

**FILLMORE  
COUNTY**

**PARK  
ORDINANCE**

# AN ORDINANCE ON THE REGULATION OF PARKS IN FILLMORE COUNTY, MINNESOTA

## SECTION 1

### Purpose, Applicability, Construction

1. Purpose. The purpose of this Ordinance is to provide rules and regulations for the use of and conduct in the parks of the County.
2. Applicability. This Ordinance shall apply in all County parks, unless expressly exempted.
3. Construction. In the interpretation of this and all succeeding park ordinances, the provisions shall be construed as follows:
  - a. Any term in the singular shall include the plural.
  - b. Any term in the masculine shall include the feminine and neuter.
  - c. Any requirement or prohibitions of any act shall respectively extend to and include the causing and procuring, directly or indirectly, of such act.
  - d. No provisions hereof shall make unlawful any act necessarily performed by an officer or employee of the County in line of duty or work as such, or by any person, his agent or employees, in the proper and necessary execution of the terms of any agreement with the County.

## SECTION 2

### Definitions

For the purpose of this chapter, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

1. **County** is the County of Fillmore, Minnesota.
2. **Park** is a park in the County owned or used by the County, and devoted to active or passive recreation. Specifically, this shall include the County owned property known as "Bucksnot Park" located in Section 8, Township 104 North of Range 10 West, Pilot Mound Township, and the County owned property known as "Masonic Park" located in Sections 11 & 12, Township 103 North of Range 13 West, Spring Valley Township, and any other properties which the County may own in the future which are specifically dedicated for park purposes.
3. **Person** is any persons, firm partnership, association, corporation, company or organization of any kind.
4. **Vehicle** is any conveyance, whether motor powered, animal- drawn, or self-propelled, and also, includes snowmobiles. The term shall include any trailer in tow of any size,

kind of description. Exception is made for wheelchairs, baby carriages and vehicles in the service of the County parks.

5. **Animal** is any cat, dog, horse, fowl, and living creature.
6. **Careless** means to operate a vehicle or bicycle heedlessly in disregard to the safety of the operator or others.
7. **Sheriff Department** means the Fillmore County Sheriff or any member of the Sheriff's Department.
8. **Highway Department** means the Fillmore County Highway Department under the direction of the County Engineer.
9. **Applicant** shall mean any person or organization seeking a permit to use or conduct an activity in a park.
10. **Permit** shall mean any written or oral permission issued by or under the authority of the Sheriff's Department permitting a use, event, or activity in the park system.

### **SECTION 3**

#### **Prohibited Conduct Generally**

It shall be unlawful, except with express permission from the County Engineer, for any person in a public park to:

1. Mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railings, pavings or paving materials, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts, or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.
2. Dig or remove any soil, rock, sand, stones, trees, shrubs or plants or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agency.
3. Construct or erect any building or structure of whatever kind, whether permanent or temporary, or run or string any public service utility into, upon, or access such lands, except on special permit issued hereunder.
4. Damage, cut, carve, mark, transplant or remove any plant, or injure the bark, or pick flowers or seed of any tree or plant, dig in or otherwise disturb grass areas, or in any other way injure the natural beauty or usefulness of any area.
5. Climb any tree or walk, climb, stand or sit upon monuments, vases, planters, fountains, railings, fences or upon any other property not designated or customarily used for such purpose.
6. Attach any rope or cable or other contrivance to any tree, fence, railing, bridge, bench, or other structure, except nets used for sports activities may be tied to trees or poles, other items may be attached to designated trees and structures with the permission of the Sheriff's Department or Fillmore County Engineer.
7. Throw, discharge, or otherwise place or cause to be placed in the waters of any fountains, pond, lake, stream or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such water, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.

8. Take into, carry through, or put into any park, any rubbish, refuse, garbage or other materials. Such refuse and rubbish shall be deposited in receptacles so provided. Where receptacles are not provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.
9. Leave any glass beverage container in any park or leave any broken glass in a park.
10. Cause or permit to run loose any animal, unless under direct supervision or control.
11. Hunt, molest, harm, frighten, kill, trap, pursue, chase, tease, shoot or throw missiles at any animal, wildlife, reptile or bird; nor shall he remove or have in his possession the young of any wild animal, or the eggs or nest, or young of any reptile or bird. Fishing is allowed within the Minnesota Game and Fish Regulations and Laws.
12. Offer items for sale, barter, or donation in any park.

