

# ***PARKS ORDINANCE #218***

**An ordinance governing parks  
under the jurisdiction of  
Washington County, Minnesota**



Washington County Parks  
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Lake Elmo, Minnesota 55042

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**WASHINGTON COUNTY, MINNESOTA**

**ORDINANCE NO. 218**

**AN ORDINANCE GOVERNING PARKS  
UNDER THE JURISDICTION OF WASHINGTON COUNTY,  
AND REPEALING ORDINANCE NUMBERS 93, 129, 155, 174, 199 AND 213**

**CHAPTER I – PURPOSE/AUTHORITY/DEFINITIONS**

Section 1 – Purpose

The WASHINGTON COUNTY BOARD OF COMMISSIONERS deems it reasonable, necessary, and desirable to provide an ordinance specifying rules and regulations in order to provide for the safe and peaceful use of park lands; for the education and recreation of the public; for the protection and preservation of the property, facilities, and natural resources; and for the safety and general welfare of the public.

Section 2 – Authority

The WASHINGTON COUNTY BOARD OF COMMISSIONERS, under Minnesota Statutes 398.31 – 398.35 in performing its primary duty of the acquisition, development, operation and maintenance of parks, trails and related facilities and providing the means for public access to historic sites, lakes, rivers, streams and other natural features; is granted full power and authority to acquire and establish parks and to operate, maintain, protect and improve a park system; and conduct a recreational program. As an aid to the accomplishment of their duties, the Board is granted the authority to enact ordinances and to declare that the violation thereof shall be a misdemeanor.

### Section 3 – Definitions

- a. “Alcoholic Beverage” includes any intoxicating beverage as defined by Minnesota law and includes beer and wine.
- b. “Area” or “areas” means a specified place within a park.
- c. “Beach” means that part of a body of water and shore, natural or man-made, designated for swimming.
- d. “Bicycle” means any non-motorized vehicle which is driven by means of pedaling. Such vehicles include but are not limited to: road bicycles, mountain bicycles, recumbent bicycles, tricycles, and mopeds with the motor off.
- e. “Board” means the appointed and elected members of the Washington County Board of Commissioners.
- f. “Cannabis flower,” “cannabis products,” “lower-potency hemp edibles,” and “hemp-derived consumer products” means any substance defined and regulated by Minnesota Statutes, Section 342.01.
- g. “Conservation Area” means land or water area and all facilities thereon, under the jurisdiction, control or ownership of Washington County’s Parks Division that is designated as a unit within the Washington County Park System for the purpose of protecting natural resources, and/or providing significant water quality, habitat, and wildlife benefits.
- h. “Controlled Substance” means any drug, substance, or immediate precursor defined and regulated by Minnesota State Statute and, local ordinances, if applicable.
- i. “Director” means the Director of Public Works or designee.
- j. “Electric Recreational Vehicle” means any self-propelled vehicle with one, two or three wheels that may also be propelled by means of pedaling or pushing. Such vehicles include, but are not limited to, electric bicycles, Segways, and electric scooters.
- k. “Skating” means riding or propelling oneself by human power or gravity on wheeled devices that are worn on a person’s feet or stood upon by a person. Such devices specifically include, but are not limited to, roller skates, in-line skates, roller skis, skateboards, and scooters.
- l. “Motor Vehicle” means a self-propelled vehicle intended to be driven on or off a roadway. Such vehicles include, but are not limited to, cars, trucks, motorcycles, motorized scooters, mopeds, mini-bikes,

golf carts, go-carts, amphibious vehicles, dune buggies, snowmobiles, or all-terrain vehicles (ATV).

