REGULATIONS

Revised by the Park Committee 4/19/2012
Approved by the Baldwin Town Board 6/4/12

BALDWIN TOWNSHIP
SHERBURNE COUNTY

AN ORDINANCE GOVERNING PARKS UNDER THE JURISDICTION OF THE BALDWIN TOWN BOARD

Baldwin Township
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THE BALDWIN TOWN BOARD OF SHERBURNE COUNTY HEREBY ORDAINS:

SECTION 1: PURPOSE

The purpose of this Ordinance, which is enacted pursuant to Minnesota Statutes, is to secure the quiet, orderly and suitable use and enjoyment of public park reserves, county recreation areas, county-wide trail systems, wildlife sanctuaries, forest, historical sites, waysides and public access to lakes, rivers and streams in parks established by Baldwin Township, Sherburne County in the State of Minnesota, and to further the safety, health, comfort and welfare of all persons in the use thereof.

SECTION 2: JURISDICTION

This Ordinance shall apply to all of Baldwin Township Parks in the County of Sherburne.

SECTION 3: DEFINITIONS

For the purpose of this Ordinance, the terms defined in this section shall have the meanings given them in this section.

"Alcoholic Beverage" means any intoxicating beverage as defined by Minnesota Statues and include, but is not limited to, intoxicating liquor, strong beer, 3.2 beer, and wine.

"Controlled Substance" means any substance defined as a controlled substance by Minnesota Statues Chapter 152, or by other statutes or Federal law or regulations.

"Motorized Recreational Vehicles" means any self-propelled, off-the-road, or all terrain conveyance, including but not limited to, a snowmobile, mini-bike, amphibious vehicle, motorcycle, go-cart, trail bike or dune buggy.

"Park" means any government owned land or water area above the OHW mark, and all facilities thereon, established as a park by Baldwin Township pursuant to its authority under Minnesota Statutes.

"Park Administrator/Town Board" means the person designated by the Town Board to serve as the chief administrative officer of the Baldwin Township Park System or his/her designee and/or the person designated by the Baldwin Town Board with the responsibility for the operation and management of a particular park or parks.

"Park Visitor" means any person, firm, partnership, association, corporation, governmental unit, company or organization of any kind within a park.

"Vehicle" means any motorized, self-propelled, animal-drawn, or human powered conveyance of persons or things.

"Weapon" means any device, including, but not limited to, firearms, bows and arrows, slings, and spring guns, pellet or BB guns, paint guns, and electronic weapons, from which a shot or projectile of any type is discharged or propelled by means of an explosive, gas, compressed air, or other means. An electronic weapon means a portable device which is designed, used, or intended to be used, offensively or defensively, to immobilize or incapacitate persons by the use of an electric current.

"Wildlife" means all living creatures, not humans, wild by nature, endowed with sensation and power or voluntary motion, including quadrupeds, mammals, birds, fish, amphibians, reptiles, crustaceans and mollusks.

"Baldwin Township" means the park organization or system in Baldwin Township as set forth by the Baldwin Town Board.

SECTION 4: REGULATIONS OF GENERAL CONDUCT

A. Possession and Use of Alcohol and Controlled Substances.

It shall be unlawful for any person to:

- Serve, possess or consume any non-prescription controlled substance within a park.
- Serve, possess or consume any alcoholic beverage without a permit.

B. Public Nuisance – Breach of Peace.

It shall be unlawful for any person to:

- Disturb, harass, or interfere with any park visitor or a park visitor's property.
- Gamble in a park (excluding bingo that is licensed by permit).
- Use loudspeakers or other amplifying systems in a park, except by permit from the Park Administrator/Town Board.
- Urinate/defecate in any park except at designated restroom or portable restroom facilities.

C. Littering – Release of Foreign Substance.

It shall be unlawful for any person to:

- Deposit, scatter, drop or abandon in a park any bottles, cans, broken glass, sewage, waste, or other material, except in receptacles provided for such purposes. Said waste receptacles are to be used only by park visitors for such wastes as are created during use of the park for recreational activities. Other use of said waste receptacles is a violation of this Ordinance.

D. Fires.

It shall be unlawful for any person to:

- Start a fire in a park, except in a designated area, such as a fireplace or fire ring, or as otherwise allowed by a permit from the Park Administrator/Town Board.
- Leave a fire unattended or fail to fully extinguish a fire.
- Drop, throw, otherwise leave unattended in a park, lighted matches, burning cigars, cigarettes, tobacco, paper, or other combustible material.

E. Possession and Use of Fireworks

F. Possession and Use of Weapons.

It shall be unlawful for any person to:

- Discharge any weapon, including bow and arrow, within a park without a permit obtained from the Park Administrator/Town Board.
- Conduct any form of hunting of wildlife or game within a park without a permit obtained from Baldwin Township and with a permit, is only allowed in designated area of the park with the appropriate hunting license required of the State.

