

CHAPTER 12. CITY PARKS AND TRAILS REGULATIONS

Section 1. **Purpose and Intent.** The purpose and intent of this ordinance is to establish Chapter 12 of the City Code relating to Parks, Recreation and Trails within the City of Crosslake and establishing rules and regulations therein.

SEC. 12.01. GENERAL PROVISIONS

Subd. 1. Authority: This ordinance is adopted pursuant to Minn. Stat. Section 412.491.

Subd. 2. Purpose: The purpose of this ordinance is to provide for the use of parks and trails in such a manner and by such means as will maximize their use and enjoyment by the public, while conserving the scenery, and the natural and historical objects and wildlife therein.

SEC. 12.02. DEFINITIONS

The following words or terms as used in this ordinance have the meanings given them in this section, unless a different meaning is clearly indicated by the context or text.

1. **“Director”** - means the City of Crosslake Park and Recreation Director.
2. **“Designee”** – means a city employee authorized to make decisions on behalf of the Director.
3. **“Person”** - means any individual, partnership, corporation, association or other similar groups.
4. **“Park”** - means any designated City Park, City Swimming Beach, City Public Water Access or Recreation Area.
5. **“Vehicle”** - is any wheeled conveyance whether motor powered, animal drawn or self propelled. The term shall include any trailer of any kind or description, but shall not include wheelchairs.
6. **“Watercraft”** - means any mechanical device used or designed for navigation on water.
7. **“Motorized Vehicle”** - means any motorized conveyance including, but not limited to the following: cars, trucks, motorcycles, tractors, farm machinery, golf carts, motorized scooters, minibikes, dune buggies, Off Highway Vehicle (OHV) or All-Terrain Vehicles (ATV). Motorized wheelchairs shall be exempt.
8. **“Non-motorized Vehicle”** - means any non-motorized conveyance including, but not limited to the following: bicycles, unicycles, in-line skates, roller skates, roller skis, skateboards, scooters, wheelchairs, wagons, bicycle trailers and motorized wheelchairs.

9. **“Trail”** - means all the land contained within the area designated as a City Recreation Trail by resolution of the Crosslake City Council or other governmental unit or agency. Trails include but are not limited to, paved bituminous, concrete, class five, grass or wood chip surfaces either owned or maintained by the City for public use.
10. **“Trail Treadway”** - means that part of the trail constructed for travel.
11. **“Snowmobile”** - means a self-propelled vehicle designed for travel on snow or ice steered by skis or runners.
12. **“Recreational Facilities”** – means any facility used for recreational purposes.

SEC. 12.03. PARK/TRAIL HOURS

Subd. 1. Parks and trails shall be open year-round with the following exceptions:

- A. Parks and trails may be closed at the discretion of the Director or his designee.
- B. No person shall remain within a park between the hours of 10:00 p.m. and 5:00 a.m.

Subd. 2. The use of parks and trails during periods in which they are closed may only be allowed by permit, issued by the Director or designee, specifically allowing such use as indicated on the permit and subject to any conditions imposed by the Director or designee.

Subd. 3. No one is permitted to be in a park except between opening hours and closing hours, with the exception of the provision listed in subdivision 2.

SEC. 12.04. FEES

Subd. 1. The Crosslake City Council may establish park user fees by resolution approved by a majority of the City Council, from time to time, as are necessary to maintain the city park system; such fees may vary from park to park.

SEC. 12.05. PUBLIC SAFETY

Subd. 1. It shall be unlawful for any person to have in his or her possession within a park or trail, any rifle, shotgun, handgun, muzzle loading musket, BB gun, pellet gun, crossbow, bow and arrow, sling shot, paintball gun or other firearms; including all defined terms as set forth in Minn. Stat. Section 624.712, unless otherwise authorized in writing by the Director or City Council.

Subd. 2. It shall be unlawful for any person to have in his or her possession, within a motorized vehicle, within a park or trail, any rifle, shotgun, handgun, muzzle loading musket, BB gun, pellet gun, crossbow, bow and arrow, sling shot, paintball gun or other firearms, including all defined terms as set forth in Minnesota Statutes Section 624.712, unless the same is unloaded and contained in the trunk of a motorized vehicle with the trunk door closed; provided, that this Section shall not apply to any peace officer's being upon said premises while in the performance of his/her duties.

