

**City Code
Chapter 19**

Parks and Recreation

Article	1. General Conditions,	19-1--19-7
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Article 1. General Conditions

Sec. 19-1. Purpose.

Pursuant to Chapter 950, 1971 Laws of Minnesota, as amended, this Article has been enacted to authorize the City Council to adopt ordinances to govern the conduct of members of the public during their use and enjoyment of the New Brighton open space system so as to:

- (1) Further the safety, health, enjoyment, and welfare of all persons in the use of the system.
- (2) Protect public property and resources for posterity. (Code of 1966; Ord. No. 425, 7-25-78; Code of 1988; Code of 2001)

Sec. 19-1.1 Definitions.

The definitions in this Section shall apply when these words and phrases are used in this Article.

- (1) **City.** The City of New Brighton.
- (2) **Open Space Site.** Any park, reserve, special use area, golf course, linear park, or any other area owned, improved, maintained, operated or otherwise controlled by the City for recreation and natural resource preservation purposes.
- (3) **Park System.** Refers to the City's park system which includes the sites and facilities owned, maintained, and operated by or otherwise under the authority of the City pursuant to Chapter 950, 1971 Laws of Minnesota, as amended.
- (4) **Director.** The Parks and Recreation Director of the City who is authorized by the City Council to direct the Parks and Recreation Department.
- (5) **Person.** Any individual, firm, partnership, corporation and association of persons.
- (6) **Department.** The City's Parks and Recreation Department.
- (7) **Open Space Waters.** Any public shoreline owned by or under the authority of the City including those waters lying within 300 feet and immediately abutting such shoreline.
- (8) **Law Enforcement Officer.** Any person duly deputized or commissioned by the City, the County, or

the State for the purpose of enforcing the laws, ordinances, and regulations of their respective jurisdictions. (Ord. No. 425, 7-25-78; Code of 1988; Code of 2001)

Sec. 19.1-2. Construction and Scope.

The terms of this Section shall apply to the construction and scope of this Chapter.

(1) Any requirement or prohibition by a provision of this Chapter shall respectively extend to and include the causing, procuring, aiding or abetting, directly or indirectly, of such acts; and the permitting or allowing a minor by the responsible parent, guardian, or custodian to commit any such act.

(2) No provision in this Chapter shall make unlawful any act necessarily performed by any law enforcement officer or Department employee in the line of duty or work as such, or by any person, their agents or employees, in the proper and necessary execution of the terms of any contract or agreement with the City.

(3) Any act otherwise prohibited by statute or local ordinances shall be lawful if performed under, by virtue of, and strictly within the provisions of a Department permit to do so and to the extent authorized thereby. (Ord. No. 425, 7-25-78; Code of 1988; Code of 2001)

Sec. 19-2. Hours and Access.

The terms of this Section shall apply in the use of the park system.

(1) The recreation and education opportunities of the system shall be available to the public regardless of race, sex, age, creed, national origin, or place of residency.

(2) The system shall be open to the public between the hours of 5:00 a.m. and 11:00 p.m., prevailing time in New Brighton.

(3) No person shall remain, stop, use, or be present within the confines of any open space site between the hours of 11:00 p.m. and 5:00 a.m. Exceptions may be made at the discretion of the Director in the case of emergency or when use permits have been authorized or for other reasons the Director may determine necessary or desirable.

(4) Open space sites are subject to curfew hours in force in New Brighton.

(5) Any section or part of any open space site may be declared closed to the public by the Director at any time or for any interval of time, either temporarily or at regular and stated intervals, and either entirely or for certain uses as the Director shall find necessary. (Ord. No. 425, 7-25-78; Code of 1988; Code of 2001)

Sec. 19-3. Permits.

Permits for use of the park system shall be issued in accordance with this Section.