- m. "Natural Resources" means all flora, fauna, and funga within parks and the physical factors upon which they depend; including air, water, soil, and minerals.
- n. "Park" means any land, water area, or trail corridor and all facilities thereon, under the jurisdiction, control, or ownership of Washington County, and designated for recreational use and/or protection of natural resources and as a public park by the Washington County Board of Commissioners.
- o. "Parks Division" means an operating unit of the Public Works Department responsible for the operation and maintenance of Washington County Parks.
- p. "Person" or "Persons" means individuals, firms, corporations, societies, or any groups.
- q. "Pet" means any animal that is domesticated or kept as a companion.
- r. "Pollutant" means any substance, liquid, or gas which could cause contamination of air, land, or water to create or cause a nuisance or render unclean or noxious or impure so as to be actually or potentially harmful, or detrimental or injurious to public health, safety, or welfare.
- s. "Possession" as related to a controlled substance, means:
  - Physical Possession: Having a controlled substance on one's person with knowledge of the nature of the substance.
  - Constructive Possession: Having once possessed a controlled substance, continuing to exercise dominion and control over the substance up to the time of arrest, aiding and abetting another in possessing a controlled substance.
- t. "Property" means any land, waters, facilities, or possessions of Washington County.
- u. Unmanned Aircraft System (UAS) - An unmanned aircraft system is an unmanned aircraft and the equipment necessary for the safe and efficient operation of that aircraft. An unmanned aircraft is a component of a UAS. It is defined by statute as an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft (Public Law 112-95, Section 331(8)).
- v. "Use Permit" means valid written permission that must be obtained from the Parks Division to camp overnight in a park, to carry out

certain activities therein, or to obtain exclusive use of all or portions of specific areas, building, and other facilities for conducting special events.

- w. "Watercraft" means any contrivance used or designated for navigation on water.
- x. "Weapon" means any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including, but not limited to, any firearm, whether loaded or unloaded; air guns; pellet guns; BB guns; blades; clubs; martial art weapons; electronic weapons; explosives; fireworks; ammunition; poisons; chains; and objects that have been modified to serve as a weapon.
- y. "Wildlife" means any living creature, not human, wild by nature, endowed with sensation, power of voluntary motion, including but not limited to mammals, birds, fish, amphibians, reptiles, crustaceans, and mollusks.

## **CHAPTER II – REGULATION OF GENERAL PUBLIC USE**

### **Section 1 – Park Hours**

- a. Parks shall be open to the public daily from 6:00 a.m. until 10:00 p.m. unless otherwise designated by the Director. It shall be unlawful for any person to enter or remain in a park at any other time without a use permit.
- b. Conservation areas shall be open to the public daily from sunrise until sunset unless otherwise designated by the Director. It shall be unlawful for any person to enter or remain in a conservation area at any other time without a use permit.
- c. Boat launches shall be open until 11:00 p.m. for recovery of watercraft.
- d. The Director is authorized to close any park or portion thereof at any time for the protection of park property or for public health, safety, or welfare.

### **Section 2 – Use Permits**

- a. Use Permits shall be required for:
  - i. use of all or portions of park or conservation areas, including buildings and trails when the park or conservation area is otherwise closed to the public;
  - ii. events of a commercial, cultural, educational, political, or religious nature, or uses that potentially have a detrimental effect on park property or other park users;
  - iii. events, including private events, such as birthday parties, wedding receptions, family reunions, etc., in which it can reasonably be expected to have fifty (50) or more persons involved; or
  - iv. reservations of campsites, pavilions, picnic areas, or other exclusive use of a park area or regional trail.
- b. Use Permits for conservation areas shall be limited to activities that do not disrupt the natural features. Private events or group activities are not allowed in conservation areas except for the purposes of nature observation, education, or research with an approved use permit.
- c. Issuance and conditions of use permits shall be established through regulations established by the Director.

- d. It shall be unlawful for a person to violate any provisions or conditions of a Use Permit.
- e. The Director may revoke a Use Permit at any time due to a violation of Parks rules or for an emergency as determined at the discretion of the Director.

### Section 3 – Use Fee, Failure to Pay

It shall be unlawful for any person to use, without payment, any park, facility, or area for which a user fee is charged, unless the payment is waived by a use permit.

### Section 4 – Vehicle Permits

It shall be unlawful for any person to drive or park a motor vehicle in parks without appropriately displaying an approved annual or daily vehicle permit, attached with its own adhesive, unless exempted by a use permit.

## **CHAPTER III – REGULATION OF GENERAL CONDUCT AND PERSONAL BEHAVIOR**

### Section 1 – Alcohol and Intoxicating Substances

It shall be unlawful for any person to:

- a. serve, possess, display, or consume any alcoholic beverage within a park or conservation area, unless otherwise authorized by use permit;
- b. use, manufacture, sell, give away, barter, exchange, distribute, or otherwise transfer intoxicating substances or controlled substances, except for the use of a lawful medication prescribed by a person licensed by law to prescribe and administer controlled substances;
- c. be under the influence of controlled substances, other intoxicating substances, or alcohol to the point of intoxication, or loss of motor skills or consciousness, or other factors that may injure the party or adversely affect other park or conservation area visitors; or
- d. have a blood alcohol concentration higher than .08 at any park or conservation area.

