

## Section 236 - Park and Recreation Conduct and Use Regulations

(Note: 236:00 section number omitted)

### Section 236:05. Definitions.

Subd. 1. “Parks & Recreation Director” is the Parks & Recreation Director for the City of St. Cloud.

Subd. 2. “Land adjacent to a park” means all public alleys, streets, highways, or any other public lands which border on a park.

Subd. 3. “Park” is a park, reservation, trail, greenway, playground, swimming pool, beach, recreation center, shelter house, or any other area in the City, owned or used by the City and devoted to active or passive recreation.

Subd. 4. “Parkway” is any roadway in or leading into a park area.

Subd. 5. “Vehicle” is any conveyance on wheels or tracks, whether motor powered, animal drawn or self-propelled. The term will include any trailer of any kind or description. Exception is made for baby carriages.

Subd. 6. “Resident” is any person who lives within the corporate limits of the City of St. Cloud.

Subd. 7. “Trail” is an off road area that may be used for walking, bicycling, running, inline skating, skateboarding and other generally recreational or leisure activities. Trails may be constructed of a variety of surfacing material.

Subd. 8. “Board” means the St. Cloud Park and Recreation Board.

Subd. 9. “Special Event” means any event at which 50 or more persons are involved or any event for which a permit is required.

Subd. 10. “Keg” means a container designed for and capable of holding intoxicating or 3.2 malt liquor to be dispensed from a tap.

Subd. 11. “Organized Sporting Event” means any sport event, sport practice, exercise class, therapeutic class, non-impact class, cross-training class, dance class, water class, whereby participants are charged a fee by the hosting organization for participation, membership or attendance.

Subd. 12. “Electronic Delivery Device” means any product containing or delivering nicotine, lobelia, tobacco, cannabis, marijuana, hemp, or other plant, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. Electronic delivery device includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigs, e-pipes, vape pens, mods, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately.

Subd. 13. “Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made or derived from, nicotine, lobelia, tobacco, cannabis, marijuana, hemp, or other plant, or any other substance, whether natural or synthetic, that is intended for inhalation. Smoking also includes carrying or using an activated electronic delivery device.

Section 236:10. Park Hours and Open Dates.

Subd. 1. Parks & Trails. The opening times and closing times for all parks and trails will be from 6:00 a.m. to 10:00 p.m. for the entire calendar year.

Subd. 2. Park Shelters. Riverside Park Shelter will be available for rental 6:00 a.m. to 10:00 p.m. year round. Wilson Park, Pineview Park, Lions Park, Heritage Park and Knights of Columbus Park shelters will be open from 6:00 a.m. to 10:00 p.m. from May 1- September 30.

Subd. 3. Changes in Regular Park Hours. The Parks & Recreation Director may establish temporary park operation hours.

Subd. 4. Special Events. A written permit must be obtained from the Parks & Recreation Department for all special events.

Section 236:14. Rules and Regulations. The Parks & Recreation Director may establish reasonable rules and regulations for the use of park and recreation facilities and for obtaining permits. Such rules and regulations will be based on a due regard for the purpose for which the facility is established, the safety of those using the facility, the need for supervisory personnel and the maximum number of persons who can safely use the facilities at one time. Park and Recreation facilities may be used by members of the general public for recreational and athletic purposes consistent with the nature of the facility and the safety of the public and property, subject to permit requirements.

Section 236:15. Permits. No person will, without a permit:

Subd. 1. Conduct a public assembly, parade, picnic or other event involving more than fifty people.

Subd. 2. Circulate or distribute any leaflets, handbills, notices, pamphlets, books, documents or papers of any kind in any indoor recreational facility, fieldhouse, garden or other special facility.

Subd. 3. Conduct any exhibit, music or dramatic performance, fair, circus, concert, play, radio or television broadcast, other than a news transmission.

Subd. 4. Exhibit or display any motion picture, television program, light or laser light display or similar event.

Subd. 5. Operate a vehicle, except upon a publicly dedicated street, alley, parkway, parking lot or other roadway which may abut or traverse a park.

Subd. 6. Create or emit any amplified sound, except from a radio, recorder or other device possessed and used by an individual and operated in such a manner so as not to interfere with the use and enjoyment by another person.

