

City Code, Chapter 15: PARK RULES AND REGULATIONS

CHAPTER 15
PARK RULES AND REGULATIONS

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CHAPTER 15
PARK RULES AND REGULATIONS

ARTICLE I
DEFINITIONS

SECTION 15-100. DEFINITIONS. For the purpose of this Ordinance, the following definitions shall apply:

- A. **Parks, Open Space and Waterways** - Any area located in the City which is reserved, designated, or used for active or passive recreation, and which is owned, operated, or controlled by the City.
- B. **Person** - Any person, firm, partnership, association, corporation, company or organization of any kind.
- C. **Motorized Vehicle** - Any vehicle having a self-contained unit for propelling the vehicle by means of converting stored energy. Motorized vehicles of any type, including but shall not be limited to, automobiles, trucks, motor bikes, mini-bikes, snowmobiles, 2-wheeled, 3-wheeled, or 4-wheeled all-terrain vehicles, and battery-powered carts.
- D. **Zoning Administrator** - The Zoning Administrator of the City of Columbus or duly-authorized representative.

[§ 15-100 amended by Ord. No. 07-02, effective March 1, 2007, amended by Ord. No. 09-04, effective March 19, 2009, amended by Ord. No. 10-04, effective April 1, 2010.]

ARTICLE II
ADMINISTRATION

SECTION 15-200. PARK HOURS. Parks open one-half hour before sunrise and close one-half hour after sunset. No person shall remain in a park after the closing hour. The closing hour for activities authorized as part of the City's recreation program may be modified by the City. The City Council may by resolution further limit the hours for the conduct of specific activities within parks.

[§ 15-200 amended by Ord. 05-03, effective December 1, 2005, amended by Ord. No. 07-02, effective March 1, 2007, amended by Ord. No. 09-04, effective March 19, 2009, amended by Ord. No. 10-04, effective April 1, 2010.]

SECTION 15-201. GROUP ACTIVITIES. Whenever any group, association, or organization desires to reserve park facilities for a particular purpose, such as picnics, sporting activities, parties, or theatrical or entertainment performance, the representative of said group, association or organization shall first obtain a park facilities reservation and use permit from the Zoning Administrator or duly authorized representative for such purposes. The Zoning Administrator shall grant the application if it appears that the group, association, or organization will not interfere with the general use of the park or individual members of the public, and if said group, association, or organization meets all conditions contained in the application. The approval of the application may contain a requirement for an indemnity bond to protect the City from any liability of any kind or character and to protect City property from

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damage. The Zoning Administrator shall require that group activities requiring extra police protection or other special facilities or expense to the City shall be provided at the sole expense of the group, association, or organization requesting a permit and may require that the indemnity bond cover such services.

All groups are required to clean up the park and the facilities which they use and to leave the park and the facilities in the same condition in which they found them, normal wear and tear accepted. Any group failing to clean up after itself shall be placed on probationary status for a period of five years following the date on which the group failed to clean up after itself. Probationary groups must pay a clean-up security deposit in advance of the date of the activity in the park at the rate of \$1.00 per person. The clean-up security deposit check shall be returned to the group's representative only after the park has been favorably inspected by a City official. The costs of clean-up after an unfavorable inspection shall be deducted from the deposit and the balance, if any, shall be refunded to the group.

The Zoning Administrator's decision to grant or deny the application may be appealed to the City Council. The Zoning Administrator may refer any application to the City Council for decision. The Zoning Administrator may refer any application to the City Engineer or to the City Attorney for professional assistance.

A. Application. A person seeking issuance of such a permit shall file an application at the office of the Zoning Administrator. The application shall state:

1. Type of activity;
2. The name and address of the applicant;
3. The name and address of the person sponsoring the activity, if different from the applicant;
4. The day and hour for which the permit is desired;
5. The park or portion thereof for which such permit is desired;
6. An estimate of the anticipated attendance;
7. Any other information which the City shall find reasonably necessary to a fair determination as to whether a permit should be issued;
8. Probationary groups shall submit a check at \$1.00 per person for clean-up security deposit; and
9. Groups with anticipated attendance of 200 or more shall be strongly advised to arrange for rental of additional self-contained toilet facilities. Probationary groups with anticipated attendance of 200 or more shall be required to prepay to the Columbus Treasurer for the rental of additional self-contained toilet facilities at the ratio of one facility per fifty (50) persons.

B. Standards for Issuance. The Zoning Administrator or City Council shall issue a permit when the following findings have been made:

1. That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park;
2. That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation;
3. That the proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct;

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4. That the proposed activity will not involve unusual, extraordinary or burdensome expense or police operation by the City; and

5. That the facilities desired have not been reserved for other use.

[CHAPTER XV, ARTICLE 2, § 15-201, amended by Ord. No. 89-2, effective March 31, 1989, amended by Ord. No. 92-2, effective April 17, 1992, amended by Ord. No. 07-02, effective March 1, 2007, amended by Ord. No. 10-04, effective April 1, 2010.]