### Section 2 – Tobacco Use

It shall be unlawful for any person to use any form of tobacco or electronic cigarette product within 100 feet of any beach or playground, fishing pier, inside any park building or structure, and in locations as designated by the Director.

### Section 3 – Cannabis Use

It shall be unlawful for any person to:

- a. vaporize, smoke, serve, possess, display, or consume cannabis flower, cannabis products, lower-potency hemp edible, artificially derived cannabinoids, or hemp-derived consumer products within a park or conservation area, unless otherwise authorized by use permit;
- b. use, grow, manufacture, sell, give away, barter, exchange, distribute, or otherwise transfer cannabis flower, cannabis products, lower-potency hemp edible, artificially derived cannabinoids, or hemp-derived consumer products, except for the use of a lawful medication prescribed by a person licensed by law to prescribe and administer controlled substances; or

- c. be under the influence of cannabis flower, cannabis products, lower-potency hemp edible, artificially derived cannabinoids, or hemp-derived consumer products to the point of intoxication, or loss of motor skills or consciousness, or other factors that may injure the party or adversely affect other park or conservation area visitors.

#### Section 4 – Personal Conduct and Prohibitions

It shall be unlawful for any person to:

- a. engage in brawling or fighting or exhibit threatening, violent, disorderly, or indecent behavior;
- b. make unreasonable noise or coarse utterance, gesture or display;
- c. address or use offensive, obscene or abusive language or engage in boisterous, noisy, or threatening conduct reasonably tending to arouse alarm, anger or resentment in others; or
- d. threaten or discriminate against another individual on the basis set forth in Minnesota Statutes Chapter 363A, and any amendments thereto.

#### Section 5 – Property of Others

It shall be unlawful for any person to:

- a. intentionally disturb, harass, or interfere with a park or conservation area visitor's property;
- b. Be in possession of a park or conservation area visitor's property, without permission from its owner;
- c. leave or store personal property on park or conservation area property without a use permit, unless authorized by the Director; or
- d. enter a park or conservation area user's tent, camper, or vehicle without permission from its owner.

#### Section 6 – Littering

It shall be unlawful for any person to:

- a. deposit, scatter, drop or abandon waste in a park or conservation area, except in receptacles provided for such purpose; or
- b. deposit, scatter, drop or abandon waste generated outside the park into receptacles within the park.

## Section 7 – Possession and Use of Weapons

It shall be unlawful for any person to:

- a. possess, fire, discharge, or cause to be discharged across, in, or into any portion of a park or conservation area, any weapon, except in areas and at times designated by the Director for such use, or as authorized by use permit; or
- b. possess, set off or attempt to set off or ignite any firecrackers, fireworks, smoke bombs, rockets, black powder guns or other pyrotechnics unless otherwise authorized by use permit.

Exemption: Persons with a valid Minnesota firearms permit, or a valid permit from another state which is recognized in Minnesota, may possess a weapon in a park or conservation area to the extent permitted by Minnesota Statutes.

## Section 8 – Interference with Employee Performance of Duty

It shall be unlawful for any person to:

- a. impersonate an employee of Washington County;
- b. interfere with, harass, intimidate, or hinder an employee in the lawful discharge of their duties; or
- c. violate any Washington County employee's personal safety, including by verbal, physical, or other means.

## **CHAPTER IV – REGULATIONS PERTAINING TO GENERAL PARKLAND OPERATION**

### Section 1 – Commercial Use/Solicitation/Advertising/Photography

It shall be unlawful for any person to:

- a. solicit, sell, or otherwise peddle any goods, wares, merchandise, services, liquids, or edibles in a park or conservation area except by authorized concession or as authorized by use permit;
- b. operate a still, motion picture, video, or other camera for commercial purposes in a park or conservation area unless otherwise authorized by use permit; or
- c. expose, distribute, or place any sign, advertisement, notice, poster or display in a park or conservation area unless information is sponsored by Washington County.

### Section 2 – Pets

It shall be unlawful for any person to:

- a. allow a pet, except a trained service animal, to enter or be in a conservation area;
- b. allow a pet to enter or be within a park's:
  - i. indoor facilities;
  - ii. campgrounds;
  - iii. picnic areas;
  - iv. beach areas;
  - v. swim pond;
  - vi. playgrounds; or
  - vii. undeveloped or natural areas, off of designated trails.