Subd. 7. Station or erect any building, tent, canopy, stand, bandstand, stage, tower, scaffold, sound stage, platform, rostrum or other structure.

Subd. 8. Station or use any electrical or electronic device or equipment that would require outdoor auxiliary power.

Subd. 9. Sell or offer for sale any goods or services.

Subd. 10. Display, post or distribute any placard, handbill, pamphlet, circular, book or other writing containing commercial advertising matter within a park.

Subd. 11. Bring, land or cause to ascend or descend or alight any airplane, helicopter, flying machine, balloon, parachute or other apparatus for aviation.

Subd. 12. Conduct any organized sporting event.

Subd. 13. Ride any horse on any parkway, path or trail.

Subd. 14. Bring onto park property a tame, non-domestic supervised and controlled or restrained animal for limited non-commercial or promotional purposes.

Subd. 15. Provide the professional catering of food, pop and/or beer.

Subd. 16. Transport or carry into Wilson or Riverside Parks keg beer. Keg permits will be issued during the period of May 1 through September 30 only.

Subd. 17. Utilize any park rental shelter at any park location

Subd. 18. Conduct any wedding ceremony or wedding photography session at Munsinger Gardens or a wedding ceremony at any other City park.

Subd. 19. Place or operate any watercraft in Lake George or on any waters within any city park.

Subd. 20. Utilize any off leash dog park areas located in the fenced and posted areas of Wilson Park on Riverside Drive N.E., Jaycees Park on 37<sup>th</sup> Avenue North and the northern fenced and posted portion of Whitney Park on Northway Drive and adjacent land north of the Sauk River that is accessible only by the foot bridge.

Subd. 21. Install bags or mark fields at Whitney Memorial Park. Only Recreation Maintenance Staff using department equipment may install bags or mark fields without permission.

Section 236:20. Application. A person seeking a permit pursuant to Section 236:15 will file an application with the Parks & Recreation Director. The application will state the information required in the following subdivisions:

Subd. 1. Name and address of applicant.

Subd. 2. Name and address of the person(s), corporation or association sponsoring the activity.

Subd. 3. Day, hour and year for which the permit is desired.

Subd. 4. Park or portion of park for which the permit is desired.

Subd. 5. Estimate of anticipated attendance.

Subd. 6. Types of beverages and foods to be served.

Subd. 7. Detailed description of the proposed activity.

Subd. 8. Other information requested by the Parks & Recreation Director that is reasonably necessary to determine whether or not a permit will be issued.

Section 236.21. Application Fee. No permit application will be considered unless the applicant has the required application fee.

Section 236.22. Indemnification and Reimbursement Agreement. No application for permit will be granted unless the applicant will have executed an agreement with the City, on a form to be prescribed by the Parks & Recreation Director, in which the applicant will promise and covenant to bear all costs of policing, cleaning up and restoring the park upon conclusion of the event or activity; to reimburse the City for any such costs incurred by the City; and to indemnify the City and hold the City harmless from any liability to any person resulting from any damage or injury occurring in connection with the permitted event proximately caused by the action of the permittee, the sponsoring organization, its officers, employees or agents or any person under their control insofar as permitted by law.

Section 236.23. Security Deposit. The Parks & Recreation Department reserves the right to access a security deposit in an amount in accordance with the schedule of fees set by the Parks & Recreation Director and approved by the City Council. The amount of the security deposit will be equal to the estimated cost of policing, cleaning up, and restoring the park upon the conclusion of the use or activity. The security deposit will be deposited by the City into an escrow account. Promptly after the conclusion of a permit activity, the City will inspect the premises and equipment used by the permit holder.

Subd. 1. If it is determined that there has been no damage to City Property or equipment, the security deposit will be refunded in full within 30 days of the conclusion of the permitted event.

Subd. 2. The City will give written notice of the assessment of damages and retention of the security deposit to the permit holder by personal delivery or by deposit in the United States mail, with proper postage prepaid to the name and address provided in the application for permit. Any assessment of damages in excess of the security deposit will be paid to the City within ten days after notice of such assessment of damages. Retention of all or a portion of a security deposit will be subject to the appeal procedures contained in Section 236:29.

