

CITY OF CALEDONIA, MINNESOTA

ORDINANCE NO. 2022 _____

**AN ORDINANCE ADOPTING NEW CITY CODE CHAPTER 95 – PARKS,
PLAYGROUNDS, AND PUBLIC GROUNDS**

The City Council of the City of Caledonia, Minnesota hereby ordains as follows:

Section 1. A new City Code Chapter 95 entitled Parks, Playgrounds, and Public Grounds, is adopted as follows:

CHAPTER 95: - PARKS, PLAYGROUNDS, AND PUBLIC GROUNDS

§ 95.01. – APPLICATION.

This Section shall apply to all parks, playgrounds and public grounds owned by or otherwise under the control of the city council within the municipal boundaries of the city, irrespective of whether or not any such lands are open to the unsolicited use thereof by city residents or other persons.

§ 95.02. – HOURS OF USE.

- (A) Unless otherwise posted, no person shall be present in or located upon any park, playground or other public ground, including parking areas appurtenant thereto, between the hours of 10:00 p.m. and 7:00 a.m. without the express written approval of the city council; provided, that this section shall not apply to persons who, without delay, are traveling through such parks, playgrounds, or public grounds upon established walks, paths and streets.
- (B) This section shall also not apply to use of the premises that is directly related to another event which has been issued a permit or written authorization to continue to a later time. An example of such related use would be the sale of foodstuffs, or the like, out of the American Legion Shelter by supporter groups of the athletic program, profits from such sales to be contributed to the athletic program, in conjunction with a football game which continues beyond 10:00 p.m. It does not allow the activity itself to continue past 10:00 p.m.

§ 95.03. – USES PROHIBITED.

- (A) No person not an employee of the city shall pick or cut any wild or cultivated flower or cut, break or in any way injure or deface any tree, shrub or plant or otherwise disturb or disrupt the soil or grounds of such public areas.
- (B) No person, except employees of the city shall plant any wild, cultivated or exotic tree, shrub or plant without the permission of the city.

- (C) No person shall kill, pursue, injure, molest, disturb or have in possession any species of wildlife including birds, waterfowl or other animals found within the confines of the park.
- (D) No person shall rob, disturb or molest the nest, eggs or young of any birds or other animals found within the park.
- (E) No person shall operate a motorized or electrified vehicle in any city park or trail, except on designated roadways and parking lots, unless prior approval is obtained from the city.
- (F) No person shall start any fire in any such public area.
- (G) No person shall tamper with, climb, deface, destroy, disturb, damage or remove any part of any park building, sign, light, table, grill, shelter, equipment or other property found therein.
- (H) No person shall disregard or fail to comply with any posted regulations, directional signs, barriers or other control devices located within any city park.
- (I) No person shall deposit, allow to accumulate or dispose of any inorganic waste in or upon a stated public area, except to place same in garbage receptacles provided therefor.
- (J) No person shall engage in boisterous, disruptive behavior, or excessively loud music or noise within or upon any stated public area or otherwise conduct himself so as to unreasonably disturb or aggravate another person or persons.
- (K) No person shall erect or place in any or upon any stated public area a tent, camping equipment or other temporarily located structure, nor shall any person leave any vehicle or movable structure which could be used for the purpose of overnight camping unless prior approval obtained from the city. No staking is allowed of said structures without written approval from the city.
- (L) No person shall place or erect any sign or advertisement on any park land, trees, structures or equipment located therein, unless permission is granted by the city.
- (M) No person shall cast, deposit, throw, damage, lay, place or scatter upon any of the stated public areas, or in or upon any water located therein or adjacent thereto, any cigars, cigarettes, glass, bottles, nails, tacks, wire, crockery, cans or any other refuse matter. No person shall have in his possession any glass or other objects easily fragmented in or upon any water located within the park.
- (N) No person shall possess, consume or provide to others any alcoholic beverages in or upon any park, playground, or public grounds without first obtaining a written permit therefor from the city. No person shall possess, consume or otherwise provide to others any controlled substance in any park, playground or public ground.
- (O) No person shall possess a dog in any park, playground, or public grounds, except in areas specifically designated for such use, unless trained as bona fide service dogs and those trained for law enforcement being then and there so used.
- (P) No person shall possess, ride, or drive a horse in any park, playground, or public ground, except in areas specifically designated for such use.

§ 95.04. – VIOLATION; PENALTY.

- (A) Any person violating any of the provisions of this article shall be guilty of a petty misdemeanor.
- (B) Any person violating any of the provisions of this article may be expelled or ejected at such time from a park at the discretion of a law enforcement officer.

Section 2. That City Code Section § 90.18, entitled Public Nuisances Affecting Peace and Safety, is amended to read as follows (with underlining indicating additions and ~~strikeout~~ indicating deletions).

§ 90.18. PUBLIC NUISANCES AFFECTING PEACE AND SAFETY.

The following are declared to be nuisances affecting public peace and safety:

(U) All other conditions or things which are likely to cause injury to the person or property of anyone.

~~(V) Failure to vacate any city owned park/playground/recreation area or neighborhood park/playground/recreation area at or after 10:00 p.m., except when use after 10:00 p.m. has been explicitly authorized in writing by the city, or when use after 10:00 p.m. is directly related to another event which has been issued a permit or written authorization to continue to a later time. An example of such related use would be the sale of foodstuffs, or the like, out of the American Legion Shelter by supporter groups of the athletic program, profits from such sales to be contributed to the athletic program, in conjunction with a football game which continues beyond 10:00 p.m.~~

Section 3. That City Code Section § 92.45, entitled Presence in City Parks and Playgrounds, is repealed in its entirety.

~~**§ 92.45. PRESENCE IN CITY PARKS AND PLAYGROUNDS.**~~

~~No dogs, with the exception of bona fide guide dogs and those trained for law enforcement being then and there so used, shall be permitted in any public park and any playground within the corporate limits of the city.~~

Section 4. This ordinance shall become effective upon its passage and publication.

ADOPTED this ____ day of _____, 2022, by the City Council of the City of Caledonia.

DeWayne “Tank” Schroeder, Mayor

ATTEST:

Jake Dickson, City Clerk/Administrator

CERTIFICATION

I, Jake Dickson, clerk/administrator of the City of Caledonia, Houston County, Minnesota, do hereby certify that the foregoing Ordinance No. 2022-____ was duly passed and approved by the Council of the City of Caledonia, Minnesota on the ____ day of _____, 2022; and said Ordinance No. 2022-____ was published in the *Caledonia Argus*, a newspaper of general circulation in the City of Caledonia, Minnesota on the ____ day of _____, 2022, all as provided by law.

Dated this ____ day of _____, 2022.

City Clerk/Administrator