wading and to prohibit such activities or conduct as he deems dangerous or hazardous to those engaging in it or to other persons in a park. When a sign has been posted prohibiting the use of such equipment or engagement in such activities or conduct as may be specified therein, no person shall use such equipment or engage in such activities or conduct.

Section IX. Public Nuisances Affecting Public Peace and Safety are Prohibited.

All unnecessary noises made by playing or radios or other electronic devices and by swearing, threatening, assaulting, striking or fighting or quarreling, cursing or using obscene language or conversation, or any unusual noises which are a nuisance affecting public peace and safety are prohibited.

Section X. Overnight Camping.

Camping may be allowed for non-profit organizations, by special permit only as designated by the County Board or designee of the County Board.

Section XI. Riding of Horses.

Riding of saddle horses other than in designated areas is prohibited.

Section XII. Consumption and Possession of Alcoholic Beverages. (amended 02/20/02)

No person shall possess or consume intoxicating liquor or non-intoxicating liquor during hours as established by the County Board in said parks.

Section XIII. Reservation of Picnic Shelters.

Reservations may be made for each picnic shelter with up to nine picnic tables for each shelter. A reservation fee may be charged for each shelter and this fee will be determined by the County Board. The County Board may waive the fee for non-profit organizations at its discretion. The shelters will not be able to be reserved on the following holidays: Memorial Day, July 4th, and Labor Day. Reservations can be made by contacting the appropriate person or designee by the County Board from time to time.

Section XIV. Posting Areas.

The County Board shall have the authority to determine from time to time the areas in which other activities and conduct referred to in this ordinance shall be permitted or prohibited and shall post appropriate signs notifying persons in a park of the area in which the conduct or activities referred to herein are permitted or prohibited.

Section XV. Carrying or Transporting Weapons.

Carrying or transporting loaded firearms within the area or using any firearm, bow and arrow, air rifle, slingshot or other missile propelling weapon therein shall not be permitted within the county owned or operated area, except as otherwise permitted by law.

Section XVI. Vendor Policy. (amended 02/20/02)

1. Requests from vendors to use County Public Parks will be submitted to the County Land Commissioner, or his designee, who will review them with the County Board.
2. If the County Board approves the vendor's request, the vendor will be required to submit the required permits, licenses and insurance information to the Land Commissioner, or his designee for review and approval. The Land Commissioner, or his designee will notify the vendor, in writing to proceed.
3. Vendors must comply with all Federal Laws relating to non-discrimination on the grounds of race, color, national origin, handicap or age.
4. Vendors must provide the following to the Land Commissioner, or his designee for review:
 - A. Proof of liability insurance for automobiles.
 - B. Workers compensation insurance.
 - C. Product and completed operations insurance.
 - D. An original certificate of insurance for general liability. Limits on liability should be 1 million dollars per person 2 million aggregate unless having umbrella coverage above and beyond that limit.
5. The County Board may require a vendor fee and damage deposit.

XVII Powers of Enforcement. (amended 02/20/02)

In addition to any other persons or law enforcement officers invested with the powers of law enforcement and arrest of any person for the violation of any provisions of this ordinance, all employees of the County of Hubbard whose duties are being discharged in a public park shall have the power to enforce the provisions of this ordinance.

Section XVIII. Penalties. (amended 02/20/02)

In the event of violation or threatened violation of this Ordinance or any regulation promulgated pursuant thereto, the County Board of Commissioners, in addition to other remedies, may institute appropriate actions or proceedings to prevent, restrain, correct or abate such violations or threatened violations, and it shall be the duty of the Hubbard County Attorney to institute such action. Whoever is guilty of violating this ordinance or any provisions of this ordinance is guilty of committing a misdemeanor. Each day that a violation continues shall constitute a separate offense.

Section XIX. Effective Date. (amended 02/20/02)

This Ordinance shall be in full force and effect from and after its approval, passage, and publication as provided by law.

THIS ORDINANCE ORDAINED AND ENACTED by the Board of County Commissioners of the County of Hubbard, State of Minnesota, on this 20th day of February, 2002.

BOARD OF COUNTY COMMISSIONERS
Hubbard County, Minnesota

ATTEST: /s/ Jack Paul

Jack Paul, Coordinator

BY: /s/ Lyle Robinson

Lyle Robinson, Chairman of the Board