Subd. 3. When no shelter attendant is assigned, the permit holder will be assessed a \$100.00 key deposit upon receipt of the shelter key. The deposit will be returned no later than 12 business days after the key is returned.

Section 236.24. Designation of Park Facilities.

Subd. 1. Proposed Designation. The Parks & Recreation Director will classify all park property under a uniform system of classification and designate for each such classification the use or uses which, in his/her judgment, should be permitted therein. Categories of classifications which the Parks & Recreation Director will designate may include, but are not limited to, parks, playgrounds, and recreation areas. The Parks & Recreation Director will classify all park property under the following classification system:

- (a) public forums;
- (b) limited use areas;
- (c) areas or facilities not designated for public assembly; or
- (d) special facilities.

The Parks & Recreation Director will then record the designations for each park and will transmit the same promptly to the Park and Recreation Board. The Park and Recreation Board will review the designations and forward them with its recommendations to the City Council. The City Council, will then approve, amend or reject the designations. The Parks & Recreation Director may, from time to time amend or revise the designations and will promptly transmit in writing the amendments or revisions in the same manner used for the original designations. All designations, amendments and revisions thereof, will be in full force and effect from the time that they are approved or amended by the City Council.

Section 236.25. Fees for Use of Park Facilities. No permit will be issued unless the applicant has paid, within the time prescribed by the Parks & Recreation Director the permit fee and any other required fee approved by the City Council.

Section 236.26. Insurance. The amounts and type of insurance required for using the park property will be determined by the City based upon the nature and risk of the activity. The permit applicant is required to obtain the required insurance coverage. The insurance contract must state that the City is an additional insured party and that the City will receive advanced notice of the insurer's intent to cancel coverage. Prior to the applicant's use of the park property and within the time prescribed by the Parks & Recreation Director the applicant will provide the City with a certificate from the insurer evidencing the insurance coverage.

Section 236.27 Permits Not Transferable. No permit or preliminarily approved permit application may be transferred.

Section 236.28. Processing of Permit Applications.

Subd. 1. Order. Applications for permits will be processed in order of receipt; and the use of a particular Park will be allocated in order of receipt of fully executed applications accompanied by the application fee.

Subd. 2. Denial. Notice of denial will be in writing and will be served on the applicant by personal delivery, or by deposit in United States mail, with proper postage prepaid, to the name and address provided in the permit application.

Subd. 3. Contents of Notice; Grounds for Denial. Notice of denial of a permit application will clearly state the grounds upon which the permit was denied and, where feasible, will contain a proposal by the Parks & Recreation Director for measures by which the applicant may cure any defects in the permit application or otherwise obtain a permit. Where an application or permit has been denied because a fully executed prior application for the same time and place has been received, and a permit has been or will

be granted to the prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular area, the Parks & Recreation Director will propose an alternative place, if available for the same time, or an alternative time, if available for the same place.

Subd. 4. To the extent permitted by law, the City may deny a permit application if the applicant or the person on whose behalf the application for permit was made has on prior occasions made material misrepresentations regarding the nature or scope of an event or activity previously permitted or has violated the terms of prior permits issued to or on behalf of the applicant. The City may also deny a permit application on any of the following grounds:

- (a) the permit application (including any required attachments and submissions) is not fully completed and executed;
- (b) the applicant has not tendered the required application fee with the application or has not tendered the required user fee, indemnification agreement, insurance certificate, or security deposit within the times prescribed by the City;
- (c) the permit application contains a material falsehood or misrepresentation;
- (d) the applicant is legally incompetent to contract or to sue and be sued;
- (e) the applicant or the person on whose behalf the application for permit was made has on prior occasions damaged park property and has not paid in full for such damage, or has other outstanding and unpaid debts to the City;
- (f) a fully executed prior application for permit for the same time and place has been received, and a permit has been or will be granted to a prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular park or part thereof;
- (g) the use or activity intended by the applicant would conflict with previously planned programs organized and conducted by the City and previously scheduled for the same time and place;
- (h) the proposed use or activity is prohibited by or inconsistent with the classifications and uses of the park;
- (i) the use or activity intended by the applicant would present an unreasonable danger to the health or safety of the applicant, or other users of the park, of City employees or of the public;
- (j) the applicant has not complied or cannot comply with applicable licensure requirements, ordinances or regulations of the City concerning the sale or offering for sale of any goods or services;
- (k) The use or activity intended by the applicant is prohibited by law or by the regulations of the Parks & Recreation Department.