- (1) Permits shall be required for the exclusive use of all or portions of specific areas, buildings, and other system facilities; and, for conducting special events such as those of a cultural, educational, political, religious, or recreational nature; and, for specific exemption from any provision of this Article. An application for a permit shall be filed with the Director.
- (2) The permittee shall be bound by this Article and any Department regulations in force as though the same were inserted in the permit.
- (3) The permittee shall be liable for any loss, damage, or injury sustained by the system or by any person because of the negligence of the permittee.
- (4) The permittee shall not transfer or relinquish the permit to another person without the written permission of the Director.
- (5) The Director shall have the authority to revoke a permit upon evidence of good cause.
- (6) No person shall in any manner disturb, harass, or interfere with the permittee nor with any of the permittee's property or equipment.
- (7) Permits shall be issued to adults only and the adults shall be on the premises at all times during the duration of the permit. (Ord. No. 425, 7-25-78; Code of 1988; Code of 2001)

Sec. 19-4. Special Activities.

The conditions of this Section shall apply to special activities in any open space site.

- (1) ***Picnicking.*** No person shall picnic in any open space site except in those areas specifically designated and equipped for a picnic.
- (2) ***Swimming.***
 - A. No person shall bathe, wade, or swim in any open space waters or at any New Brighton beach except in areas specifically designated for such use when an authorized lifeguard is on duty.
 - B. No person shall bathe, wade, or swim at any beach except when dressed in bathing attire which is socially acceptable and conducive to water safety.
 - C. No person using open space waters shall swim outside of the marked area.
 - D. No person shall bring into or use at any beach an inner tube, life raft, or other inflatable or buoyant object intended to support a person except U.S. Coast Guard approved life jackets.
 - E. No person shall possess, carry onto, or scatter on any beach, any glass bottle, broken glass, metal can, or other debris which could be a safety hazard.
 - F. No person shall use a beach area for purposes of picnicking.
 - G. No person having custody of an animal shall permit the animal to enter a beach area during the established swimming season.
 - H. No person shall launch, dock, or operate any watercraft in a designated swimming area.

(3) ***Bicycling.***

- A. No person shall ride or operate a bicycle in any open space site except on a designated bikeway or surface normally provided for vehicular traffic.
- B. No person shall ride or operate a bicycle in violation of Minnesota Statutes, Chapter 169. A person riding a bicycle shall observe and obey all traffic and directional signs.
- C. No person shall ride or operate a bicycle in any open space site except in a prudent and careful manner and unless the person shall be capable of effective control and operation of the bicycle. Pedestrians and motorized vehicles shall have the right-of-way where a bikeway intersects pedestrian trails or roadways.
- D. No person shall ride or operate a bicycle in any open space site faster than is reasonable and safe with regard to the safety of the operator and other persons in the immediate area.
- E. No person shall ride or operate a bicycle in any open space site thirty minutes after sunset and thirty minutes before sunrise without appropriate front and rear lighting.
- F. All bicycle riders shall remain in single file and proceed in the extreme right hand lane of a drive or bikeway at all times except when passing another vehicle or bicyclist parked or traveling in the same direction.
- G. Wherever provided, bicycles shall be parked in locations set aside specifically for their storage.

(4) ***Golf.***

- A. No person or group of persons or organization shall play golf or hold a tournament or use any golf course under the jurisdiction of the City without having procured a permit or green fee receipt from the Director.
- B. No person shall drive, putt, or in any other manner play or practice golf except in areas specifically designated for such use.
- C. Valid permits or green fee receipts issued by the Department shall be carried on the player or group representative and shall be exhibited upon demand of the Director.
- D. Golfers shall be properly attired in accordance with socially acceptable standards.
- E. No person shall tamper with any irrigation system, tee marker, green flag, or maintenance equipment.
- F. No person shall sell any merchandise on any golf course except those concessionaires authorized by the Director.
- G. Entrance to or exit from any golf course shall be only through designated access points.

(5) ***Boating.***

- A. No person shall operate any watercraft on any open space waters contrary to or in violation of Minnesota Statutes, Chapter 361.
- B. No person shall launch or land any boat, canoe, raft, or other watercraft on or from any shoreline under the jurisdiction of the City except at locations specifically designated for this purpose.
- C. No person shall operate, row, or paddle a boat, canoe, raft, or other watercraft on any open space waters unless able to handle the watercraft with safety to the operator, other occupants, or in such a manner as not to annoy or endanger the occupants of other boats.
- D. No person shall leave any watercraft unattended except in areas specifically designated for mooring, anchoring, or beaching.
- E. No person shall operate any watercraft within an area which has been designated as a swimming area.