G. Commercial Use – Public Meetings and Assemblies.

The parks shall be used solely for use and enjoyment of families. There shall be no use of the parks for business or commercial enterprise or service. Any gathering that has greater than 10 persons shall need a written permit from the Park Administrator/Town Board, and then only in areas designated by the permit.

H. Pets.

It shall be unlawful for any person to:

- Bring a dog, cat, or other animal into a park unless caged, kept on a leash not more than six feet in length or under the control of person by tether/rein or to tether any animal to a tree or other plant, unless referring to service oriented animals including those for law enforcement.
- Permit any dog, cat, or other animal to enter a beach area, nature center area, refuge area, picnic area, park building, or other unauthorized area within a park or into any park where their presence is prohibited by the Park Usage Plan.
- Permit a dog, cat, or other animal to disturb, harass, or interfere with any park visitor or a park visitor's property.
- To release an animal into the lands or waters that is not indigenous to the area.

- To allow an animal to defecate/urinate in an unauthorized area. Dog handlers shall clean up and dispose of the same.

I. Designated Trail Use.

It shall be unlawful for any person to:

- Use the trails that are not designated for a particular use, except by permit from Park Administrator/Town Board.

SECTION 5: REGULATIONS FOR PROTECTION OF NATURAL RESOURCES AND WILDLIFE.

It shall be unlawful for any person to:

- Injure, destroy, or remove any tree, flower, shrub, plant, rock, soil, or mineral in a park.
- Kill, trap, hunt, pursue, or in any manner disturb or cause to be disturbed, any species of wildlife within a park, except by permit.
- Remove any wildlife, living or dead, from a park, and any wildlife so removed or taken contrary to the provisions of this Ordinance or any laws of the State of Minnesota shall be considered contraband and subject to seizure and confiscation.
- Release within a park any plant, chemical, or other agent intentionally harmful to the vegetation or wildlife of the park.

SECTION 6: REGULATIONS OF RECREATIONAL ACTIVITIES

For each and all recreational activities conducted on county park land, the activity is done at the users own risk.

A. Camping.

It shall be unlawful for any person to:

- Camp in a park without a permit.
- Camp in a park without a written permit from the Park Administrator/Town Board or his authorized representative.
- Cause, create or make any noise which disturbs the peace, quiet and tranquility of the camping area.
- Discharge water or any other wastes in a park except into designated containers, drains or dumping stations.
- Dig trenches or make any other excavations in a park.

- Occupy camp sites in a park contrary to a written permit. A permit may be revoked and the park visitor(s) expelled from the park if they violate the conditions of the permit, including but not limited to occupation of camp sites not listed in the permit or cause, create or make noise disturbing the quiet of the camping area.

B. Swimming

It shall be unlawful for any person to:

- Violate hours posted for swimming in a designated swim area. All persons are notified that if there are no lifeguards stationed at designated swim areas, they swim at their own risk.

C. Boating

It shall be unlawful for any person to:

- Launch or land any boat, yacht, canoe, raft or other watercraft upon any water, lagoon, lake, pond or slough within a park except at locations designated for that purpose.
- Leave unattended any boat or other watercraft except in areas designated for that purpose.
- Operate any watercraft in a designated swimming area.

D. Fishing

It shall be unlawful for any person to:

- Fish in a park area designated as a no fishing area.
- Leave, store, abandon, or otherwise cause to remain on any park property or access site, any fish house, dark house, portable shelter, or other structure. Any such structure left on park property without a permit for more than 72 hours will be confiscated and/or destroyed.

E. Horseback Riding.

It shall be unlawful for any person to:

- Ride, lead, or permit a horse to be within a park except in designated riding areas and at designated hours.
- Ride a horse in a reckless manner or to likely endanger the safety or property of any park visitor or the rider.

F. Dogsledding and Horsesledding.

It shall be unlawful for any person to dogsled or horsesled on any park unless done in locations designated for that use unless a permit by Baldwin Township has been obtained.

G. Bicycling.

It shall be unlawful for any person to:

- Operate a bicycle except on park designated bikeways and roadways, and except as close to the right-hand side thereof as conditions will permit.
- Operate a mountain bike or similar cycle except on bike trails and roadways as permitted by the Park Administrator/Town Board.
- Ride or operate a bicycle in a reckless or careless manner, or at speed faster than is reasonable and safe with regard to the safety of the operator and other persons in the immediate area.

H. Roller Skating/Rollerblading.

It shall be unlawful for any person to:

- Roller skate or rollerblade in a park, except on paved bike trails unless posted otherwise.
- Roller skate or rollerblade in a park in a reckless or careless manner, or at a speed faster than is reasonable and safe with regard to the safety of the operator and other persons in the immediate area.

I. Winter Activities.

It shall be unlawful for any person to:

- Skate, sled, coast, snowshoe, or ski in a park except at such times and at such places as may be designated therefore.