Section 236.29. Procedures for Appeal; Waivers.

Subd. 1. Review by Director of Community Services & Facilities.

- (a) Any applicant who is denied a permit or denied a request for a waiver of user fee, security deposit, or certificate of insurance, or a permit holder who has had all or a portion of its security deposit retained because it was assessed damages may, within seven days of the service of notice of such determination, file a written appeal from such determination with the Director indicated on the notice of determination.
- (b) The Director will have seven days to serve upon the applicant a notice that he/she has affirmed, modified or reversed the denial or retention of the security deposit within seven days from the date of receiving the appeal.
- (c) The notice will be deemed served upon the applicant or permit holder when it is personally delivered or when it is sent by United States mail, with proper postage prepaid, to the name and address stated in the permit application.
- (d) If the notice is not served upon the applicant or permit holder within seven days of the date the appeal was filed, then the denial or retention of the security deposit will be deemed reversed.

#### Subd. 2. Form of Appeals.

Any appeals filed pursuant to this ordinance will state the grounds upon which the determination should be modified or reversed and will be accompanied by copies of the permit application, the written notice of the determination of the Parks & Recreation Director and any other papers material to the determination.

#### Subd. 3. Waiver of Requirements.

Any requirements for a user fee, security deposits, or certificate of insurance will be waived by the City Attorney, if the activity is protected by the First Amendment of the United States Constitution and the requirement would be so financially burdensome that it would preclude the applicant from using park property for the proposed activity. Fees for equipment and services will not be waived. Application for a waiver of a user fee, security deposit, or certificate of insurance will be made on a form prescribed by the City Attorney and must include an affidavit by the applicant and sufficient financial information about the applicant to enable the City Attorney to determine whether the requirement(s) would be so financially burdensome that it would preclude the applicant from using park property for the proposed activity. If it appears that the applicant does not have sufficient funds to satisfy the user fee requirement prior to the proposed event, but that the applicant intends to raise sufficient funds at the event, the City Attorney will require the applicant to pay such user fee out of the proceeds of the proposed event. If no written denial is issued within fourteen days from the date of receiving a fully completed application for waiver is executed and filed with the City Attorney, the waiver application will be deemed approved, contingent upon the applicant complying with all other permit requirements. Denials of requests for such waivers will be subject to the appeal procedures contained in Section 236.29.

Section 236:30. Effect of Permit. A permit holder will be bound by all park rules and regulations and all applicable ordinances. All permits must be made available for inspection(s) during the activity for which it was issued.

Section 236:40. Revocation. The Parks & Recreation Director will have the authority to revoke any permit upon a violation of any rule or ordinance or good cause.

Section 236:50. Prohibited Activities and/or Destruction of park property. No person will do any of the following acts in a park:

Subd. 1. Destroy, cut, break, deface, mutilate, injure, disturb, sever from the ground or remove any sod, earth or growing thing including, but not limited to, any plant, flower, flower bed, shrub, tree, growth, or any branch, stem, fruit, or leaf; or bring into or have in his/her possession in any park any tool or instrument intended to be used for cutting thereof, or any garden or agricultural implements or tools, which could be used for the removal thereof, except as approved and allowed by permit.

Subd. 2. Set fire to any trees, shrubs, plants, flowers, grass, plant growth or living timber, or suffer any fire upon land to extend into park lands.

Subd. 3. Go upon any lawn, grass plot, planted area, tree, shrub, monument, fountain, sculpture or structure where access is prohibited by signs or symbols which are posted or otherwise displayed or where access is restricted by fence or other physical barrier.

Subd. 4. Cut, break, or in any way injure, deface, destroy or alter any building, fence, monument, sculpture, bridge, or other structure or property contained therein.

Subd. 5. Operate or drive any motor car, automobile or vehicle of any kind in a park in such a manner as to cause the same to collide with, run against, strike or cause to strike, injure, deface, or damage any park property or appurtenance of any kind.