F. No person shall drop or throw away any watercraft garbage, litter, or other debris except into a properly designated container.

G. All watercraft launched from a system facility or operating on open space waters shall have a Coast Guard approved life preserver for each occupant.

H. No person shall operate any watercraft in a careless or reckless manner.

(6) *Motorized Recreation Vehicle.*

A. No person shall operate a motorized recreation vehicle within any open space site except in areas specifically designated for this use.

B. No person shall operate a nonlicensed vehicle on a parkway or roadway within an open space site.

(7) *Equestrian.*

A. No person shall ride or drive a horse in any open space site except on bridle paths, trails, and roadways specifically designated for this use.

B. No person shall ride or drive a horse in any open space site between the times of thirty minutes after sunset and thirty minutes before sunrise unless the horse drawn vehicle is adequately lighted.

C. No person shall ride or drive any horse which cannot be held under such control that it may be easily turned or stopped.

D. No person shall ride or drive a horse in a reckless or careless manner so as to create a nuisance or endanger the safety or property of the rider or other riders, pedestrians, or vehicles.

E. No person shall mistreat, override, cruelly beat, mutilate, or torture a horse.

F. No person shall permit any horse to stray unattended or graze in any open space site. All unbridled, unmounted, or unattended horses shall be securely hitched or corralled at locations specifically designated and provided for this purpose.

G. No person shall ride or drive a horse so as to obstruct in any way the use of riding trails or bridle paths by other riders. Pedestrians and vehicles shall have the right-of-way where an equestrian trail intersects other established trails or roadways.

H. No person shall ride or drive a horse at a pace faster than a walk or slow trot when passing a pedestrian.

I. No person shall ride or drive a horse at a pace faster than a trot when passing another rider going in the opposite direction.

J. No person shall ride or drive a horse at a pace faster than a slow gait when passing another rider going in the same direction.

(8) *Camping.*

A. No person shall establish or maintain any camp or other temporary lodging or sleeping place in any open space site except by permit and then only in areas specifically designated for this use.

B. No person shall camp for a period longer than that authorized by the permit.

C. All garbage or refuse of any kind shall be thrown away only into properly designated containers provided for that purpose.

D. No person shall install permanent camp facilities or physically alter the camp site.

E. No person shall wash cooking or eating utensils or clean fish except at designated locations.

F. No person shall cut or gather wood on any open space site for fuel other than that provided by the Department and stored for this use.

G. No person shall vacate a camp site until the site is completely razed and is thoroughly cleaned. (Ord. No. 425, 7-25-78; Code of 1988; Code of 2001)

Sec. 19-5. General Conduct.

No person shall take part in any of the actions identified in this Section.

(1) *Defacement, Destruction of Property and Resources.*

A. No person shall tamper with, climb on, injure, deface, destroy, disturb, damage, or remove any part of any park building, structure, sign, light pole, drinking fountain, hydrant, table, grill, equipment, statue or other property found therein.

B. No person shall deface, disturb, or remove in any manner any soil, artifact, fossil, rock, or other mineral resource.

C. No person shall excavate any ditch, trench, tunnel, or hole in any open space site.

(2) *Preservation of Vegetation.*

A. No person shall injure, cut, destroy, mutilate, uproot, disturb, or remove any flower, tree, shrub, or any plant whether wild or cultivated, or any part thereof.

B. No person shall plant or cause to be planted any wild, cultivated or exotic tree, shrub or plant except in specifically designated areas with the written permission of the Director.

C. No person shall fell or climb any tree, pick any flowers, fruit or vegetable (not self-grown) or trample any flowers, tree seedlings, flower beds, vegetable gardens or new turf seedlings.

D. No person shall hitch any animal or fasten, anchor, or otherwise attach any wire, rope, cable, signs, posters, or other articles to any tree, shrub or plant.

E. No person shall make any unauthorized use of any open space site which is detrimental to the turf and soil conditions.

F. No person shall remove any device, apparatus, or material installed for the protection, support, or preservation of any tree, shrub or plant.

(3) *Animals and Pets.*

The terms of this Section shall apply to animals, pets, and reptiles whether wild or domesticated.