- Subd. 3.** It shall be unlawful for any person to use or have in his/her possession explosives of any kind, including firecrackers and other kinds of fireworks, or incendiary devices, as defined by Minnesota Statutes, Section 609.668, Subdivision 1, within a park or trail unless otherwise authorized by the Director or City Council.
- Subd. 4.** It shall be unlawful for any person to use or display any type of weapon within a park or trail, including, but not limited to, slingshots, switch blade knives, bow and arrows, crossbows, and traps, except bow and arrows allowed under Minnesota Statutes, Section 97B.035 in permitted hunting areas or designated archery ranges.
- Subd. 5.** It shall be unlawful for any person to discharge any missile or other projectile into a park or trail from beyond park or trail boundaries or within a park or trail, except in posted areas under the provision of Subdivision 4.
- Subd. 6.** It shall be unlawful to fish within a designated swimming area.
- Subd. 7.** It shall be unlawful to possess, serve, sell or consume any beer, wine or alcoholic beverage within a park or on a trail except by permit or in areas designated by the Director. See Crosslake City Code Chapter 4, Alcoholic Beverages Licensing and Regulations
- Subd. 8.** Persons under the influence of intoxicating liquor or non-prescription drugs shall not enter, be or remain in a park or trail, nor shall any person bring within, possess, give away, sell or transfer any intoxicating liquor or non-prescription drugs in a park or on a trail.
- Subd. 9.** It shall be unlawful to possess glass containers within a park or trail except in designated areas such as the picnic shelter.

SEC. 12.06. ENVIRONMENTAL PROTECTION

- Subd. 1.** No person shall disturb, destroy, injure, damage, or remove any property within a park or trail including, but not limited to, vegetation, ruins, wildlife, geological formations, signs or facilities, except edible fruit and wild animals specifically permitted and legally taken under the provisions of Section 12 of this Ordinance. Collections for scientific and educational purposes may be authorized after obtaining a permit or written permission from the Director or designee.
- Subd. 2.** No person shall burn or dispose of garbage, refuse, tires, used appliances, litter or trash within a park or trail. If an appropriate receptacle has not been provided, the person who brought the waste in/onto the park or trail must haul it away for proper disposal.
- Subd. 3.** No person shall dispose of any type of waste, garbage, refuse, litter, trash, fish or game entrails generated offsite, in or on a park or trail.

SEC. 12.07. FIRES

- Subd. 1.** Fires within a park or trail are permitted only in fireplaces, portable fire grills, stoves or fire rings provided for that purpose.

- Subd. 2.** Fires shall be attended at all times and be completely extinguished. Charcoal shall be disposed of in designated containers.
- Subd. 3.** The Director or designee has the sole discretion to prohibit fires during such times as necessary to ensure public safety and/or resource protection.

SEC. 12.08. DOMESTIC ANIMALS

- Subd. 1.** Pets will be permitted in parks and trails, provided that no person shall allow any dog, cat or other animal to enter any building or beach except service dogs as defined in Minnesota Statutes, Section 256C.02.
- Subd. 2.** All pets shall be attended and effectively restrained and controlled by a leash not exceeding six feet in length, except in areas specifically allowing off-leash use, and such pets shall not be permitted to deprive or disrupt the enjoyment or use of any area by other persons.
- Subd. 3.** Persons bringing animals into a park or trail shall be responsible for picking up and properly disposing of droppings left by the animal.
- Subd. 4.** Persons may operate a dog sled, skijoring device or any other sled/ski equipment pulled by a dog or other animal only in areas and at such times as designated by the Director or designee.
- Subd. 5.** Horses shall be prohibited in any park or on any trail unless a permit has been issued by the Director or designee.

SEC. 12.09. PICNICKING/PICNIC SHELTER USE

- Subd. 1.** Picnicking and lunching in any place other than those designated for that purpose by the placement of picnic tables is prohibited. Attendants may regulate the activities in such areas when necessary to prevent congestion and secure the maximum use of the picnic shelter (including the Crosslake/Ideal Lions Picnic Shelter) for the comfort and convenience of all. Visitors shall comply with directions given to achieve this end.
- Subd. 2.** The use of individual stationary grills together with tables generally follows the rule of “first come, first served,” except where prior reservations have been made.
- Subd. 3.** It shall be unlawful to possess glass containers within a park or trail except in designated areas such as the picnic shelter.
- Subd. 4.** The person signing the Picnic Shelter Use Permit for use of the facility shall be responsible for damaged, broken or missing property and shall reimburse the city for all such losses incurred. This person shall be responsible to inform their group of the usage regulations.
- Subd. 5.** Persons under the influence of intoxicating liquor or non-prescription drugs shall not enter, be, or remain in the picnic shelter, nor shall any person bring within, possess, give away, sell or transfer any intoxicating liquor or non-prescription drugs in the picnic shelter.
- Subd. 6.** Park users may not deface any portion of the building, picnic shelter, or other equipment in furtherance of their activity. All decorations must be approved by

the Director or designee prior to the scheduled activity.