Subd. 6. Fasten any animal or attach any rope, sign, handbill, or other things to any tree, shrub or to any protective device around any tree or shrub growing in any park.

Subd. 7. Allow any animal to injure any tree, plant, shrub, lawn or grass plot in any manner whatsoever.

Subd. 8. Fasten any bicycle, motorcycle, moped, or other vehicle to or leave the same standing so as to injure any tree, shrub, lawn or grass plot.

Subd. 9. Deface, destroy, cover or otherwise make unreadable any warning or prohibitory sign or symbol on park property.

Subd. 10. Intentionally make dirty or unsanitary the restrooms, washrooms and shower rooms. No person over the age of seven years will enter the restrooms, shower rooms or other rooms designated for the opposite sex without the proper adult supervision.

Subd. 11. Run or string any public service utility into, upon, or across such lands, except on special written permit issued hereunder.



Subd. 12. Give or offer to any animal or bird any type of food or poisonous or otherwise harmful substance in any city park.

Subd. 13. Light or make use of any fire in any park except that fires for cooking purposes may be made in portable metal containers or grills under such regulations as may be prescribed.

Subd. 14. Engage in any organized athletic game or sport in any park except such portions thereof as may be designated for that purpose and then only under such rules and guidelines as may be prescribed.

Subd. 15. Skate, skateboard, sled, or ski in any part of any park in a reckless manner or at a speed greater than is reasonable and proper, having due regard to the number of people.

Subd. 16. Skating and biking of all types, including, but not limited to, roller-skating, skateboarding, and cycling will be prohibited at all times within the confines of Munsinger and Clemens Gardens.

Subd. 17. Stack or arrange picnic tables in such a manner as to disrupt overall park use.

Subd. 18. Place or cause to be placed in the waters of any body of water or fountain in or adjacent to any park or any tributary, stream, storm sewer or drain flowing into such waters, any substance which will or may result in the pollution of said waters.

Subd. 19. Dump, deposit, or leave refuse or other trash, not generated by a permitted use within the park. All waste generated by use of the park will be placed in the proper receptacles if provided. Where no waste receptacle is available all waste will be packed out and properly disposed of by the park user.

Subd. 20. Transport or carry in or possess glass beverage containers in any City park.

Subd. 21. Domestic Animals. Having been responsible for the entry of a dog or other domestic animals into the park area, permit that animal to do any of the following acts:

- (a) Except in areas designated as "off leash pet exercise area," a domestic animal may be brought into a park so long as such animal is continuously restrained by a leash not to exceed six feet in length. No dogs, other than those designated as "service dogs" are allowed in Munsinger or Clemens Gardens.
- (b) Animals, other than service dogs, may not enter or remain in any building, playground, swimming pool, spray pool, garden, athletic field or other areas that may be designated as prohibited areas.

Subd. 22. Ice Rinks.

- (a) Go onto ice on any area designated and posted as being unsafe.

- (b) Operate a snowmobile, sled, bicycle, toboggan, or any other Vehicle on any ice rink.

Subd. 23. Entering Unfinished, Undeveloped or Closed Areas.

- (a) Enter upon any part of any Park, which is in an unfinished state or under construction.
- (b) Enter or attempt to enter any building or area in any Park when its is closed to the public.
- (c) Enter upon any part of any Park, which is designated as under construction or development.

Subd. 24. Use of Playground Equipment. Being a person over 12 years of age, use playground equipment designated for use by persons under 12 years of age in a way that is inappropriate or destructive.

Subd. 25. Pay Fees. Participate in any activity or utilize any facility for which a fee is required without paying the required fee.

Subd. 26. Exhibit Permits. Fail to produce or exhibit any permit issued by the Parks & Recreation Director upon request from any Park and Recreation attendant or police officer who will desire to inspect the same for the purpose of enforcing compliance with an ordinance or rule.

Subd. 27. Interference with Permit Holders. Disturb or interfere unreasonably with any person or party occupying any area or participating in any activity under the authority of a permit issued pursuant to this ordinance.

Subd. 28. Biking of all types, including, but not limited to, Mountain biking, BMX biking or Freestyle biking will be prohibited at all times within any skate board or roller blade park.

Subd. 29. Dump, deposit, leave or place cremated remains in or adjacent to any City Park or Trail.