Town Clerk's Note: The publication of Ord. No. 89-2 contained a typographical error which identified it as "Ord. No. 88-2." /s/Barbara A. Masteller]

SECTION 15-202. USE OF PARKS WHILE CLOSED. A permit shall be obtained from the Zoning Administrator before participating in park activity involving any private use of the park between the hours of one-half hour after sunset to one-half hour before sunrise.

A. Appeal. Within ten (10) days after receipt of any application, the Zoning Administrator shall issue the permit or apprise an applicant in writing of the reasons for denial of the permit. Any aggrieved person shall have the right to appeal to the City Council. Such appeal shall be in writing and shall be filed at the office of the Zoning Administrator within ten (10) days after receipt of the decision. The Town Manager shall place the appeal on the agenda for the next regular City Council meeting at which time the applicant shall appear in support of his appeal. The City Council may affirm, deny or alter the terms of the permit. The decision of the City Council shall be final.

B. Liability of Permittee. The permittee shall be liable for any loss, damage or injury sustained by any person or whatever by reason of the negligence of the permittee or his or her agents.

C. Revocation. The City Council shall have the authority to revoke a permit upon a finding of violation of any rules or Ordinances, or upon good cause shown.

[§ 15-202 amended by Ord. No. 92-2, effective April 17, 1992, amended by Ord. 05-03, effective December 1, 2005, amended by Ord. No. 07-02, effective March 1, 2007.]

ARTICLE III RULES AND REGULATIONS

SECTION 15-300. MOTOR VEHICLES. No motorized vehicle or machines of any kind, except those operated by and for the City may drive on or across any park, except as specifically authorized pursuant to the City Code of Ordinances. Motor vehicles shall be parked in spaces designated only. There shall be no parking or motor vehicles in a park or in a parking area in a park after the closing hour.

[§ 15-300 amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 15-301. FIRES. No fires shall be set in a park except in places or containers designated for picnic purposes. No person shall leave a picnic fire before the fire has been completely extinguished. No fires or smoking shall be allowed in designated nature areas.

SECTION 15-302. VANDALISM. No person shall willfully mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railings, paving or paving material, water lines or other public utilities or parts of appurtenances thereof, signs, notices, or placards

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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.

SECTION 15-303. ADVERTISEMENT. No person shall paste, glue, tack, or otherwise post any sign, placard, advertisement, or inscription whatsoever, nor shall any person erect or cause to be erected any sign whatsoever on any park other than information signs as authorized by the City Council.

[§ 15-303 amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 15-304. REFUSE IN CITY PARKS AND WATERS. No person shall throw, discharge, or otherwise place or cause to be placed in the water of any fountain, pond, lake, stream, bay or other body of water in or adjacent to any park or in any tributary, stream, storm sewer or drain flowing into such water, any substance, matter or any thing, liquid or solid; nor shall any person bring in or dump, deposit, or leave any bottles, broken glass, ashes, paper boxes, cans, dirt, rubbish, waste, garbage, or refuse or any other trash, in any park or portion thereof, or in any waters in or contiguous to any park. All such refuse or trash shall be placed in the property receptacles; where proper receptacles are not provided, all such refuse or trash shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere. Pets shall be kept on a leash and under control at all times in a city park. In addition, pets in a park are subject to the City's animal control ordinance. Owners of pets are required to remove and dispose of any fecal matter deposited by their pet(s) in a park.

[§ 15-304 amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 15-305. ALCOHOLIC AND INTOXICATING BEVERAGES. Alcoholic beverages, intoxicating beverages, and nonintoxicating malt liquors, all as defined by Minnesota Law, are not permitted for possession, consumption, or sale within a City Park unless a permit or license has been first obtained.

[§ 15-305 amended by Ord. No. 07-02, effective March 1, 2007, amended by Ord. No. 09-02, effective March 5, 2009.]

SECTION 15-306. FIREWORKS AND EXPLOSIVES. No person in a park shall bring or have in his or her possession, or set off or otherwise cause to explode or discharge or burn, any firecrackers, torpedo, rocket or other fireworks or explosives of inflammable material, or discharge them or throw them into any area thereto; nor any substance, compound, mixture, or article that in conjunction with any other substance or compound would be dangerous from any of the foregoing standpoints without special permission from the City Council.

[§ 15-306 amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 15-307. FISHING. No person shall fish in a reckless or careless manner so as to create a nuisance or to endanger the safety of said person, or other fishermen or open space users.

SECTION 15-308. UNAUTHORIZED GOLFING PROHIBITED. No person shall play or practice golf nor use golf equipment of any kind in a City park or open space except as a scheduled part of a City recreation program.

[§ 15-308 amended by Ord. No. 07-02, effective March 1, 2007.]