A. No person owning, being in custody, or having control of an animal, pet, or reptile shall cause or allow it to roam or be at large in any open space site.

B. No person in custody of an animal, pet, or reptile shall permit it to enter any beach area, nature interpretive area, wildlife refuge, golf course or park building, whether leashed or otherwise, except a service animal trained to provide assistance to an individual with a disability, unless the person has received permission from the City Manager or designee prior to entering a public area or building. A person who is granted permission by the City Manager or designee must, prior to the animal, pet, or reptile entering a public area or building, provide the City of New Brighton with a completed waiver, and proof of insurance coverage that would hold the City harmless in case of an accident or incident involving the animal, pet, or reptile.

C. No person in custody of any animal, pet, or reptile shall allow it to disturb, harass, or interfere with other open space users or their property.

D. Any unattended animal, pet, or reptile found roaming or at large within any open space site shall be impounded.

- E. All State and local ordinances relating to the licensing and muzzling of animals, pets, and reptiles shall apply when they are brought into any open space site.
- F. No person shall release or introduce an animal, pet, or reptile in any open space site without written permission of the Director.
- G. No person owning or in custody of an animal, pet, or reptile shall allow it to graze or browse in any open space site. (Ordinance No 810, 03-27-2012)

(4) *Hunting, Fishing or Molesting Wildlife.*

A. No person shall kill, hunt, trap, pursue, injure, molest, or unnecessarily disturb or have in possession any species of wildlife including birds, waterfowl, fish, or other animals found within the confines of any open space site except that fishing may be permitted in designated areas subject to laws and regulations as established by the State.

B. No person shall rob, disturb, or molest the nest, eggs, or young of any birds, or other animals within the confines of any open space site.

(5) *Fires.*

A. No person shall start or maintain a fire in any open space site except small recreational fires in fireplaces, fire rings, and grills provided for that purpose in areas specifically designated for this use. Private grills may be used in designated areas provided that all ashes and residue shall be disposed of in containers provided for this purpose.

B. Any person who starts or maintains a fire in an authorized area shall exercise continuous supervision from the time the fire is kindled until it is extinguished. No fire shall cause damage or constitute a threat to site vegetation and resources nor shall it cause discomfort to other open space users.

C. At the discretion of the Director, fires may be prohibited for limited periods at any location for any purpose when it is necessary for the continued protection of park property and resources.

(6) *Waste and Litter.*

A. No person shall throw, cast, drop, pour, spill or discharge, or permit to escape in or upon any land, pond, river, creek, stream, ditch, storm sewer, or drain flowing into or through any open space site, any substance, matter or thing whether solid, liquid, or gas which shall result in the pollution of the waters, interfere with the conservation management of the water resource, or endanger the health of the public.

B. No person shall deposit, scatter, crop or abandon in any open space site, any paper, bottles, cans, sewage, waste, trash or other debris except in receptacles provided by the Department for such purposes.

C. No person shall deposit in a receptacle in any open space site any accumulation of waste or trash generated outside the boundaries of the site.

D. No person shall drop, throw, or otherwise leave unattended in any open space site lighted matches, burning cigars, cigarettes, tobacco, paper, or other combustible material.

(7) *Firearms, Weapons, and Fireworks.*

A. No person shall possess, fire, discharge, or set off any firearm, missile, fireworks, or explosives in any open space site. Permits for fireworks will only be issued upon proof of adequate insurance and compliance with State Statutes.

B. Only a law enforcement officer shall possess or carry a firearm of any description in any open space site.

C. No person shall possess or carry in any open space site any air gun, bow and arrow, knife with a blade greater than three inches, slingshot, dart, or projectile thrower, or any other dangerous or illegal weapon. Nothing in this Subdivision shall be construed to prevent the recreational use of firearms and bow and arrows on officially established field or target ranges.

D. Any unauthorized or illegal weapon within an open space site shall be subject to seizure by a law enforcement officer.

