

CHAPTER 91: PARKS AND RECREATION

Section

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PUBLIC PARKS, MUNICIPAL RECREATION AREAS AND PUBLIC SHORELINE

§ 91.01 PURPOSE.

The purpose of this subchapter is to afford a means of maintaining and using the parks under the jurisdiction of the city in a manner which is consistent with the maximum enjoyment of all persons and protection of the natural resources therein and for the purpose of establishing hours of use and control of all municipal parks, recreation areas and shorelines adjacent to public property in the city, except that property under the control and supervision of the Marina Board. (1981 Code, § 615.01)

§ 91.02 DEFINITION.

The term **PARKS** shall include all city parks, recreation areas and shorelines adjacent to public property. (1981 Code, § 615.03)

§ 91.03 HOURS OF USE.

No person shall park vehicles, be in or remain in any park between the hours of 9:00 p.m. and 5:00 a.m., except those vehicles or persons involved in activities which are authorized to remain in a park pursuant to regulations as adopted by the Streets and Parks Commission. Any authorization shall be in writing and approved by the Streets and Parks Commission. The hours of use set forth herein shall not apply to Hok-Si-La Park, McCahill Softball Field or municipal tennis courts. The hours of use of the last three named areas shall be established by regulation of the Streets and Parks Commission. (1981 Code, § 615.05) (Am. Ord. 351, passed 8-11-2003)

§ 91.04 REGULATION AND CONTROL.

Except as set forth herein, the use and control of all city parks shall be by regulation promulgated by the Streets and Parks Commission and approved by the Council. (1981 Code, § 615.07)

§ 91.05 PARK DEVELOPMENT AND IMPROVEMENT FEE.

A park development and improvement fee is to be charged at the time of the issuance of a residential building permit as hereinafter described for purposes of providing funds for the development and improvement of the city parks:

- | | |
|--------------------------------------------|-------|
| (A) Single-family residential: | \$300 |
| (B) Multi-family residential - First unit: | \$300 |
| Each additional unit: | \$150 |

(1981 Code, § 615.11)

§ 91.06 ENFORCEMENT.

Any person found violating this subchapter or the regulations authorized herein by any peace officer or his or her deputy and who upon such officer's request to cease and desist from such violation fails or refuses to do so may be requested to leave the park and if necessary may be ordered or removed from the park by the peace officer; such denial of continued use and enjoyment of the parks to violators shall also apply to enforcement of any rules and regulations consistent with this subchapter. In addition to, or in the alternative, any person who violates this subchapter or any regulations authorized herein shall be guilty of a petty misdemeanor. (1981 Code, § 615.09) Penalty, see § 91.99

SWIMMING

§ 91.20 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

NO-SWIMMING AREA. That area designated as a No-Swimming Area on the map made a part hereof.

SWIMMING. Includes but is not limited to swimming, wading, diving or jumping into the waters within the no-swimming area. (1981 Code, § 720.03)

§ 91.21 SWIMMING PROHIBITED.

It shall be unlawful for any person to swim in the no-swimming area of Lake Pepin as herein defined. (1981 Code, § 720.01) Penalty, see §91.99

OVERNIGHT CAMPING

§ 91.35 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CAMPING. The sleeping, or the intent to do so, overnight in a tent, motor vehicle, trailer, camper or in such a manner as to be similar thereto.

OVERNIGHT. The sleeping or camping, or the intent to sleep or camp, at any time between the hours of 10:00 p.m. and 8:00 a.m.

PUBLIC AREAS. All streets and alleys, public boulevards, city parks, parking lots, whether publicly or privately owned, used for the public generally and all other public grounds and properties.

PUBLIC GROUNDS AND PROPERTY. Those areas owned, leased or maintained by the city. (1981 Code, § 330.01)

§ 91.36 CAMPING REGULATIONS.

Except as hereinafter provided, it shall be unlawful for any person or persons to camp overnight in any of the public areas of the city. (1981 Code, 330.03) Penalty, see 91.99

§ 91.37 EXCEPTIONS.

The city may specifically designate overnight camping in public areas of the city by so designating the area by the erection of signs so specifying in places in the public areas reasonably observable by persons desiring to use said public areas. (1981 Code, §330.05)

§ 91.99 PENALTY.

(A) Whoever shall violate any provision of this chapter for which no specific penalty is provided shall be punished as set forth in § 10.99 of this code.

(B) Any person who violates § 91.20 et seq. is guilty of a petty misdemeanor which is punishable as provided in § 10.99 of this code. (1981 Code, § 720.05)

(C) (1) The Police Department is authorized to remove and tow away any motor vehicle, trailer, camper or other mobile unit being used in violation of § 91.35 et seq. and to store the same until claimed by the owner thereof after the payment of all towing and storage charges by the owner.

(2) Any person or persons who violates a provision of § 91.35 et seq. is guilty of a petty misdemeanor. Each act of violation and every day on which a violation occurs or continues shall constitute a separate violation of this chapter. (1981 Code, § 330.07)