

**CITY OF ARLINGTON
ORDINANCE NO. 246**

AN ORDINANCE PROVIDING FOR THE USE OF PARKS WITHIN THE CITY OF ARLINGTON

The City Council of the City of Arlington, Minnesota to promote the public safety, health, and welfare, hereby ordains:

Subdivision 1: Purpose. The City Council of The City of Arlington adopts this ordinance in order to provide for the public enjoyment of Arlington parks in a way that will leave them unimpaired and minimize conflicts among users.

Subdivision 2: Hours.

- A. City of Arlington Parks will be open each day of the year from 6:00 a.m. to 10:00 p.m., except during emergencies and unless otherwise posted or closed.
- B. The City of Arlington may close any city park seasonally and may close any city park at any time at its discretion.
- C. After 10:00 p.m. and until 6:00 a.m., no person shall enter or remain within a city park unless he/she is a member of a camping party which has given camp notification.

Subdivision 3: Personal conduct.

- A. No person shall use a public address system, amplifier or power equipment, or otherwise make noise with volume tending reasonably to arouse alarm, anger, or resentment in other park users, without prior permission of the City of Arlington.
- B. A person's possession and use of drugs shall be in accordance with State laws.

Subdivision 4: Public Safety/Hunting. While in a city park, it is unlawful to:

- A. Possess explosives of any kind;
- B. Possess a firearm, including an air gun, unless the firearm is unloaded both in barrel and magazine, and completely contained in a gun case expressly made for that purpose, which is fully enclosed by being zipped, snapped, buckled, tied or otherwise fastened, or unless unloaded and contained in the trunk of a car with the trunk door closed;
- C. Possess a bow and arrows, unless either unstrung or completely contained in a case or contained in the trunk of a car with the trunk door closed;
- D. Use or display any other type of weapon, including but not limited to sling shots, switchblade knives and traps. No person shall, either directly or indirectly, hunt, trap, molest, harass, pursue, capture or kill any of the wildlife species within city parks.

Subdivision 5: Environmental protection.

The environment is for the enjoyment of all. Therefore, no person shall disturb, destroy, injure, damage, molest or remove any city property, including but not limited to wild flowers or vegetation of any kind, dead or alive, ruins, wildlife, geological formations, signs or facilities. Collections for scientific and educational purposes may be made with the written consent of the City Administrator.

Subdivision 6: Fires and Refuse.

- A. It is unlawful to build a fire which creates a hazard or danger to the area or to others.
- B. The City Administrator may limit or ban fires when he/she declares that a forest fire emergency exists. Such declaration will be posted conspicuously at the entrance of the affected area.
- C. Minnesota Statutes Section (as may be amended) §85.20, Subd. 6, and Section 609.68, forbidding littering, are incorporated in this ordinance by reference.
- D. Where refuse receptacles are provided, they shall only be used for refuse generated at the area. Refuse is to be removed from the areas where receptacles are not provided.

Subdivision 7: Camping.

- A. Camp Notification. No person shall camp or remain overnight at Sportsman's Park without first giving notice of intentions to camp by calling the Arlington Police Department. The maximum stay is ten (10) days.
- B. No person shall camp or remain overnight in any City of Arlington Park, except as allowed under Subd. 7(A) of this Ordinance.
- C. It shall be unlawful for any person to install or affix in a permanent manner any camping facility, equipment or structure. Campers may not leave camping vehicles or equipment unattended overnight.
- D. The placement of tent stakes or anchors in the ground for the erection of tents is permitted. Digging or excavating is prohibited.
- E. In camping areas, the hours between 10:00 p.m. and 6:00 a.m. are for outdoor solitude, and it shall be unlawful to make noise at a level above that of a quiet conversation.

Subdivision 8: Motor Vehicles.

- A. No vehicle shall be parked in such a manner as to obstruct any avenue of ingress or egress to the area, except for the purpose of unloading and loading equipment. If a park has designated spaces for parking, then vehicles shall be parked in the designated spaces. If the park does not have designated spaces for parking, then vehicles shall be parked in an orderly way, subject to maintaining avenues of ingress and egress.
- B. Motor vehicles may be operated only on designated roads. They may not be driven on roads which are posted, chained or gated prohibiting motor vehicles.
- C. Motor vehicles shall not be operated in excess of posted speeds, nor in any reckless or careless manner.

Subdivision 9: Snowmobiles and Off Road Recreational Vehicles.

- A. No person shall operate a snowmobile in a city park unless in an area designated for such use, under conditions of snow cover considered adequate for the protection of the park by the City of Arlington. Unless an area is specifically posted for operation of snowmobiles, such operation shall be considered prohibited.
- B. No person shall operate an off road recreational vehicle in a city park unless in an area designated for such use, under conditions considered adequate for protection of the park by the City of Arlington. Unless an area is specifically posted for operation of off-road recreational vehicle use, such operation shall be considered prohibited.

Subdivision 10: Pets, Livestock.

- A. Pets are permitted, provided no person shall allow a cat, dog or other pet animal to enter any building or beach; or permit any dog, cat, or other pet animal to be unrestrained. Such animal shall be personally attended, and shall not deprive or disrupt the enjoyment or use of any area by other persons.
- B. No person shall permit livestock in any city park area.
- C. Persons with pets shall collect and properly dispose of the animal's feces which is deposited in areas of the parks frequented by pedestrians, including camping sites, picnic areas, playground areas, and trails.

Subdivision 11: Protection from Peddling and Soliciting. It is lawful for any person to engage in or solicit business of any nature, whatsoever, from visitors, without the prior written consent of the City of Arlington Police Department.

Subdivision 12: Penalties.

- A. Any person violating all or a part of this ordinance shall be guilty of a misdemeanor, subject to the penalties for misdemeanors set by State Law.
- B. Any member of the Arlington Police Department may revoke the camping privileges of any person found in violation of this ordinance.

Subdivision 13: Savings Clause. If any one provision of this ordinance shall be declared illegal or unconstitutional, then that provision alone shall be void and the remaining provisions shall remain in full force and effect.

Subdivision 14: Effective Date. This Ordinance shall be effective upon publication.

Adopted by the City Council this 20th day of July, 2009.

James R. Kreft, Mayor

Attest:

Matthew Jaunich, City Administrator

First Reading: July 6, 2009
Second Reading: July 20, 2009
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