J. Use of Motorized Recreation Vehicles.

It shall be unlawful for any person to operate a motorized recreation vehicle within a park, except at such times and in such areas as designated by the Park Administrator/Town Board.

K. Use of Aircraft.

It shall be unlawful for any person to:

- Use any land within a park for a starting or landing field for aircraft, hot air balloons, or parachutes, without a permit from the Park Administrator/Town Board.
- Start, fly, or use any fuel powered model aircraft, model rocket, or like-powered toy or model, in a park without a permit from the Park Administrator/Town Board.

SECTION 7: REGULATIONS OF VEHICLES

A. Operation.

It shall be unlawful for any person to:

- Operate any vehicle within a park except upon roadways, parking areas, or other designated locations thereof.
- Operate a vehicle in a park at a speed in excess of posted speed limits.

B. Parking.

It shall be unlawful for any person to:

- Park or leave a vehicle standing within a park except in a designated parking area.
- Park or leave a vehicle standing after posted closing hours without a valid camping permit or other special use permit from the Park Administrator/Town Board.

C. Wash and Repair.

It shall be unlawful for any person to wash, polish, grease, change oil or repair any vehicle in a park.

Nothing in this Ordinance shall prevent law enforcement personnel, emergency services personnel, or county maintenance personnel from their required duties.

SECTION 8: PARK OPERATION.

A. Hours of Operation.

Parks shall be open to the public daily from one-half hour before sun up until one-half hour after sunset with the exception to Township approved events. It shall be unlawful for a person to enter or remain in a park at any other time, except for campers in a designated camping area.

Any park or portion thereof may be declared closed to the public by the Park Administrator/Town Board, by the Baldwin Town Board, or by the Sherburne County Sheriff, at any time, and for any interval of time, for the protection of park property, for the protection of the public health, safety, or welfare, or as the Park Administrator/Town Board, Baldwin Town Board, or Sherburne County Sheriff shall find reasonably necessary.

B. Permits.

A person may be granted a permit by the Town Board or his/her authorized representative for special uses or activities within a park, or for temporary exclusive use of a reserved space within a park. Permits shall be required for any entertainment, tournament, exhibition, or any other special use or gathering which can reasonably be expected to involve 20 or more persons.

The Park Administrator/Town Board or his authorized representative may impose conditions upon use in connection with the granting of a permit. Any person, whether the permit applicant or not,

who is using a park in accordance with a permit that has been granted, shall comply with the conditions of said permit. It shall be unlawful for a person to violate any condition of a permit.

Any permit granted pursuant to this Section may be revoked by the Park Administrator/Town Board or his authorized representative upon the violation by the permit holder of any portion of this Ordinance or any provision of state or federal law.

C. Park Fees.

No permit shall issue until the fee for the same has been paid. The Park Administrator/Town Board, for permits involving 15 or more persons, may require insurance for the activity, a deposit to clean up and other monies to ensure that there is no destruction of park property.

D. Liability.

The Township of Baldwin and Sherburne County Parks shall not be liable for any loss, damage, or injury to property or persons sustained by any park visitor.

SECTION 9: ENFORCEMENT AND PENALTIES

A. Enforcement.

The Park Administrator/Town Board and the Baldwin Town Board shall have the right to issue administrative regulations for the purpose of administering this Ordinance.

The Sherburne County Sheriff's Office, other peace officers, DNR Conservation Officers, and designated Baldwin Township Parks employees, shall have the authority to enforce the provisions of this Ordinance and may eject from the park any persons acting in violation of this Ordinance or the permit issued.

Nothing in this Ordinance shall prevent Baldwin Township Parks employees from performing their assigned duties.

No person shall impersonate any Baldwin Township Parks employee, nor shall they interfere with, harass, or hinder any Baldwin Township Parks employee in the discharge of his/her duties.

B. Penalties.

A person guilty of violating any provision of this Ordinance shall be guilty of a misdemeanor.

The Park Administrator/Town Board shall have the authority to revoke for good cause any permit or reservation issued under this Ordinance.

SECTION 10: SEVERABILITY – REPEAL OF PRIOR ORDINANCES

A. Severability.

The provisions of this Ordinance shall be deemed to be severable. The invalidity or unenforceability of any provision shall not affect the validity or enforceability of any other provision of this Ordinance.

B. Repeal of Prior Ordinance.

Upon enactment of this Ordinance, pre-existing Parks Ordinances are hereby repealed.

SECTION 11: EFFECTIVE DATE.

This Ordinance shall be effective upon passage and publication to Minnesota Statutes. This Ordinance is hereby passed and approved this 9th day of January, 2007

Baldwin Town Board

By: Bryan Lawrence
Chairperson
Baldwin Town Board

Attest: Cathy Stevens
Baldwin Township Clerk/Treasurer