Exemptions from this prohibition may be made by the Director or authorized by use permit.

- c. violate Minnesota Statutes that regulate service animals. An emotional support animal is not considered a service animal. Misrepresenting a pet as a service animal constitutes a violation of state law that may be prosecuted;
- d. allow a pet to be in a park unless caged or kept on a 12-foot leash that is connected to the individual responsible for the pet, except in areas designated by the Director;

- e. allow a pet to disturb, harass, or interfere with any park visitor, park visitor's property, park employee, park employee's property, the employees or property of a contractor of the County, or to endanger the safety of park visitors, park employees, or employees of a contractor of the County;
- f. allow a pet to disturb, harass, or interfere with wildlife or wildlife nesting areas;
- g. operate a dog sled, skijoring device, or any other sled/ski equipment pulled by an animal except on designated trails or as authorized by use permit;
- h. to leave a pet unattended or tethered to a tree, plant, building, or park equipment; or
- i. leave pet waste on park property; or not properly dispose of pet waste.

### Section 3 – Noise/Amplification of Sound

It shall be unlawful for any person to:

- a. use any audio device such as speakers, radios, and musical instruments that may be heard from 25 feet or more away. Groups or picnic shelter users may apply for a use permit for amplified sound, and the amplified sound must be heard no more than 50 feet away; or
- b. make, or cause to be made any loud, unnecessary, or unusual noise which disturbs the peace and quiet within any park or conservation area, or which causes discomfort or annoyance to any reasonable park or conservation area visitor of normal sensitivity.

These standards shall be used to determine whether a violation of the provisions of this section has occurred, and shall include, but not be limited to, the following:

- i. the level of the noise;
- ii. the intensity of the noise;
- iii. the level and intensity of the background noise, if any;
- iv. the type of area within which the noise emanates;
- v. the intensity of human use of the area during the time at which the noise emanates;
- vi. the time of the day or night the noise occurs;
- vii. the duration of the noise; or

viii. complaints generated by other park or conservation area users.

Interpretation of this criteria shall be made by the Parks Division, who shall have full authority to allow, deny or control levels of sound of park or conservation area users.

#### Section 4 – Fires

It shall be unlawful for any person to:

- a. start a fire in a conservation area;
- b. start a fire in a park, except in a designated permanent fire ring or grill, portable grill or camp stove located at least 25 feet away from any structure or combustible material, or as authorized by the Director;
- c. build a fire with a size that can't be reasonably managed within the containment area of a designated fire ring or grill;
- d. leave a fire unattended or fail to fully extinguish a fire;
- e. scatter or leave unattended lighted matches, burning tobacco, paper, hot coals, or other combustible material, except in special containers for that purpose or other sites approved by the Director; or
- f. disobey park staff or law enforcement officer when ordered to extinguish a fire in any location at any time.

The Director may authorize the use of fire as part of controlled/prescribed burns and natural resource management.

The Director may limit or ban the building of fires at any time for the protection of park property or for public health, safety, or welfare.

#### Section 5 – Aviation

It shall be unlawful to use a park or conservation area as a starting or landing field for aircraft, hot air balloons, parachutes, hang gliders, unmanned aircraft systems (UAS), "drones", or other flying apparatus, unless otherwise authorized by use permit.

#### Section 6 – Unlawful Occupancy

Within any park or conservation area, it shall be unlawful for any person to enter or remain in areas that may be under construction or locked or closed to public use unless otherwise authorized by use permit.

## **CHAPTER V – PROTECTION OF PROPERTY, STRUCTURES AND NATURAL RESOURCES**

### Section 1 – Natural Resources

It shall be unlawful for any person to:

- a. intentionally remove, alter, injure, or destroy any tree, leaves, other plant, rock, soil, or mineral;
- b. dig trenches, holes or other excavations in a park or conservation area without a use permit;
- c. introduce any plant or other agent within a park or conservation area without a use permit;
- d. transport or use uncertified firewood in violation of Minnesota Department of Agriculture rules or regulations;
- e. gather firewood without a use permit, except by registered campers for camping purposes. Firewood must be dead wood with a diameter width of 6" or less, that is found on the ground in designated areas;  
or
- f. forage or gather flora without a use permit, including but not limited to fungi, berries, nuts, seeds, and oil. Foraging activities must be for personal use and in designated areas.