(8) *Disturbing the Peace.*

- A. No person shall disturb the peace and good order in any open space site by either word or act.
- B. No person shall use threatening, abusive, insulting, obscene, or indecent language or commit, perform or engage in any lewd, lascivious, obscene, or indecent act in any open space site.
- C. No person shall engage in fighting, quarreling, wrangling, riotous clamor, or tumult in any open space site.
- D. No person shall disturb, harass, or interfere with any open space user or the user's property.
- E. No person shall solicit or ask anyone to commit, perform, or engage in any lewd, lascivious, obscene, or indecent act or behavior in any open space site.

(9) *Audio Devices.*

A. 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 open space site in such a manner that the sound emanating from the equipment is audible beyond the immediate vicinity of the set or equipment and subsequently interferes with the use of the open space site by other users or disturbs the residents of adjacent property.

(10) *Loitering.*

- A. No person over the age of six shall enter any comfort station, restroom, washroom, or toilet facility set apart or designated for the opposite sex.
- B. No person shall lurk or loiter in or around any toilet facility or other system structure except to use the facility for its intended purpose.

(11) *Alcoholic and Intoxicating Beverages.*

- A. No person shall transport, possess, offer for sale, consume or be under the influence of any beer, wine, liquor or other alcoholic or intoxicating beverage in any park or open space site except by special permit or in such areas and at such times as may be designated by the Director.
- B. Between the hours of 8:00 a. m. and 8:00 p.m., beer in a quantity packages of less than a case, may be possessed, transported to and from, and consumed during the course of picnicking within those grounds specifically designated and equipped for this use.
- C. Beer in quantities of a case or more may be possessed, transported, and consumed only in a specified area with special permission attached to a permit issued by the Director in accordance with Section 19-3.
- D. Penalties for violation are provided in Section 19-7 and may include a fine or expulsion from the park area, or both.

(12) *Parades, Entertainment, Public Meetings.*

A. No processions, parades, pageants, ceremonies, exhibitions, celebrations, training exercises, speeches, entertainment, or other public gatherings shall be allowed to take place in any open space site or on any parkway except with written permission of the City Council or the Director.

(13) *Games.*

A. No person shall engage in any potentially dangerous games involving thrown or propelled objects except in areas specifically designated for this usage. Examples of these objects include footballs, baseballs, horseshoes, arrows, golf balls, model airplanes or similar items.

(14) *Advertising.*

A. No person shall distribute or disseminate any leaflets, pamphlets, circulars, handbills,

advertisements, or other written or printed material except with the written permission of the Director.

B. No person shall post, display, affix, or attach any sign, poster, placard, notice, banner or advertisement to any tree, building, shelter, fence, pole or other structure except with the written permission of the Director.

C. No person shall use loudspeakers, sound amplifying equipment, musical equipment, or cause any noise to be made for advertising purposes or for the purpose of attracting attention to any exhibition, performance, event, or other purpose except with the written permission of the Director.

(15) *Unlawful Sales.*

A. No person shall sell, offer for sale, hawk, peddle or lease any object, merchandise, or service or carry on any business or commercial enterprise except those concessions authorized or operated by the City.

(16) *Soliciting Alms.*

A. No person shall beg or solicit alms, donations, or contributions.

(17) *Photography.*

A. No person shall take any photographs or motion or sound pictures for commercial purposes or for use in commercial advertising except with the written permission of the Director.

(18) *Utilities.*

A. The location, construction, or erection of any sewer, gas pipe, water pipe, hydrant, lamp post, telephone, and electric power post, conduit, pump, life station, and other utility feature proposed in any open space site shall be subject to approval by the City.

B. No person, firm, or corporation shall construct or relocate any of these utility installations or fixtures without the written permission of the Director.

C. After the work has been commenced and until the work is completed, every person, firm, or corporation who shall receive a contract or permit to do work shall isolate the construction area by security fencing, warning lights and signs, or other appropriate measures that will protect the public from exposure to danger and prevent unnecessary accidents.

(19) *Lost and Found Articles.*

A. Lost or mislaid articles, money, or personal property that is found in any open space site shall be delivered or turned over to the Department. If the lawful owner does not claim the property within a period of sixty days, it shall be returned to the finder upon request.

(20) *Law Enforcement Officers and Employees.*

A. No person shall willfully resist, refuse, or fail to comply with any order, direction or request lawfully given by a law enforcement officer or Department employee acting under the authority of this Article.