Section 236:55. Alcohol in Parks. No person in a Park will consume, possess, dispense, transport or carry any alcoholic beverage, including 3.2 beer, in or into any City park, except as permitted below:

Subd. 1. Wilson, Lions and Riverside Parks. Except during designated alcohol free days, beer or wine packaged only in its original glass free container will be allowed in Wilson, Lions and Riverside Parks. Keg beer is allowed in Wilson and Riverside Parks when permitted by Section 236:15 Subd. 16. Keg beer is not allowed in Lions Park.

Subd. 2. Whitney Park. Except during designated alcohol free days, beer or wine may be consumed at Whitney Park if they were first purchased from the vendors located at that facility or when permitted by Section 236:15, Subd. 17.

Subd. 3. Alcohol free days. The Parks & Recreation Director may designate any day as alcohol free in Wilson, Whitney, or Riverside Park. When an alcohol free day is designated in a park, that park will be posted at the entrance and on principal shelter facilities with a notice indicating that alcohol possession and consumption is prohibited.

Subd. 4. Beer Kegs. Keg beer is allowed by permit only and will be issued in conjunction with shelter rental at Wilson and/or Riverside parks. Keg permits are only issued during the summer and fall shelter seasons of May 1 through September 30 for each calendar year. Each rental is allowed one keg per permit and one permit per rental. The keg must be kept inside the picnic shelter at all times. Keg permits will not be granted for any type of fundraising activity or incidental to a fundraising activity.

Subd. 5. Alcoholic beverages may not be consumed, possessed or dispensed in the Lake George Complex or anywhere on Eastman Park grounds except as pursuant to a temporary on-sale liquor license that has been granted pursuant to Section 810:05, Subd. 7 or Section 800:05, Subd. 5. Alcoholic beverages served pursuant to a temporary license may not be consumed or possessed outside of a service area as defined by the Parks & Recreation Director.

Section 236:57. No Smoking in Parks and Adjacent Public Parking Lots. Smoking is prohibited in all City parks, in all public parking lots that are adjacent to City parks, and inside all motor vehicles located in any City park or adjacent public parking lot. A violation of this section is a petty misdemeanor.

Section 236:60. Traffic. No person in a park will do any of the following prohibited acts:

Subd. 1. Traffic Signs. No person will fail to obey the directions of all traffic and parking control signs in any park.

Subd. 2. Speed of Vehicles. No person will ride or drive a vehicle at a speed greater than 15 miles per hour on parkways open to regular traffic.

Subd. 3. Areas of Vehicle Operation. No person will drive a vehicle on any area of a park except on a parkway, parking lot, or other roadway designated for vehicles.

Subd. 4. Bicycles.

- (a) Persons may operate a bicycle only on paths, trails, Parkways or other areas designated for bicycle use.
- (b) Persons operating bicycles must ride on the right hand side of such path, trail, Parkway, or other area designated for bicycle use.
- (c) No person may operate a bicycle in a reckless manner so as to endanger pedestrians.
- (d) No person will cling or attach himself/herself or his/her bicycle to any other moving vehicle.
- (e) The operator of the bicycle will yield the right-of-way to all pedestrians on walkways and will walk the bicycle in all areas where riding is prohibited.

- (f) No person will leave a bicycle in a place other than a bicycle rack when one is provided and space is available, or leave a bicycle in a place where other persons may be injured by the bicycle.

Section 236:65. Recreation Activities. No person in a park will do any of the following prohibited acts unless specific authorization is received from the Park and Recreation Director:

Subd. 1. Bathing and Swimming.

- (a) Designated Areas. Swim, bathe, or wade in any water or waterways in or adjacent to any park, except in such waters and at such places as are provided therefor, and in compliance with such regulations as are herein set forth.
- (b) Hours. Swim, bathe, or wade in any water or waterways in or adjacent to any park, except during the hours posted at each designated swimming area.
- (c) Apparel. Swim, wade or bathe nude in any Park. For purposes of this section nudity is defined as less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areolae.

Subd. 2. Fishing.

- (a) General Prohibition. Fish in any waters, whether by the use of hook and line, net, trap or other device, except in waters designated for that use.
- (b) Ice Fishing. Fish through the ice on any part of Lake George. No fish house will be placed on Lake George nor will any person drill or chop holes in its ice.