- Subd. 7.** The picnic shelter shall be vacated by 10 P.M. and will not be reserved past 10 P.M. without approval by the Director or designee.
- Subd. 8.** Equipment or materials brought in by groups should be brought in the day of rental and taken out after the scheduled time frame of the event. No storage of personal property is allowed.
- Subd. 9.** Use of materials on floors, walls, or other parts of the shelter is prohibited without prior approval of the Director or designee.
- Subd. 10.** Parking and deliveries are restricted to the blacktop areas. There is to be no driving of vehicles on turf or other vegetated areas, sidewalks or on the concrete slab adjoining the shelter. Vehicles will be towed away at the owner's expense.
- Subd.11.** Any additions, deletions, or exceptions to the above policies and regulations must be with the prior approval of the Director or designee.

SEC. 12.10. PLATTED PUBLIC RIGHTS OF WAY TO PUBLIC WATERS

There are various public rights of way that lead to the water within the City of Crosslake which have been dedicated to the public through the approval of plats and/or dedicated to the public through use and maintenance by the City. The City views these areas as green space, with use of these areas controlled by the City. See Chapter 6 Section 6.31 regarding vacation of right of ways.

- Subd. 1.** The removal/maintenance or planting of any trees, vegetation or soils is prohibited.
- Subd. 2.** Structures or storage of personal property of any sort on, above or below ground is prohibited in these areas.
- Subd. 3.** Access to private property may be allowed over these access areas if alternative means of ingress and egress is not possible and the appropriate permit is first approved by the Planning and Zoning Department. Impervious driveways are not permitted on these access areas unless authorized by the City Council.
- Subd. 4.** All regulations contained in the City of Crosslake Open Zoning District shall apply to these areas.
- Subd. 5.** Structures on adjacent lots shall be set back a minimum of ten feet from the side lot lines and are subject to the respective zoning district standards.
- Subd. 6.** Watercraft may be launched or removed only at accesses designated for such use.
- Subd. 7.** No person shall leave, store or moor on or directly in front of any public access any watercraft after such person has left the lake area or cause such watercraft to remain on the access site overnight.
- Subd. 8.** No watercraft may be operated in a designated swimming area.
- Subd. 9.** Motorized use of accesses shall be permitted for winter recreational purposes.

SEC. 12.11. CAMPING

Subd. 1. Overnight camping is prohibited on park or trail property.

SEC. 12.12. HUNTING/TRAPPING/GATHERING

Subd. 1. No hunting or trapping shall be allowed in parks or trails except as authorized by a permit approved by the City Council.

Subd. 2. Hunting stands of any kind shall be prohibited along or within a trail or park unless otherwise permitted by the Director.

Subd. 3. The gathering of or removal of plants in whole or part, including berries, pine/fir cones, nuts and seeds and other similar vegetative materials for commercial purposes is prohibited. Gathering for personal use shall be allowed, with a permit issued by the Director, provided such activity does not result in destruction or serious depletion of the resource and provided such gathering is permissible under state laws. Under no circumstance may federal or state listed rare, threatened or endangered species be gathered.

Subd.4. See also Crosslake City Code Chapter 7, Section 7.24.

SEC. 12.13. COMMERCIAL BAIT COLLECTION

Subd. 1. Access from a park to a body of water for the purpose of seining minnows or collecting other aquatic animals for commercial use is prohibited.

SEC. 12.14. VEHICULAR/ TRAIL TRAFFIC

Subd. 1. Full compliance with all applicable provisions of the State Motor Vehicle Traffic Laws (Minnesota Statutes Chapter 169) in regard to equipment and operation of vehicles, together with such regulations as are contained in this and other ordinances shall be required within parks and trails.

Subd. 2. It is unlawful to operate any motorized vehicle within the boundaries of any park, except upon designated roads.

Subd. 3. It is unlawful to operate any motorized vehicle at a speed in excess of the posted speed.

Subd. 4. No motorized vehicles or snowmobiles shall be allowed on the Daggett Pine Trail, West Shore Drive Trail or the small portion of paved trail along county road #3 between Pioneer and Swann.

Subd. 5. It is unlawful for any person to operate or halt any Motorized or Non-motorized vehicle carelessly or heedlessly in disregard of the rights or the safety of others.

Subd. 6. It is unlawful to park any motorized vehicle in other than designated parking areas.

Subd. 7. A person may operate a snowmobile only on designated and posted trails with conditions of snow cover considered adequate for the protection of the trail by the Director or designee (CSAH 66).