B. No person shall interfere with or in any manner hinder a Department employee or law enforcement officer during the performance of their assigned duties. Further, no person shall

interfere with or in any manner hinder a City official or an employee of a contractor engaged in construction, repair, or care of any open space site or while in the discharge of other duties conferred by this Article.

(21) *Posted Regulations, Directional Signs and Graphics.*

A. No person shall disregard or fail to comply with any posted regulations, directional signs and graphics, barriers, or other control devices located in an open space site or on any parkway. (Ord. No. 425, 7-25-78; Code of 1988; Code of 2001)

Sec. 19-6. Traffic Rules.

(1) No person shall drive or operate a motor vehicle within any open space site except upon roadways, parking areas, parkways, or other areas designated for this use. A disabled vehicle may be moved off a paved area to allow for the continued flow of traffic but the vehicle must be repaired or removed within two hours unless other arrangements are made with the Director.

(2) No person shall operate a motor vehicle within any open space site or on any parkway in violation of posted regulations and directional signs of Minnesota Statutes, Chapter 169; County and municipal traffic ordinances; and, the orders or direction of law enforcement officers or Department employees.

(3) No person shall drive or operate a vehicle on or along any roads, drives, or parking lots that have been restricted, closed, or posted with appropriate signs or barricades. The Director shall have the authority to order roads, drives, or parking lots within any open space site or any roadway closed during the process of construction, reconstruction, or repair or when in the Director's opinion weather conditions render travel unsafe or unduly destructive.

(4) No person shall operate a motor vehicle in a careless or reckless manner or without due regard for the safety and rights of pedestrians and drivers and occupants of all other vehicles, so as to endanger the life, limb, or property of any other person while in lawful use of an open space site.

(5) No person shall park, stop, or leave a vehicle in any open space site or on any parkway or parking lot between the hours of 11:00 p.m. to 5:00 a.m. unless a permit is obtained from the Director.

(6) No person shall operate a vehicle in any open space site or on any parkway at a speed in excess of fifteen miles per hour or in excess of the posted speed limits.

(7) No person shall operate a vehicle in any open space site which emits excessive or irritating noise, noxious fumes, dense smoke, or other pollutants.

(8) No person shall wash, grease, or change oil on any vehicle in any open space site. A disabled vehicle shall quickly be made operational or removed from the open space site.

(9) No person shall park a vehicle adjacent to any curb painted yellow in any open space site.

(10) A vehicle illegally parked, disabled, or abandoned may be towed away and impounded at the owner's expense. The vehicle may be sold if unclaimed after sixty days to pay the towing and storage charges.

(11) No person shall drink, consume, or be in possession of an open bottle or container of an alcoholic or

intoxicating beverage in any motor vehicle when the vehicle is in an open space site or on a parkway.

(12) Vehicles shall yield the right-of-way at all times to pedestrians.

(13) No person shall participate in a drag race or test of unreasonable acceleration in any open space site or on any parkway.

(14) No person shall cause any taxi, limousine, or other vehicle for hire to stand in any open space site or on any parkway for the purpose of soliciting or taking in passengers other than those who requested or were carried to the site by the vehicle unless licensed by the City. (Ord. No. 425, 7-25-78; Code of 1988; Code of 2001)

Sec. 19-7. Penalties for Violation.

Violation of any provision of this Article shall be deemed a misdemeanor. In addition, a person violating any portion of this Article may be expelled, ejected, or ousted at such time from an open space site at the discretion of a law enforcement officer. (Ord. No. 425, 7-25-78; Code of 1988; Code of 2001)

Secs. 19-10--19-15. Reserved. (Code of 2001)

Article 2. Long Lake Surface Use

Secs. 19-16--19-29. Reserved. (Code of 1988; Ord. No. 610, 12-13-94; Code of 2001)

Sec. 19-30. Definitions.

When the phrase “slow-no wake” is used in this Article it shall mean operation of a watercraft at the slowest possible speed necessary to maintain steerage and in no case greater than five miles per hour. (Ord. No. 495A, 5-25-82; Code of 1988; Code of 2001)

Sec. 19-31. Slow-No Wake Zones.