Subd. 3. Hunting and Firearms. Hunt, trap, pursue or endanger any animal life. No person will, except in a designated areas open for nuisance deer hunting by permit, use, carry, or possess firearms of any description, or air rifles, spring guns, bow or arrows, slings, or any other forms of weapons potentially inimical to life or dangerous to human safety or any instrument which can be loaded with and fire black cartridges, or any kind of trapping device. Shooting into park areas from beyond park boundaries is forbidden.

Subd. 4. Picnic Areas and Use. Leave the picnic area before the fire is completely extinguished and before all refuse or other trash is placed in the disposal receptacles where provided.

Subd. 5. Camping. No persons will set up tents, shacks, or any other temporary shelter for the purpose of overnight camping nor will any person leave in the park after closing hours any movable structure or any special vehicle to be used or that could be used for such purposes, such as house trailer, camp trailer, camp wagon, or the like, except in designated camping areas.

Subd. 6. Games. Take part in or abet the playing of any games involving throwing or otherwise propelling objects such as baseballs, golfballs, stones, arrows, javelins, model airplanes, snow and ice chunks or snowballs, except in the areas set apart for such forms of recreation. The playing or practicing of rough or comparatively dangerous games such as football, baseball, adult softball, and golf is not permitted, except on the fields, courts, or

areas provided therefor. Use of ballfields will be governed by the rule of first come, first served, except where prior reservations are made.

Section 236:75. Merchandising, and Advertising. No person in or on land adjacent to a park will do any of the following prohibited acts:

Subd. 1. Vending and Peddling. Expose or offer for sale any article or thing, or station or place any stand, cart, or vehicle for the transportation, sale or display of any article or thing. Exception is hereby made as to any regularly licensed concessionaire acting by and under the authority of the Health Department with the approval of the Parks & Recreation Director for all Parks

Subd. 2. Advertising. Announce, advertise or call the public attention in any way to any article or service for sale or hire.

Section 236:76. Signs. No person in a Park may post, erect, or cause to be posted or erected by any means any sign, placard, advertisement or inscription whatsoever. City of St. Cloud Park & Recreation signs and postings are exempted from this prohibition.

Section 236:85. Park & Recreation Fees. Fees for all park and recreational activities and other fees are set forth in Chapter 500 of this Code.

Section 236:86. Park & Recreation Financial Assistance. Individuals in need of financial assistance for youth programming and activities may be eligible for assistance through the scholarship program. Assistance is based upon household family income, as adopted by City Council resolution.

Section 236:90. Park & Recreation Department Cancellation Policy. A letter of credit for 100 percent of fees paid or a full monetary payment will be refunded for cancellations which occur prior to the first day of any class or lesson. A letter of credit for 50 percent of fees paid or a 50 percent payment will be issued for cancellations which occur on the first or second day of class or lessons. No credit or monetary payment will be given for cancellations, which occur after the second day of class or lessons.

Subd. 1. For all facility rentals if a reservation is cancelled 30 or more calendar days before the event, the total fee will be refunded, minus the \$16.00 Administrative Fee. If a reservation is cancelled and fewer than 30 calendar days remain before the event, **only** 50 percent of the total fee will be refunded, minus the \$16.00 Administrative Fee. No refunds will be given on or after the day of a scheduled rental for any reason.

Subd. 2. Rain or severe weather cancelations that effect the Whitney Park Sports Complex activities will be rescheduled on an alternate date without penalty.

Section 236:100. Exceptions for Emergency Vehicles, City Vehicles and City Activities. The provisions of Section 236 do not apply to the following:

Subd. 1. Emergency, police or fire department vehicles or watercraft, or any vehicle or watercraft owned by the City or a City employee displaying proper identification where the employee is duly authorized to operate such vehicle or watercraft at such location.

Subd. 2. City employees authorized to perform duties in a park.

Subd. 3. Events or activities organized and supervised by the City and its employees.

**History:** Ord. 2487 12-20-10; Ord. 2497 5-23-11; Ord. 2604 12-8-14; Ord. 2688 12-19-16; Ord. 2897  
6/26/2023