Subd. 8. Vehicles parked on park property after posted closing hours, or in areas other than parking lots designed for parking may be towed away (impounded) at the cost and expense of the owner thereof. Authority to park in an area other than the parking lots designed for that use may be obtained through a permit specifically designating such use as approved by the Director or designee.

Subd. 9. It shall be unlawful to use trails in a manner other than those posted.

Subd.10. It shall be unlawful to direct snow or debris of any kind onto a trail from private property. This would include runoff of silt and sediments from private property onto a trail treadway or trail.

SEC. 12.15. PROTECTION FROM PEDDLING AND SOLICITING

Subd. 1. The placing of advertising, decoration, or any other device for the purpose of peddling and soliciting in a park, public rights of way that leads to the water, or on a trail is prohibited without authorization from the Director.

SEC. 12.16. RESTRICTED AREAS

Subd. 1. It shall be unlawful to enter, by any means, an area posted “Restricted.”

SEC 12.17. PERMITS / RESERVATIONS / SPECIAL USE PERMITS

Subd. 1. Permits, reservations and special use permits may be obtained from the Director.

Subd. 2. All persons claiming possession of a permit, reservation or special use permit issued by the Director or designee must be able to produce or exhibit said permit upon request from any authorized person who shall desire to inspect same for the purpose of enforcing compliance with any ordinance, regulation, or rule.

Subd. 3. A person to whom a permit, reservation or special use permit is issued shall be liable for any loss or damage to park or trail property by any person from the group they represent.

Subd. 4. The Director, or his/her designee, shall have the authority to revoke any permit, reservation or special use permit upon finding a violation of any rule or ordinance.

Subd. 5. The Director may refuse any permit, reservation or special use permit for any cause as he/she may determine. Reasonable fees, established by the City Council, may be charged for permits, reservations, and special use permits.

Subd. 6. The use of electronic sound equipment including, but not limited to, public address systems, musical instruments, and amplifiers shall be prohibited, unless a permit for such use shall have first been obtained and approved by the Director.

- Subd. 7.** The use of electrical generators shall be prohibited, except in designated areas or with a permit first approved by the Director or designee.
- Subd. 8.** Groups of fifty or more people who wish to use a park or trail must first obtain a special event permit from the Director. Excessive noise which disturbs other park or trail users shall be prohibited.

SEC. 12.18. PARK OPERATION

- Subd. 1.** No person shall golf in any park, including the activity of driving or putting a golf ball, unless it is a sponsored activity of the Park and Recreation Department.
- Subd. 2.** Any permit granted pursuant to this Section may be revoked immediately upon the violation by the permittee of any provision of this Section, or any other ordinance, rule or regulation adopted by the City or any applicable State Statute.
- Subd. 3.** It shall be unlawful for any person to use any facility or area for which a fee or charge has been established by the City without payment of the fee or charge. The City shall not be liable for any loss, damage or injury sustained by a park or trail visitor.
- Subd. 4.** Any park or portion thereof may be declared closed to the public by the City Council, Director or designee at any time and for any interval of time or to certain uses, as the City Council or Director shall find reasonably necessary.
- Subd. 5.** Nothing in this Section shall prevent employees or agents of the City of Crosslake from performing their assigned duties.
- Subd. 6.** No person shall impersonate any employee of the City of Crosslake Parks and Recreation Department, nor interfere with, harass or hinder any employee in the discharge of his or her duties.

SEC. 12.19. ENFORCEMENT

- Subd. 1.** Any person who violates any of the provisions of this Ordinance, or who fails or refuses to comply with the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of up to \$700 or by imprisonment for up to 90 days or both. Violators may also be removed from a park or trail.
- Subd. 2.** The provisions of this Ordinance shall be enforced by the appropriate authority, which includes but is not limited to the Crosslake Police Department and referrals to the appropriate authority by the Parks and Recreation Department, Planning and Zoning Department, Public Works Department, City Hall Administration and the Minnesota Department of Natural Resources.
- Subd. 3.** Nothing in this Ordinance shall prevent employees of the city, county, state or federal governments, emergency service providers or approved contractors from performing their assigned duties.
- Subd. 4.** Nothing in this Ordinance is intended to restrict the exercising of discretion by the Director in the management of Parks or Trails.

Subd. 5. Nothing in this Ordinance shall prohibit the City Council from pursuing criminal prosecution or civil remedies as provided pursuant to federal law, state law or other City ordinances.

Subd. 6. If any Section or portion of this Ordinance shall be found unconstitutional or otherwise invalid or unenforceable by a court of competent jurisdiction, that finding shall not serve as an invalidation or effect the validity and enforceability of any other Section or provision of this Ordinance.

Source: Ordinance No. 267, Third Series
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