It shall be unlawful to operate a watercraft while exceeding a slow-no wake speed:

- (1) Within 100 feet of shore except as modified by authorized buoys unless launching or landing a skier by the most direct route to open water.
- (2) When the lake elevation exceeds 866.22 feet above mean sea level datum as measured at the Long Lake Road bridge.
- (3) From sunset Friday to sunrise on Monday, except during the hours of 12:00 noon through 6:00 p.m. on each Saturday and Sunday.
- (4) On all legal holidays from sunset on the evening preceding the observed holiday and terminating at sunrise on the day following the observed holiday except during the hours of 12:00 noon through 6:00 p.m. (Ord. No. 495A, 5-25-82; Code of 1988; Code of 2001)

Sec. 19-32. Boat Launching.

No person shall launch or beach a watercraft other than at designated areas or on private property with the owner's permission. (Ord. No. 495A, 5-25-82; Code of 1988; Code of 2001)

Sec. 19-33. Direction of Travel.

Watercraft producing a wake shall be operated in a counterclockwise direction. (Ord. No. 495A, 5-25-82; Code of 1988; Code of 2001)

Sec. 19-34. Motorized Vehicles on Lake Surface Ice.

- (1) **Speed Limit.** No person shall operate a motorized vehicle in excess of 25 miles per hour.
- (2) **Distance.** No person shall operate a motorized vehicle in excess of eight miles per hour within 150 feet of any person fishing, a fish house, pedestrian, skier, skater, skating rink, where such operation would endanger other persons or property.
- (3) **Lights.** No person shall operate a motorized vehicle at any time unless headlights and taillights are illuminated. (Ord. No. 495A, 5-25-82; Code of 1988; Code of 2001)

Sec. 19-35. Closing of the Lake Surface.

(1) The Parks and Recreation Director, Director of Public Safety, or the City Manager may close the lake surface to all recreational use by posting notice of the order upon determining the existence of conditions that constitute a danger to persons or property provided that the lake shall not be closed for more than five days without the approval of both the City Council and the Commissioner of the Minnesota Department of Natural Resources.

(2) In any case, the City Council and the Commissioner of the Minnesota Department of Natural Resources should be notified as soon as practicable during this five day period. (Ord. No. 495A, 5-25-82; Code of 1988; Code of 2001)

Sec. 19-36. State Laws Adopted.

The provisions of Minnesota Statutes and the Minnesota Department of Natural Resources Boat and Water Safety Rules are hereby adopted and incorporated herein by reference and made a part of this Article. (Ord. No. 495A, 5-25-82; Code of 1988; Code of 2001, Ord No. 730, 06/14/2005.)

Sec. 19-37. Enforcement.

Officers of the New Brighton Public Safety Department and the Ramsey County Sheriff's Department shall be authorized and entitled to enforce the provisions of this Article. (Ord. No. 495A, 5-25-82; Code of 1988; Code of 2001)

Sec. 19-38. Reserved. (Code of 2001)

Sec. 19-39. Exemptions.

Boats utilized by authorized resource management, emergency, and enforcement personnel when acting in the performance of their assigned duties shall be exempt from the provisions of this Article. (Ord. No. 495A, 5-25-82; Code of 1988; Code of 2001)

Sec. 19-40. Permit Required for Temporary Exemptions.

Temporary exemptions from this Article may be obtained through a permit issued by the City Council for special events, trials, or races. (Ord. No. 495A, 5-25-82; Code of 1988; Code of 2001)

Sec. 19-41. Reserved. (Code of 2001)

Editor's Notes
City Code-Chapter 19
Parks and Recreation

This Chapter has been renumbered to be consistent with the numbering system used throughout the Code:

The first division within a Section is numbered “(1)” followed by “(2), etc.

The next division of a Section is numbered with an “A” followed by “B”, etc.

As with all other parts of the codification, the language in this Chapter has been simplified and made gender neutral.

Article 3 has been renumbered as Article 2 because the original text of Article 2 (Parks Commission) has been reassigned to Chapter 2.

Section 19-38 has been deleted because the declaration of a misdemeanor for violation duplicates the general condition cited in Section 1-9.

Section 19-41 has been deleted because the effective date no longer is necessary.

Margaret A. Egan
Finance Director/City Clerk
February 4, 2000