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NICOLE K. LUETH
HUBBARD COUNTY RECORDER
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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.

It shall be unlawful for any person to:

- a. Deface, destroy, diminish or impair the value or appearance of public or private property located within any public park in the County of Hubbard, including buildings, structures, signs, trees, shrubs or vegetation located thereon or growing therein.
- b. Litter, drop, dispose, abandon or cast bottles, cans, paper, waste, or trash, except in receptacles provided for such purpose, or deposit any household or yard waste of any kind or nature in or about any public park in the County of Hubbard, including the surrounding water area.

Section III. Operation of Motor Vehicles.

It shall be unlawful for any person to:

- a. Operate a motor vehicle of any kind in a dangerous or reckless manner or to cause damage or harm to any person, animal, or private or public property.
- b. Operate or park a motor vehicle in any park except on roads or in designated parking areas unless authorized by permit.
- c. Park or allow to remain parked a motor vehicle during which times the park is considered closed unless authorized by the Parks Department.
- d. Operate a motor vehicle in excess of 15 miles per hour.

Section V. Park Hours and Dates of Operation.

- a. Parks shall be open to the public daily between the hours of 6:00 am and 10:00 pm.
- b. It shall be unlawful for any person to remain in a park at any other time without the coverage of a Park Permit or when the park, or portion of the park, is otherwise designated for use outside of normal park hours as permitted by the Parks Department.
- c. Park facilities will be available for reservations from May through September or as weather permits.

Section VI. Open Fire Prohibited.

It shall be unlawful for any person to:

- a. Start a fire in any place in any park except in fireplaces or portable grills designed such use. All fires may be prohibited during extremely dry weather.
- b. Leave a fire unattended or fail to fully extinguish a fire; or
- c. Scatter or leave unattended lighted matches or other combustible materials.

Section VII. Unleashed Pets Prohibited.

It shall be unlawful for any person to:

- a. Permit a dog or other pet animal to run unleashed or untethered or at large in any park unless said dog or pet animal is part of an organized event where the dog or pet animal is a participant in the event. Leashes shall not exceed 10 feet in length.
- b. Fail to pickup & dispose of their pet's feces.
- c. Allow their dogs or pet animals on the swimming beach or in the water at the swimming beach.

Section VIII. Swimming or Wading in Certain Areas Prohibited.

It shall be unlawful for any person to:

- a) 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 Parks Department shall have the authority to prohibit the use of such equipment as the department deems dangerous to persons engaged in swimming or wading and to prohibit such activities or conduct as the department 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 Prohibited.

It shall be unlawful for any person to:

- a) Create, make or amplify any noise made by the playing of radios or other electronic devices or by yelling, screaming, swearing, threatening, assaulting, striking or fighting or quarreling, cursing or using obscene language or conversation, or any unusual noises which are considered a nuisance affecting public peace and safety.

Section X. Overnight Camping.

- a) Overnight camping is prohibited in any park except by Park permit.

Section XI. Use of Horses.

- a) The riding or driving of horses is prohibited unless allowed via a Park permit.

Section XII. Consumption and Possession of Alcoholic Beverages.

It shall be unlawful for any person to:

- a) Possess or consume intoxicating beer, wine, and/or 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 Hubbard County Parks Department or by utilizing the online reservation system found on the Hubbard County website.

Section XIV. Reservation of Athletic/Recreational Facilities.

Reservations of athletic/recreational facilities may be made by submitting a Park Permit application with the Parks Department and paying the appropriate reservation fee. The Parks Department will review the

application and issue a permit if the request does not conflict with other park uses and is considered an appropriate use of park facilities.

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.

It shall be unlawful for any person to:

- a) Carry or transport a loaded firearm(s) within a Park or use any firearm, bow and arrow, air rifle, slingshot or other missile propelling weapon therein except as otherwise permitted by law.

Section XVI. Vendor Policy.

It shall be unlawful for any person to:

- a) Solicit, sell, or otherwise peddle any good, wares, merchandise, services, food or drinks in a park except as permitted by the County Board.
 - i. Requests from vendors to vend in a park will be submitted to the County Land Commissioner, or his designee, who will review them with the County Board.
 - ii. 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.
 - iii. Vendors must comply with all Federal Laws relating to non-discrimination on the grounds of race, color, national origin, handicap or age.
 - iv. 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 1.5 million dollars per person 3 million dollars aggregate unless having umbrella coverage above and beyond that limit.
 - v. The County Board may require a vendor fee and damage deposit.

XVII Powers of Enforcement.

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 park shall have the power to enforce the provisions of this ordinance.

Section XVIII. Penalties.

In the event of violation or threatened violation of this Ordinance or any regulation property 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.

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 18th Day of August, 2020, and shall be effective September 5, 2020.

BOARD OF COUNTY COMMISSIONERS
Hubbard County, Minnesota

ATTEST:


Eric Nerness, Coordinator

BY:


Charlene Christenson, Board Chair

