

## CHAPTER 91: PARKS AND RECREATION

### Section

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***PUBLIC PARKS, CITY RECREATION AREAS, AND PUBLIC SHORELINE***

**§ 91.01 PURPOSE AND SCOPE.**

The purpose of this Chapter is to afford a means of maintaining and using the City's parks in a manner that maximizes enjoyment of all persons and protects the parks' natural resources. In order to achieve these goals, the City enacts the following regulations. These regulations shall govern all of the City's parks, recreation areas, and shorelines that are adjacent to public property with the exception of the Marina.

**§ 91.02 DEFINITION.**

***PARKS.*** All City parks, recreation areas, and shorelines that are adjacent to public property with the exception of the Marina.

**§ 91.03 HOURS OF USE.**

No person shall park vehicles, be in or remain in any park between the hours of 10:00 p.m. and 5:00 a.m., except those vehicles or persons involved in activities which are authorized in writing to remain by the City Council upon recommendation of the Streets, Parks, and Public Safety Commission. The hours of use set forth in this Section shall not apply to Hok-Si-La Park, any City activity courts (i.e. tennis/pickleball), and the McCahill Softball Field. The hours of use of the Hok-Si-La Park, the City activity courts, and the McCahill Softball Field shall be established by the City Council upon recommendation of the Streets, Parks, and Public Safety Commission and the Marina Board (if the facilities are located within the area of the Marina).

**§ 91.04 REGULATION AND CONTROL.**

Except as set forth herein, the use and control of all City parks shall be by regulation determined by the Streets, Parks, and Public Safety Commission and approved by the City Council.

**§ 91.05 ENFORCEMENT.**

Any person found violating this Chapter 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. In addition to, or in the alternative, any person who violates this Chapter or any regulations authorized herein shall be guilty of a petty misdemeanor.

***SWIMMING***

**§ 91.20 DEFINITIONS.**

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

**SWIMMING.** Includes, but is not limited to, swimming, wading, diving, or jumping into the water.

**§ 91.21 SWIMMING PROHIBITED.**

It shall be unlawful for any person to swim in any area of Lake Pepin that has been marked by the City as a “no-swimming area.”

**OVERNIGHT CAMPING**

**§ 91.35 DEFINITIONS.**

For the purpose of this Chapter, 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 a similar manner.

**OVERNIGHT.** 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 used for the public generally (whether publicly or privately owned), and all other public grounds and properties.

**PUBLIC GROUNDS AND PROPERTY.** Those areas owned, leased, or maintained by the City.

**§ 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.

**§ 91.37 EXCEPTIONS.**

The City may specifically designate overnight camping in public areas of the City by designating the area with signs that specify that overnight camping is permitted.

**§ 91.99 PENALTIES.**

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

(B) Any person who violates Section 91.20 et seq. shall be guilty of a petty misdemeanor which is punishable as provided in Section 10.99 of this Code.

(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 Section 91.35 et seq. and to store the same until claimed by the owner after the payment by the owner of any towing and storage charges.

- (2) Any person or persons who violates a provision of Section 91.35 et seq. shall be 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.