### Section 2 – Wildlife

It shall be unlawful for any person to:

- a. kill, trap, hunt, remove, harass, pursue or in any manner disturb or cause to be disturbed, any species of wildlife, or byproduct of wildlife, except as permitted in designated areas;
- b. feed any wildlife or feral animals in a park; or
- c. release or abandon any animal within a park or conservation area without a use permit.

The Director may initiate wildlife population management techniques, as needed, to control and manage animal populations within the park or conservation area to provide for the overall health and safety of the park, conservation area, park or conservation area users, and park or conservation area natural resources.

### Section 3 – Park Property/Signs

It shall be unlawful for any person to:

- a. deface, vandalize, or otherwise cause damage to park or conservation area property; or
- b. deface, destroy, cover, damage, falsely imitate, or remove any placard, notice, or sign, or parts thereof, whether permanent or temporary, posted or exhibited by the Director.

### Section 4 – Release of Harmful or Foreign Substance

It shall be unlawful for any person to:

- a. place any debris or other pollutant in or upon any body of water in or adjacent to a park, or any tributary, stream, storm sewer, or drain flowing into such waters; or
- b. discharge wastewater, including grey water and black water, or any other wastes in a park or conservation area, except into designated containers, drain, or dumping stations.

### Section 5 – Aquatic Invasive Species

Clean and Drain areas will be identified at water access locations. Per Minnesota Statutes Chapter 84D, watercraft users are required to complete three main actions before leaving a county water access:

1. Clean off the watercraft by removing all plants, mud, debris, and organisms from the exterior and interior of the watercraft (including angling equipment and the anchor).
2. Drain all water from the watercraft and other water related equipment, including bait water.
3. Pull the plug (it must remain out during transport).

## **CHAPTER VI – REGULATION OF RECREATION ACTIVITY**

### Section 1 – Camping

It shall be unlawful for any person to:

- a. camp in a conservation area;
- b. camp in a park, except with a use permit in areas provided and designated for camping;
- c. occupy camp sites in a park contrary to a use permit or otherwise violate provisions of a use permit or park policy; or
- d. camp in a park, if under 18 years of age, unless accompanied by parent, legal guardian, designated responsible adult, or as part of a sponsored outing conducted by an organization with supervision provided by someone age 21 or older.

### Section 2 – Picnicking

It shall be unlawful for any person to:

- a. picnic in a conservation area;
- b. assume exclusive use of a picnic shelter without a use permit;
- c. occupy picnic shelter and area in a park contrary to a use permit or otherwise violate provisions of a use permit;
- d. set up temporary shelters, tents, tarps, canopies, and other such devices without a use permit;
- e. destroy or remove a use permit posted at a park facility or conservation area; or
- f. depart from picnic site without returning the site to a neat and clean condition. This includes collecting all personal items and properly disposing waste.

### Section 3 – Swimming/Beaches

It shall be unlawful for any person to:

- a. swim (including recreational wading in water) within a park or conservation area, except in such areas specifically designated by signs and buoys for such use and only during the hours as determined by the Director and as posted;

- b. use soap, detergent, or shampoo in or near bodies of water;
- c. intentionally expose genitals, pubic area, full buttocks, or female breast below the top of the areola, with less than a fully opaque covering while wading, swimming, or using any beach or other areas within a park; exceptions are made for breast feeding, in accordance with State Statutes;
- d. bring glass or breakable containers of any kind onto a designated beach and swimming area;
- e. use within a designated swimming beach area, any inner tube, life raft or other inflatable or buoyant object or flotation device intended to support a person, except a United States Coast Guard approved personal flotation device. These devices may be used when properly secured, of the proper size, and undamaged;
- f. throw sand, mud, rocks, or any other object that may cause harm or interfere with other visitor use and experience on the beach or in the water;
- g. fish in an area designated for swimming;
- h. metal-detect or otherwise search for items via excavation without a use permit;
- i. operate or use powered model boats, or diver propulsion vehicles in designated swimming areas; or
- j. fail to adhere to beach policy, rules, and direction provided by Parks staff and lifeguards.

#### Section 4 – Scuba Diving and Snorkeling

It shall be unlawful for any person to:

- a. scuba dive or snorkel in a conservation area;
- b. scuba dive or snorkel in a park in violation of Minnesota Statutes, Chapter 86B “Water Safety, Watercraft and Watercraft Titling Water Safety and Watercraft”;
- c. scuba dive or snorkel in the swim pond, unless authorized by use permit;
- d. scuba dive or snorkel within 100 feet of any watercraft access point; or
- e. conduct scuba diving instruction in or from a park unless authorized by use permit.