#### **SECTION 4**

##### **Prohibited Conduct Regarding Vehicles**

It shall be unlawful for any person in a public park to:

1. Drive any vehicle on any area except the park roads or parking areas, of such areas as may on occasion be specifically designated as temporary areas.
2. Park a vehicle anywhere except on a designated parking area.
3. Leave a vehicle standing or parked in established parking areas or elsewhere in the park and recreation areas during hours when the park and recreation area is closed.
4. Operate, park or bring in a snowmobile or unlicensed all-terrain vehicle.
5. Cause or allow a vehicle's tires to make a squealing noise upon acceleration or operation of the vehicle.

#### **SECTION 5**

##### **Weapons**

It shall be unlawful for any person to bring into or have in his possession in any park:

1. Any pistol or revolver or objects upon which loaded or blank cartridges may be used.
2. Any rifle, shotgun, BB gun, air gun, spring gun, slingshot, bow, or other weapon in which the propelling force is gunpowder, a spring or air. Said items may be allowed if properly cased and stored in a vehicle in the parking area.

#### **SECTION 6**

##### **Fires**

No person shall kindle, build, maintain or use a fire except in places provided for such purposes. Any fire shall be continuously under the care and direction of a competent person from the time it is kindled until it is extinguished. No person shall throw away or discard any lighted match, cigar, cigarette, tobacco, paper or other material within or against any building, boat or vehicle, or under any tree or in underbrush.

## **SECTION 7**

### **Alcoholic Beverages**

It shall be unlawful to possess beer or any alcoholic beverage in containers larger than one (1) liter in any park.

## **SECTION 8**

### **Camping and Activity Prohibitions**

It shall be unlawful for any person in a park to:

1. Camp or stay overnight anywhere except with a permit in an area designated for camping or staying overnight in vehicles or trailers. Permits shall be authorized by the Sheriff's Department.
2. Engage in threatening, abusive, insulting or indecent language or engage in any disorderly conduct or behavior tending to breach the public peace.
3. Fail to produce and exhibit any permit claimed to have, upon request of any authorized person who shall desire to inspect the same for the purpose of enforcing compliance with any ordinance or rule.
4. Disturb or interfere unreasonably with any person or party occupying any area or participating in any activity under the authority of a permit.

## **SECTION 9**

### **Closing Hours**

1. Except with permission from the Fillmore County Sheriff's Department, no person shall enter, remain in or be in any park during the hours the park is closed.
2. All parks shall be closed between the hours of 11:00 p.m. and 5:00 a.m.

## **SECTION 10**

### **Permits**

1. **Permits.** Permits for uses in parks required by this ordinance shall be obtained by contacting the Fillmore County Sheriff's Department.
2. **Revocation.** The Sheriff's Department is authorized to revoke a permit immediately upon a finding of a violation of any park rule, ordinance or permit condition.
3. **Liability.** Applicant shall be liable for any loss, damage or injury sustained by virtue of the activity conducted pursuant to the permit.
4. **Portable Toilets.** For gatherings of more than twenty-five (25) persons, self-contained portable toilet facilities are recommended to be provided by the users.
5. **Ejectment.** Any police officer shall eject from the park area any person whose conduct is in violation of this ordinance, the laws of the State of Minnesota or other ordinance.

**SECTION 11**  
**Amplified Music**

1. **Generally.** Radios, tape players, or televisions may be used in the parks as long as they do not disturb other park users.
2. **Amplified Sound.** It shall be unlawful to operate any loudspeaker or amplifier or other device by which sounds are magnified and may be heard by persons other than a person using earphones or a hearing aid device.

**SECTION 12**  
**Penalties**

Violation of any of the sections of this chapter shall constitute a misdemeanor, as defined by Minnesota Statutes.

**SECTION 13**  
**Authority of Sheriff's Department and County Engineer**

The Sheriff's Department and/or County Engineer shall have the authority to close areas of the parks to the public for construction work in the park, to prevent access to dangerous areas, protect seedlings and plantings, for maintenance purposes, and for natural disasters.

**SECTION 14**  
**Separability**

Every section, provision or part of this Ordinance is declared separable from every other section, provision, or part thereof, to the extent that if any section, provision or part of this Ordinance shall be held invalid by a Court of competent jurisdiction, it shall not invalidate any other section, provision or part thereof.

**SECTION 15**  
**Effective Date**

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