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SECTION 15-309. CAMPING PROHIBITED. No person shall camp or set up tents, shacks, trailers or any other temporary shelter for the purpose of camping in any City park or open space without special permission from the City Council.

[§ 15-309 amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 15-310. DISTURBING THE PEACE - CONDUCT.

A. No person or group of persons shall disturb the peace and good order in any park by either work or act.

B. No person or group of persons shall use threatening, abusive, insulting, obscene or indecent language or commit, perform or engage in any lewd, lascivious, obscene or indecent act in any park.

C. No person or group of person shall engage in fighting, quarreling, wrangling, riotous clamor, or tumult in any park.

D. No person or group of people shall disturb, harass or interfere with any user of the user's property in the any park.*[§ 15-310 D. amended by Ord. No. 10-04, effective April 1, 2010.]*

SECTION 15-311. GLASS IN PARKS. Bottles or glass containers of any kind shall not be allowed in parks.

SECTION 15-312. AUDIO DEVICES. No person shall operate or play any musical instrument, radio, television, record or tape player, loudspeaker, public address system or sound amplifying equipment of any kind in any park in such a manner that the sound emanating therefrom is audible beyond the immediate vicinity of the set or instrument, and subsequently interferes with the use of the park by other users or disturbs the residents of adjacent property without special permission from the City Council.

[§ 15-312 amended by Ord. No. 07-02, effective March 1, 2007, amended by Ord. No. 10-04, effective April 1, 2010.]

SECTION 15-313. GAMES. No person shall engage in any potentially dangerous games involving thrown or propelled objects, such as horseshoes, arrows, golf balls, model airplanes or similar objects except in areas specifically designated for such usage.

SECTION 15-314. CUTTING HOLES IN ICE. No person shall cut any hole in the ice of any park waters larger than 12 inches in diameter, unless said hole shall be completely enclosed by an ice fishing house or spear fishing house. If the house is moved, the hole shall be marked with a "danger" marker.

SECTION 15-315. NO HUNTING / NO FIREARMS. No hunting of any kind shall be allowed in City Parks except by special ordinance enacted the City Council. No firearms shall be permitted in any City Park. It shall be a misdemeanor for any person to possess, use, or discharge a firearm within any City Park.

[§ 15-315 amended by Ord. No. 07-02, effective March 1, 2007.]

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SECTION 15-316. ARCHERY. Archery is prohibited in all City parks except in designated areas.
[§ 15-316 amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 15-317. EQUESTRIAN ACTIVITIES. Horseback riding and all other uses of horses are prohibited in all City parks except in designated areas.
[CHAPTER XV, ARTICLE 3, Sections 15-316 and 15-317, added by Ord. No. 89-2, effective March 31, 1989, amended by Ord. No 07-02, effective March 1, 2007].
Town Clerk's Note: The publication of Ord. No. 89-2 contained a typographical error which identified it as "Ord. No. 88-2." /s/Barbara A. Masteller]

**ARTICLE IV
ENFORCEMENT**

SECTION 15-400. BANISHMENT. The City shall have the authority to remove, eject or banish from the park any person acting in violation of this Ordinance.
[§ 15-400 amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 15-401. SEIZURE OF PROPERTY. The City shall have the authority to seize and impound any property, thing or device in the park, used in violation of this Ordinance.
[§ 15-401 amended by Ord. NO. 07-02, effective March 1, 2007.]

SECTION 15-402. ENFORCEMENT SEPARABILITY AND PENALTIES.

- A. The Columbus City Council shall issue all rules and regulations deemed necessary for the operation of the parks in the City.
- B. The law enforcement authorities shall, in connection with their duties imposed by law, diligently enforce the provisions of this Ordinance and eject from parks, persons acting in violation of this Ordinance.
- C. Should any section, subdivision, clause or other provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not effect the validity of the Ordinance as a whole or of any part thereof other than the part so declared to be invalid.
- D. Any person violating any provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine or imprisonment in accordance with the provisions of Chapter 1, Section 1-109 of this City Code. In no case shall this penalty provision be interpreted to prohibit the City from seeking civil damages for damage or destruction to park facilities.

[SECTION 15-402 amended by Ord. No. 92-2, effective April 17, 1992, amended by Ord. No. 07-02, effective March 1, 2007.]



CHAPTER 15, added to Town Code by Ord. No. 85-1, effective October 4, 1985. History of ordinances affecting the text of Chapter 15 (since adoption of Ord. No. 85-1):

Ord. No. 89-2, effective March 31, 1989.

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Ord. No. 92-2, effective April 17, 1992.

Ord. No. 05-03, effective December 1, 2005

Ord. No. 07-02, effective March 1, 2007.

Ord. No. 09-02, effective March 5, 2009.

Ord. No. 09-04, effective March 19, 2009.

Ord. No. 10-04, effective April 1, 2010.

This Chapter has been updated through the date of the latest ordinance listed above.