## Section 5 – Boating

It shall be unlawful for any person to:

- a. use any type of motorized watercraft within a conservation area;
- b. launch or land watercraft upon any waters within a park or conservation area except at designated locations and times, or as authorized by use permit;
- c. leave any watercraft unattended, except in designated areas;
- d. operate any watercraft in a designated swimming area or other prohibited area;
- e. operate watercraft in a park or conservation area in violation of Chapter V Section 6 of this ordinance; or in violation of Minnesota Statutes, Chapter 86B “Water Safety and Watercraft”; or in violation of Minnesota Statutes, Chapter 84D “Invasive Species”;
- f. tow a person on water skis, inner tube, or any other device; or use a surfboard, kneeboard, or jet ski in designated swimming areas, boat launching areas or other areas as determined by the Director;
- g. launch or operate any watercraft in violation of rules and regulations controlling surface water use as established by the Minnesota Department of Natural Resources; or
- h. operate a watercraft in such a manner that its wash or wake will endanger or harass persons or property.

## Section 6 – Fishing

It shall be unlawful for any person to:

- a. fish in a conservation area, except in areas and at times designated by the Director for such use, or with a use permit;
- b. fish in a park in violation of any provisions of Minnesota Statutes, Chapter 97C “Fishing”;
- c. fish in a prohibited area;
- d. clean fish and dispose of the remains, except in designated locations; or
- e. dispose of bait or fishing equipment except in designated receptacles.

## Section 7 – Horseback Riding

It shall be unlawful for any person to:

- a. ride, lead or allow a horse within a conservation area;
- b. ride, lead or allow a horse within a park except in areas and times designated by the Director;
- c. ride, lead or allow a horse on any hard surface, roadway, or trail except at designated trail crossings;
- d. ride a horse in a reckless manner so as to create a nuisance or endanger the safety or property of any park visitor;
- e. tether a horse to a tree, other plant, building or park equipment not intended for such purpose; or
- f. to have a horse tow carriage or equipment, unless authorized by use permit; or
- g. to leave horse feces or other waste on park property, except on trails designated by Director.

## Section 8 – Bicycling

It shall be unlawful for any person to:

- a. operate a bicycle, except on trails designated for bicycling, and roadways;
- b. operate a mountain bike or similar off-road cycle, except in areas and times designated by the Director;
- c. operate a bicycle in violation of Minnesota Statutes, Chapter 169, “Traffic Regulations”; or
- d. ride or operate a bicycle except in a prudent and careful manner or at a speed faster than is reasonable and safe regarding the safety of the operator and other persons in the immediate area.

## Section 9 – Snowmobiling

It shall be unlawful for any person to:

- a. operate a snowmobile in a conservation area, except in areas and at times designated by the Director for such use, or with a use permit;
- b. operate a snowmobile in a park except on designated trails and then only on the right-hand side of the trail;

- c. operate a snowmobile in a park contrary to rules and regulations established by the Director;
- d. operate a snowmobile in a park in excess of posted speed limits or at a rate of speed greater than reasonable or proper under current condition, or in a careless, reckless, or negligent manner;
- e. operate a snowmobile in violation of Minnesota Statutes Sections 84.81 – 84.90 “Snowmobiles”;
- f. tow another person or thing except through the use of a rigid tow bar attached to the rear of the snowmobile, except in emergencies and for maintenance purposes;
- g. operate a snowmobile in violation of any posted trail sign;
- h. operate a snowmobile on the bituminous paved surface of a trail, excepting bridge crossings; or
- i. operate a snowmobile with metal traction devices, including, but not limited to, carbide studs, on any Washington County trail.

It shall be permissible for law enforcement officers in the performance of their duties to use metal traction devices on all Washington County trails.

#### Section 10 – Cross-Country Skiing

It shall be unlawful for any person to:

- a. cross-country ski in any park except on trails and at times designated by the Director;
- b. conduct a race, meet or organized practice on park cross-country ski trails without a use permit;
- c. cross-country ski in a park without a Washington County approved ski trail pass; or
- d. cross-country ski in a park contrary to park policies, rules, and regulations issued by the Director or in violation of any posted trail sign.

#### Section 11 – Other Winter Activities

It shall be unlawful for any person to:

- a. ice skate, sled, cycle, coast, skijor or operate a dog sled in a conservation area;

- b. ice skate, sled, cycle, coast, snowshoe, ski, skijor or operate a dog sled in a park, except on trails or areas as designated by the Director; or
- c. hike on designated packed or groomed cross-country ski trails after a two-inch or more snowfall, or areas as designated by the Director.

### Section 12 – Skating

It shall be unlawful for any person to:

- a. skate in a conservation area;
- b. skate in a park or park facility, except on trails designated by Director,
- c. skate in a park except in a prudent and careful manner and at a speed that is reasonable and safe regarding the safety of the operator and other persons in the immediate area; or
- d. skate on a roadway within a park.

### Section 13 – Electric Recreational Bicycles/Vehicles

It shall be unlawful for any person to:

- a. operate an electric recreational vehicle, except on trails designated for bicycling and roadways;
- b. operate an electric recreational vehicle unless as close as practicable to the right-hand side of the authorized trail or roadway as conditions permit;
- c. operate an electric recreational vehicle in violation of Minnesota Statutes, Chapter 169, “Traffic Regulations”;
- d. ride or operate an electric recreational vehicle in any but a prudent and careful manner or at a speed faster than is reasonable and safe regarding the safety of the operator and other persons in the immediate area;
- e. operate an electric recreational vehicle with an electric motor that is greater than 1000 watts;
- f. operate an electric recreation vehicle that blocks or impedes traffic on trails or roads unless designated by Director; or
- g. operate any recreational vehicle that has an internal combustion engine on trails designated for bicycling unless designated by Director.

## **CHAPTER VII – REGULATION OF MOTORIZED VEHICLES, TRAFFIC AND PARKING**

### Section 1 – Motor Vehicles

It shall be unlawful for any person to:

- a. operate a motor vehicle at a speed in excess of the posted speed limit, or if not posted, in excess of 25 miles per hour;
- b. operate any motor vehicle within a park or conservation area except upon roadways, parking areas or other designated locations;
- c. operate a motor vehicle within a park in violation of posted regulations, Minnesota Statutes, Chapter 169 “Traffic Regulations”, municipal traffic codes, or orders or directions of traffic officers or park employees authorized to direct traffic;
- d. operate a motor vehicle in a careless or reckless manner;
- e. operate a motor vehicle which emits excessive or unusual noise, noxious fumes, dense smoke, or other pollutants;
- f. fail to yield right of way to pedestrians, bicyclists, and other trail users; or
- g. service or repair personal vehicles in any park or conservation area, unless authorized by the Director.

### Section 2 – Parking Vehicles

The Director shall have the authority to determine and post parking requirements within the park or conservation area.

It shall be unlawful for any person to:

- a. park or leave a vehicle except in a designated parking space or designated overflow parking area, and then only in a manner so as not to restrict normal traffic flow;
- b. leave a vehicle after posted closing hours without having a valid use permit for camping;
- c. park in a space designated for handicapped parking unless the vehicle has a valid and visible handicapped license or permit;
- d. Park or leave a vehicle without a boat trailer in a parking space designated for vehicles with boat trailers,
- e. Park or leave a vehicle with a boat trailer except in a designated boat trailer parking area, or

- f. park any vehicle in a manner that violates posted parking requirements.

## **CHAPTER VIII – ENFORCEMENT**

### Section 1 – Officer Authority

Washington County Sheriff's Office, employees, licensed peace officers, and Washington County Parks and Sheriff's Office staff have the authority to enforce the provisions of this ordinance.

### Section 2 – Fines and Penalties

A person guilty of violating any provision of this Ordinance shall be guilty of a petty misdemeanor as defined in Minnesota Statute §609.02, subd. 4a and may be fined up to, the maximum fine established therein. All fines collected under this Ordinance shall be deposited in the county park fund.

### Section 3 – Additional Rules and Regulations

The Director has the right to issue rules and regulations relative to these Ordinances.

### Section 4 – Impoundment of Pets

Washington County has the right to impound pets and other animals found running at large and shall collect fees from the owner of the pets or animal as follows: an impoundment fee plus any per diem fees specified in the contract for impounding of animals that is in force between Washington County and the pound keeper at that time.

### Section 5 – Use Permit Revocation

The Director has the authority to revoke any park or use permit for good cause as determined by the Director. Any permit or reservation may be revoked upon violation of any ordinance, rule, or regulation of Washington County by the permittee.

### Section 6 – Employee Performance of Duty

Nothing in this Ordinance shall prevent employees or agents of the Parks Division from performing their assigned duties.

## **CHAPTER IX – MISCELLANEOUS**

### Section 1 – Repeals

The enactment of this Ordinance repeals and replaces Washington County Ordinance No. 93, 129, 155, 174, 199, 213.

### Section 2 – Captions and Headings

The captions and headings used herein are for convenience of reference only and do not define or limit the contents of each paragraph.

### Section 3 – Severability

The provisions of this Ordinance shall be deemed to be severable; should any portion of this Ordinance be declared or determined to be illegal, invalid, or unenforceable, only that particular provision or part so found, and not the entire ordinance, shall be inoperative and will not impact the validity or enforceability of the other provisions hereof.

### Section 4 – Amendments

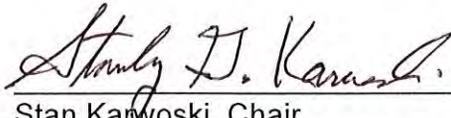
This Ordinance may be amended from time to time by the Board and such amendment may be shown by either marking the section amended, attaching the amendment to this Ordinance, reprinting the Ordinance publication, or filling in the below schedule of information.

Date	Chapter	Section	Title or Description

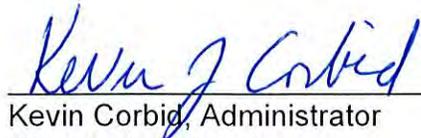
**CHAPTER X – EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage by the Board of Commissioners and publication according to laws.

Passed by the Board of Commissioners of Washington County, Minnesota the 21st day of May, 2024.



Stan Karwoski, Chair  
Washington County Board of Commissioners



Kevin Corbid, Administrator  
Washington County



Jessica Oertel  
Washington County Assistant County Attorney III

Attest:



Stephanie Kammerud, Board Clerk

BOARD OF COUNTY COMMISSIONERS  
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2024-057

DATE May 21, 2024  
MOTION  
BY COMMISSIONER Bigham

DEPARTMENT Public Works  
SECONDED BY  
COMMISSIONER Miron

**RESOLUTION ADOPTING WASHINGTON COUNTY PARKS ORDINANCE #218**

**WHEREAS**, Minnesota Statute section 398.34 authorizes the County to enact an ordinance relating to the County Parks System; and prescribes regulations, not inconsistent with law, for the protection and use of County parks in accordance with Minnesota Statute 398.31 to 398.36; and

**WHEREAS**, Minnesota Statute 466.03, subd. 6e provides immunity to protect the County for purposes related to providing these areas; and

**WHEREAS**, Washington County Parks Ordinance #213, “an ordinance governing parks under the jurisdiction of Washington County, Minnesota” was adopted on September 15, 2020, and is need of policy updates; and

**WHEREAS**, Parks Ordinance #218 is intended to repeal and replace Parks Ordinance #213; and

**WHEREAS**, a County Board Workshop was held to discuss the proposed update on February 27, 2024; and

**WHEREAS**, on April 23, 2024, the Washington County Board of Commissioners held a public hearing pursuant to Minnesota State Statute 398.34 to consider the proposed Parks Ordinance #218; and

**WHEREAS**, the County provided the Commissioner of the Minnesota Department of Natural Resources with 21 days of advance notification of said public hearing as required by Minnesota Statute 398.34, Subdivision 2 due to purposes that may impact public waters of the State of Minnesota.

**NOW, THEREFORE, BE IT RESOLVED**, the Washington County Board of Commissioners hereby adopts Washington County Parks Ordinance #218 and its proposed policies, rules and official controls governing the County Parks System as an update to Parks Ordinance #213.

**BE IT FURTHER RESOLVED**, that the Washington County Board of Commissioners hereby repeals Washington County Parks Ordinance #213, effective on May 21, 2024.

ATTEST:

*Kevin Cortaid*

COUNTY ADMINISTRATOR

*Stan Karwoski*

COUNTY BOARD CHAIR

YES NO

MIRON	<u>X</u>	___
KARWOSKI	<u>X</u>	___
KRIESEL	<u>X</u>	___
BIGHAM	<u>X</u>	___
CLASEN	<u>X</u>	___